



A Parent's Guide

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TO SPECIAL
EDUCATION
SERVICES FOR
SCHOOL-AGE
CHILDREN

PARTICIPATING IN YOUR CHILD'S EDUCATION

You know your child best. Your ideas, opinions and input are very important in mapping out the best possible education for him or her. Every child with a disability has the right to what is called a Free Appropriate Public Education (FAPE). This Guide is designed to help you work with your child's school staff to develop the most appropriate program to help your child succeed.

section 1 Getting Started

Asking the Right Questions at the Beginning | see page 2

If you believe your child requires special education services, it is important to ask the right questions at the start. Here are some questions you might want to ask your child's teacher:

- What do the grades on my child's report card mean? Is he/she doing the kind of work that is expected?
- How do I know if my child understands what I am reading to him or her?
- What sorts of questions should I ask my child as we read together?
- How can I help my child if he/she is struggling with math homework?
- What are some math learning activities I can do at home or in the neighborhood?
- Does my child get along well with the other students in school?
- Does my child have any difficulty following directions or doing what is asked of him or her?
What do you do if that happens in class?
- What can you tell me (what have you noticed) about how my child learns?
- Are there any additional services during school or after school that could help my child?
If so, how can we get that extra help for my child?
- What are some things I can do at home to help my child do her/his best in school?

section 2 When The Special Education Process Begins

The Steps of the Special Education Process | see page 4



The first step is determining if your child has a disability and requires special education services. You or a school official may start the process with an **initial referral**, or another individual may make a **request for referral**. Once you give consent, your child will be evaluated to determine his or her developmental history and behavior, what he or she knows and how he or she learns, and his or her skills, abilities and areas of need.

In most circumstances, the time frame for completing all necessary assessments and convening an Individualized Education Program (IEP) Team meeting is **60 calendar days** from the receipt of your consent to initially evaluate your child.

Once your child's evaluation is completed, you will attend a meeting to discuss your child's eligibility for special education services and, as needed, develop an Individualized Education Program (IEP) for him or her. Other attendees at this meeting include teachers and other professionals who know your child or have participated in the evaluations, or will likely be providing services to your child. *See page 10 for more information about the IEP Team members.*

Your Role at the IEP Team Meeting | see page 9

You are an important part of the IEP Team and your input is valuable. At the IEP Team meeting, you should:

- Offer insight into how your child learns and what his or her interests are and share other things about your child that only a parent could know;
- Listen to what other team members think your child needs to work on at school and share suggestions;
- Report on whether the skills your child is learning at school are being used at home;
- Ask questions of all team members and participants at the meeting.

Reviewing Your Child's Progress | see page 12

Each year an IEP Team meeting is required to review your child's progress. This is called an Annual Review. If your child is already receiving special education services, he or she may also be referred for a reevaluation to determine if those services need to be reassessed. A reevaluation may not occur more than once a year unless you and the Department of Education agree otherwise, in writing. Additionally, unless you and the school district agree in writing that it is not necessary, a mandated three-year evaluation must be completed. If necessary, your child's IEP will be amended to better meet his or her needs.

section 3

The Individualized Education Program (IEP)

Determining Eligibility | see page 14

The IEP Team will decide if your child is eligible for special education services based on the criteria for one or more of these disability classifications:

- Autism
- Deafness
- Deaf-Blindness
- Emotional Disturbance
- Hearing Impairment
- Learning Disability
- Mental Retardation
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment

What is an IEP? | see page 17

The IEP documents your child's eligibility for special education services and formalizes the school system's plan to provide special education services that are appropriate for his or her unique needs. It contains specific information about your child and the education program designed to meet these needs, including:

- Your child's current performance in school and goals that can be reasonably accomplished in a school year;
- Special education and related services, including counseling; speech, occupational or physical therapy; paraprofessional support; assistive technology; behavior intervention and modifications;
- Participation with non-disabled children and/or mainstreaming opportunities;
- Participation in state and citywide tests, promotion criteria and diploma objectives;
- Date services will begin, how often they will be provided, where they will be provided and for how long;
- Means of measuring your child's progress.

section 4

What to Expect: School Age Special Education Services

Educating Your Child in the Environment that Best Suits His or Her Needs | see page 20

When recommending services for your child, the IEP Team must consider how to provide services while allowing your child to be educated with children who do not have disabilities to the maximum extent appropriate. This section outlines the special education continuum of services.



Special Class Ratios | see page 24

Special classes offer different levels of staffing intensity depending upon your child's academic and/or management needs. These classes may range from six to fifteen students and include one special education teacher and up to four paraprofessionals.

12:1 Elementary and Junior/Middle school	15:1 High School	12:1:1	8:1:1	6:1:1	12:1:4
Specialized instruction in a self-contained setting	Additional adult support and specialized instruction	Severe needs and individual attention	Severe needs in all or most areas	Severe and multiple disabilities	

Determining Placement | see page 29

Prior to the completion of the IEP Team meeting, a discussion regarding available programs at your child's current public school and whether your child can remain there must take place. If your child is recommended to receive special education services that are not available at your child's school, the district representative must discuss other schools within the district where those services are available.

Providing Consent | see page 30

If your child has never been in special education before, you must give consent for the recommended services before they will be provided. If you do not consent, your child will remain in general education without the recommended services.

You may withdraw your consent for *all* mandated IEP special education services, in writing, at any time, but you cannot withdraw consent for a portion of special education and related services.

Placement Timelines | see page 32

If this is the first time your child has been evaluated, the Department of Education is required to arrange for services for your child as recommended in the IEP within 60 school days from date of your consent to evaluate. If your child is already receiving special education services, the Department is required to arrange for services within 60 days of the date of referral for reevaluation.

Confidentiality of Records | see page 33

All information in your child's evaluation records are confidential and will not be given to any outside agency or individual without your consent or unless a court orders the release of your child's records. Only school staff who work with your child will have access to these records. Additionally, the Department of Education may request your permission to obtain reports from outside agencies or medical reports that may be important to your child's evaluation.

Due Process | see page 36

Your child has the right to a Free Appropriate Public Education (FAPE), and you have the right as a parent to be involved in and fully understand that process. You have the right to challenge decisions made by the school regarding your child's education and the right to request Mediation or an Impartial Hearing to resolve differences and to appeal the decision of the Impartial Hearing.

High school graduation marks an important completion stage in the development of a young adult. Preparing for high school graduation requires students and parents to know the requirements and take all necessary steps to support students in achieving these goals. New York State provides students with the following diploma options:

- Advanced Regents Diploma
- Regents Diploma
- Local Diploma
- IEP Diploma

If your child is participating in alternate assessment, he or she is not eligible to receive a Local or Regents diploma. Please note that the IEP diploma certifies that your child has achieved his or her IEP goals. IEP diplomas are not accepted for admission to college or enrollment in military service or as a qualifying high school diploma for some jobs.

Transition Services | see page 38

Transition Services are a coordinated set of activities that will assist your child in moving from school to post-school activities, beginning during the year your child turns 15. These activities must be individualized for your child and will take into account his or her strengths, preferences and interests.

Special education students exiting the New York City school system because they will receive a diploma or will reach the age of 21 must receive a Student Exit Summary, which provides a meaningful picture of the student's strengths, abilities, needs and limitations and will assist him or her in establishing eligibility for reasonable accommodations and supports in post-secondary education, the workplace and the community.

Graduation Requirements for Students with Disabilities | see page 39

This section includes graduation requirements for students who entered 9th grade in September 2007, 2008 or 2009 and provides information regarding a Local, Regents or Advanced Regents diploma. Students who entered 9th grade from September 2001 through September 2006 should discuss their graduation requirements with school staff or visit our website at <http://schools.nyc.gov>.

Office of Vocational and Educational Services for Individuals with Disabilities (VESID) | see page 40

Contact information for VESID, an office of the New York State Education Department that provides job-readiness and preparation services to eligible individuals.

Every
child is
important
to us.



PARTICIPATING IN YOUR CHILD'S EDUCATION

welcome

In New York City's public schools, we are dedicated to making sure that all students receive the instruction and related services they need to achieve their goals.

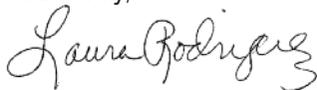
As a parent, you are an essential part of this mission: your child's educators can do their job best when you work with them to identify your child's needs and create an educational program that will ensure a successful school experience.

The Chief Achievement Office has designed *A Parent's Guide to Special Education Services for School-Age Children* to help you understand your rights as the parent of a child who has been referred or identified as having a disability. It also outlines information to help you collaborate with teachers and staff and become an active participant in your child's education.

I encourage you to discuss the information in this guide with your child's teachers and other school staff. If you still have questions, you may call 311 or the appropriate District Committee on Special Education Office listed at the end of this booklet.

We look forward to working with you to help your child learn, grow, and achieve at his or her highest potential.

Sincerely,

A handwritten signature in black ink that reads "Laura Rodriguez". The signature is written in a cursive style with a large, stylized "L" and "R".

Laura Rodriguez
Chief Achievement Officer

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section 1

Let's Get Started! Getting the Best Possible Education for Your Child

Our goal is
to educate
and support
your child.

You know your child best. Because of this, your ideas, opinions and input are very important in mapping out the best possible education for him or her. Staff members at your child's school are ready to work with you to ensure your child receives the services and supports he or she needs to succeed in school.

Children learn at different speeds and in different ways. Some children are born with physical or mental disabilities. Some are challenged in just one area, while others have multiple disabilities. Every child with a disability has the right to what is called a Free Appropriate Public Education (FAPE).

If your child has a disability, the Department of Education will provide special education supports and services specially designed to meet his or her individual needs, at no cost to you.

What should you do if you believe that your child needs special education services?

– see page 2



Asking the Right Questions at the Beginning

If you believe your child requires special education services, it is important that you ask the right questions from the start. Talk to your child's current teacher to find out if there are supports available within the general education setting at the school that he or she already attends. Those kinds of supports might be all your child needs.

Schools offer supports like Academic Intervention Services (AIS), reading remediation programs, and counseling. It may also be possible to adapt your child's general education program without special education services.

What's Next? Does Your Child Need Additional Supports?

After talking to your child's teacher and school, you may feel that your child needs additional support. In that case, you (or another individual) may refer your child for a special education evaluation, which is a series of evaluations to determine if your child has a disability. You can make a referral for a special education evaluation at any time. *Please see Page 4, The Initial Referral Process.*

Questions to Ask the Teacher:

- What do the grades on my child's report card mean?
Is he/she doing the kind of work that is expected?
- How do I know if my child understands what I am reading to him or her?
- What sorts of questions should I ask my child as we read together?
- How can I help my child if he/she is struggling with math homework?
- What are some math learning activities I can do at home or in the neighborhood?
- Does my child get along well with the other students in school?
- Does my child have any difficulty following directions or doing what is asked of him or her?
What do you do if that happens in class?
- What can you tell me (what have you noticed) about how my child learns?
- Are there any additional services during school or after school that could help my child?
If so, how can we get that extra help for my child?
- What are some things I can do at home to help my child do her/his best in school?

section 2

Determining if your child has a disability and requires special education services.

What if my child needs a bilingual evaluation?

– see page 6

When the Special Education Process Begins: An Initial Referral for an Evaluation Is Made

Every student with a disability attending public school will receive evaluation services and will have his or her Individualized Education Program (IEP) Team meetings at the school. It is important that school personnel who know your child and will likely be providing services to him or her be a part of the evaluation process.

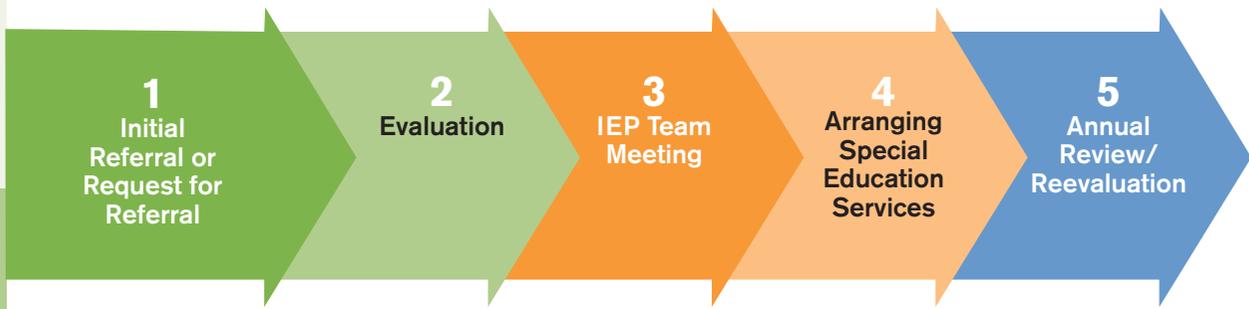
Who is Responsible for the Referral, Evaluation and Placement?

If your child is in public school, that school is responsible for evaluating the student, developing the IEP and providing the special education services. If your child is recommended for special education services that cannot be provided in his or her current school, the Office of Student Enrollment will be responsible for placing your child in the right school.

For students who attend a non-public, private or charter school, or are non-attending students, staff at the Committee on Special Education Office are responsible for evaluating the student and developing the IEP. The CSE Office is also responsible for arranging services.



The Steps of the Special Education Process



The Initial Referral Process

The Individuals with Disabilities Education Act (IDEA) and corresponding New York State Regulations have made significant changes with respect to the initial referral process, including the initial referral source. Only specific people may make a referral for an initial evaluation, while different individuals may make something called a “Request for Initial Evaluation.” This new process is outlined below.

The first step in determining if your child has a disability and if he or she requires special education services is to request an evaluation. This initial referral *must be in writing* and may be made by you or a designated school district official.

Ways for you to request an initial evaluation for your child:

- Send a letter to the principal at your child’s public school or to the local CSE Office requesting an evaluation (*see page 50 for contact information*);
- Give a written statement to a professional staff member of your child’s school;
- Ask a school professional to assist you in making a referral.

Who else can make an initial referral?

- **A school district official**, which means the principal of the public school in the district in which your child resides, legally attends or is eligible to attend, or the CSE Office Chairperson if the student is non-attending or attending parochial, charter or private school;
- **The commissioner or a public agency official** who is responsible for the education of your child;
- **An official of an education program** affiliated with a child-care institution with CSE responsibility.

Who can make a request for initial referral?

- **A professional staff member** of the school district in which your child resides or the public or private school your child legally attends or is eligible to attend;
- **A licensed physician;**
- **A judicial officer;**
- **A professional staff member** of a public agency with responsibility for welfare, health or education of the child;
- **A student** who is 18 years of age or older, or an emancipated minor.

After the request for initial referral has been made:

Within 10 school days, the school will either:

- Initiate the referral process by sending you a **Notice of Referral Letter**; or
- Provide you with a copy of the request for referral, inform you that you may refer your child yourself, offer you an opportunity to discuss the request for referral and discuss the availability of appropriate general education support services for your child. The **Notice of Request for Initial Referral**, which details the process, will be sent to you.

What’s next? When an initial referral has been made:

Once a referral has been made, you will be sent a **Notice of Referral Letter**, which:

- Explains your rights as a parent;
- Provides the name and telephone number of a person to call if you have any questions; and
- Asks for you to meet with the school social worker at a “social history interview.” During that meeting, all of your rights will be explained to you in your preferred language or mode of communication, with the help of a translator/interpreter, if necessary.

If your child has never received special education services, you will be asked to sign a **Consent for Initial Evaluation** form.

Even if you made the written referral yourself, you must still consent to the evaluations in order for the process to begin.

If you choose *not* to sign consent, and if it is an *initial referral*, your child *will not* be evaluated. Please be aware that the CSE Office or school principal may request Mediation or an Impartial Hearing in order to obtain authority to conduct an initial evaluation.

What Will the Initial Evaluation Include?

An initial evaluation to determine if your child has a disability *must* include:

- A comprehensive psycho-educational evaluation that looks at what your child knows and how he or she learns;
- A social history of your child's developmental and family history, often from birth to present;
- An observation of your child in his or her current educational setting;
- Other tests that may be appropriate for your child, such as speech, language or functional behavior assessments;
- Assessments that include a review of school records, teacher assessments, and parent and student interviews to determine vocational skills and interest for students age 12 and older.

The evaluations will determine your child's skills, abilities and areas of need that affect his or her school performance.

The evaluations will determine your child's skills, abilities and areas of need that affect his or her school performance, including involvement in the general education curriculum. You will also be asked to provide the school or CSE Office with a recent physical examination of your child. If you have trouble obtaining one, the school or CSE Office will help you get one at no cost to you.

Independent Evaluations

An independent evaluation means a test or assessment done by a qualified examiner who does not work for the Department or your child's school. Although the Department will conduct any necessary tests and assessments, you also have the right to provide the school or CSE Office with private evaluations conducted at your own expense.

If your child is eligible for Medicaid, these evaluations may be covered by Medicaid. If you want the DOE to consider independent evaluations, you should provide them to your child's school if your child attends a public school, or to the CSE Office if your child attends a non-public, private, parochial or charter school or is not yet attending a school.

If you disagree with the Department's evaluation and would like the Department to pay for an independent evaluation, you must notify the school or CSE Office of this request *in writing*. The Department may either agree to pay for an independent evaluation or initiate an Impartial Hearing to show that its evaluations are appropriate. If the DOE pays for the evaluation, you *must* provide the Department with the results.



Bilingual Evaluations

Some children require a bilingual evaluation, which is conducted in both English and your child's preferred language by professionals who understand both languages. Your child will be given a bilingual evaluation based on the language you use in your home, as indicated on the Home Language Identification Survey, and the results of the Language Assessment Battery-Revised (LAB-R) or the New York State English as a Second Language Achievement Test (NYSESLAT), which are tests that evaluate your child's speaking, reading, listening and writing abilities in English. If it is determined that your child needs a bilingual evaluation, a New York City Department of Education bilingual evaluator will be assigned. If a bilingual evaluator is not available, the Department will use a bilingual evaluator who works for an agency under contract to the Department, a non-Department independent bilingual evaluator or a monolingual evaluator with an interpreter to conduct the evaluation.

If the Impartial Hearing Officer finds that the evaluation conducted by the DOE is appropriate, you have the right to obtain and submit a private evaluation to the IEP Team, but the Department does not pay for the evaluation. When the DOE has agreed to pay for an independent evaluation or an Impartial Hearing Officer has ordered that an independent evaluation be conducted, the independent evaluator(s) must meet the criteria set forth by the Department. The Department will pay for independent evaluations only if:

- They are done by qualified individuals;
- The cost of the evaluation does not exceed the maximum rate established by the DOE; and
- You request reimbursement for the independent evaluation(s) within a reasonable time.

What if Your Child Has Already Been Identified as a Student with a Disability?

After your child has received special education services, an IEP Team meeting is held annually to review your child's progress. This is called an **Annual Review**.

Additionally, he or she may be referred for what is called a "**reevaluation**." With your input, the IEP Team will review current data about your child and determine if new evaluations should be conducted.

The DOE can request a reevaluation if it determines that the educational or related services need to be

reassessed. A reevaluation can be requested by you or school staff but may not be conducted more than one time a year unless you and the Department agree otherwise *in writing*.

A reevaluation must be completed once every three years, unless you and the school district agree *in writing* that it is not necessary. This is called a "**mandated three-year reevaluation**" (formerly called a "**triennial**"). Once the evaluation is completed, all written reports will be shared with you. The reports include your child's strengths and weaknesses and the supports your child may need in school.

If the IEP Team determines that new evaluations are needed as part of a reevaluation, you will be asked to provide consent to conduct new tests or assessments. Consent to evaluation means you are giving your permission to proceed with an evaluation to determine continued eligibility.

If this is a reevaluation and the DOE does not receive a response from you, DOE staff may proceed with the evaluation after documented attempts to contact you.

If you refuse to consent to the new assessments, the CSE Office or school principal may request Mediation or an Impartial Hearing in order to obtain authority to conduct new assessments. In this case, an Impartial Hearing Officer will decide whether or not your child should be evaluated.

Timelines for Evaluations

Once the DOE has received your consent, the Department has **60 calendar days** to evaluate your child. However, if you unreasonably delay the evaluation process, the timeline may be adjusted.

If assessments are not completed within 60 calendar days and you did not delay the process, you will receive an **Assessment Authorization Letter**. The letter explains how you can select an appropriately licensed non-Department of Education independent evaluator at no cost to you. It includes a list of names, addresses and telephone numbers of appropriate public and private agencies and other professional resources from which you may obtain an independent evaluation.

Guidelines for Parentally-Placed Students

Parentally-placed students are students whose parents have placed them in a non-public school at the parent's expense. These students may be New York City residents or may reside outside New York City but in New York State, or may reside in another state. The DOE has certain responsibilities for parentally-placed students who are attending a non-public school located in New York City, regardless of where they reside.

A parent of a parentally-placed student who has been found eligible for special education services must request them *in writing* from the school district of location, in this case, the New York City service district CSE Office.

To facilitate this process, the CSE Office will send out the **Request for Special Education Services** form every year to all parents of parentally-placed

students with disabilities that they have identified as their responsibility. In order for services to continue, parents must complete the form and return it to the appropriate CSE Office.

After the Evaluations Are Completed: The IEP Team Meeting

Once your child's evaluation is completed, you will be invited to attend an IEP Team meeting at a time and date that works for you. This is an important meeting where you will meet with the staff of your child's school, or the CSE Office if your child is not attending a school or attending a non-public or charter school. It is very important that you and the school staff share information and ideas and work together as a team.

You should receive a written invitation in your preferred language at least five days before the meeting. Staff from your child's school, or CSE Office if your child attends a non-public or charter school or is non-attending, may attempt to contact you by telephone to confirm that you will attend.

If you cannot attend the meeting, *you must contact the school or CSE Office* and ask to change the date. It is very important that you attend IEP Team meetings so that you will be able to participate in a final decision that will be made about your child's eligibility for special education services and programs.

All evaluations, records and reports that were used to assess your child should be provided to you before the IEP Team meeting and must be explained in your preferred language or mode of communication. In some instances, it may be

An annual IEP Team meeting is required to review your child's progress.



preferable for you to pick up the reports prior to the day of the IEP Team meeting rather than to have them mailed so that any immediate concerns may be addressed. If you choose to pick up the evaluations, the social worker will provide you with contact information to arrange a time to pick up the evaluations and discuss and/or review the evaluations.

You also have the right to request that evaluations and reports be translated into your preferred language. If necessary, an interpreter will be provided for you at the IEP Team meeting. Your observations and opinions are valuable and must be considered at the meeting.

IEP Team meetings will be held at your child's school if your child attends a public school. If your child is not attending, or attending a non-public or charter school, the IEP Team meeting will be held at the CSE Office or at the non-public or charter school, if possible.

Each team member brings important information to the IEP Team meeting. At the IEP Team meeting, members share information and work together to determine whether your child has a disability and requires special education services. *You are a member of the IEP Team, and your input is important.*

Summary of IEP Team Members' Expected Contribution

Teachers

Teachers are vital participants in the IEP Team meeting. If your child is or may be participating in the general education environment, at least one of your child's *general education teachers* must attend the IEP Team meeting. The teacher is expected to present information about your child's performance in the general education class and to help the IEP Team make decisions about participation in the general education curriculum and other school activities.

General Education Teacher

- Describes the general education curriculum in the general education classroom;
- Determines appropriate supplementary aids and services (e.g., behavior interventions or support plans, curriculum accommodations, curriculum modifications, individualized supports) or changes to the educational program that will help your child learn and achieve;
- Helps to develop appropriate behavioral interventions if behavior is an issue;
- Might discuss supports for school personnel that are necessary for the student to participate in the general education curriculum.

Questions to Ask at an IEP Team Meeting

- How has the teacher accommodated my child's learning and behavioral needs in the classroom?
- Are there things I can do at home to support the IEP goals?
- What type of learner is my child? Does the teacher attempt to use my child's strengths while teaching him or her?
- How frequently is my child's progress monitored? What are the best ways for me to stay in touch with my child's teachers to be informed of academic or behavioral progress?
- Is my child making progress towards his or her IEP goals?
- If a service is not working, how can I work with my child's IEP Team to explore better services for him or her?
- What sorts of programs or other supports might help my child? How can we get those?
- What are the promotion criteria for my child? How will he or she be evaluated according to grade level?
- In high school, what are the graduation requirements for my child? What are the diploma objectives for my child? What progress has he or she made towards those objectives? (Specifically, how many credits does my child have, and how many RCT or Regents' tests has he or she passed?)

Your Role at the IEP Team Meeting

You are an important member of your child's IEP Team. You know your child best and can speak about his or her strengths and needs. And, as the parent, you can talk about your thoughts and ideas about how to best educate your child.

As a member of the IEP Team, you should:

- Offer insight into how your child learns and what his or her interests are and share other things about your child that only a parent can know;
- Listen to what the other team members think your child needs to work on at school and share your suggestions;
- Report on whether the skills your child is learning at school are being used at home;
- Ask questions of all team members and participants at the meeting.

Special Education Teacher and /or Related Service Provider

These members contribute important information and experience about how to educate children with disabilities. Because of his or her training in special education, he or she can:

- Discuss your child's present level of educational performance, including progress toward IEP goals, if your child is presently receiving special education services;
- Describe your child's learning style, behavior and attendance;
- Make recommendations regarding the supports and services that will allow your child to succeed in the least restrictive environment;
- Ensure that the priority for your child will be to remain in his or her current school;
- Explain how to modify the general education curriculum to help your child learn.

The District Representative

The District Representative chairs the IEP Team meeting and facilitates open discussion among all participants regarding student eligibility and the development of the IEP. He or she ensures that you are a meaningful participant and encourages you to raise concerns you may have about your child's education.

The District Representative also:

- Provides information regarding the continuum of services, meaning special education programs and supports, which are available in your child's school and in other schools in the district;
 - Ensures that all program and service options are considered;
 - Explains to you that children with disabilities must be educated with non-disabled children to the maximum extent appropriate. Additionally, he or she will explain to you that the IEP Team must consider whether your child can satisfactorily progress in the general education setting before recommending other programs.
- For more information about who can serve as the District Representative, please refer to the chart on page 10.

The IEP Team consists of parents, school personnel who know your child and additional individuals with knowledge or special expertise about your child.

The Members of the IEP Team:

- **You, the parent (s)** or persons in a parental relationship with your child.
- **At least one general education teacher of the student** whenever your child is or *may* be participating in the general education environment.
- **One special education teacher.** For initial referrals, one of the school's special education teachers serves as the special education representative on the team. If a child is already receiving special education services, one of the child's special education teachers must participate. If your child receives only related services (i.e., Speech Therapy), the related service provider of your child may serve in this role.
- **A school psychologist** must participate in IEP Team meetings whenever a new psycho-educational evaluation is reviewed or a change to special education services that includes a more intensive staff-to-student ratio is considered.
- **A school social worker** may participate at the IEP Team meeting if he or she is involved in the evaluation process.
- **An individual who can interpret the instructional implications** of evaluation results. This individual may be a member of the IEP Team who is also fulfilling another role, such as general education teacher, special education teacher, special education provider, or school psychologist. This individual will talk about how the evaluation results may affect instruction.
- **A District Representative.** This person must be qualified to provide or supervise the provision of special education services and is also knowledgeable about the general education curriculum and the availability of district resources. For IEP Team meetings occurring in public schools, the district representative is designated by the school principal. This person may be a member of the IEP Team who is fulfilling another role. This person's role is to facilitate group consensus on all matters related to the development of the IEP.
- **A school physician**, if specifically requested *in writing* by you, the parent, or by a member of the school at least *72 hours* prior to the meeting.
- **An additional parent member.** This is a parent of a student with a disability residing in the school district or a neighboring school district and who may be required to attend. A parent may decline the participation of the parent member.
- **Other persons having knowledge or special expertise** regarding your child, including related services personnel as appropriate, as the school district or the parent(s) designate.
- **Your child (the student)**, if appropriate.

Psychologist/Social Worker

The attendance of the school psychologist is not always required. The school psychologist must be in attendance whenever a new psycho-educational evaluation is reviewed or a change to the student's special education services with a more intensive staff-to-student ratio is being considered. The school social worker may be in attendance if she or he is involved in the evaluation process. If the school psychologist and/or social worker *are* in attendance, they will share critical information with the team obtained through evaluations/observations and review of information. Their expertise is important to the process, and you should ask them questions if you do not understand what they are reviewing or discussing.

Additional Individuals and/or Experts

The IEP Team may also include additional individuals with knowledge or special expertise about your child.

You may, for example, invite:

- A professional with special expertise about your child and his or her disability;
- Others who can talk about your child's strengths and/or needs.

The Department of Education may invite one or more individuals who can offer special expertise or knowledge about the child, such as a paraprofessional or related services professional.

You are a member
of the IEP Team,
and your input
is important.

IEP Team Member Excusal

Under certain circumstances, a mandated member of an IEP Team may be excused from attending an IEP Team meeting, but only if it is *not* an initial IEP Team meeting.

Please note that a school or CSE Office may not routinely and without your agreement or consent excuse mandated IEP Team members. You and the IEP Team need to determine whether it makes sense to hold an IEP Team meeting without a particular team member in attendance or whether it would be better to reschedule the meeting so that the person can attend and participate in the discussion.

When IEP Team Member's Area of Curriculum or Related Services **WILL NOT** Be Discussed

When a mandated IEP Team member's area of curriculum or related services is *not* being modified or discussed in the IEP Team meeting, you may agree to excuse them. A member may not be excused without your written agreement. The agreement to excuse members must be made **at least 5 calendar days before the IEP Team meeting is held.**

You, the principal, official or CSE Office may make this request on the **Notice of IEP Team Meeting/Member Excusal Request Form**. If you agree to the member excusal, you must sign the form and return it to the contact person indicated. If you do not agree, that member will *not* be excused from the meeting.



When IEP Team Member's Area of Curriculum or Related Services Will Be Discussed

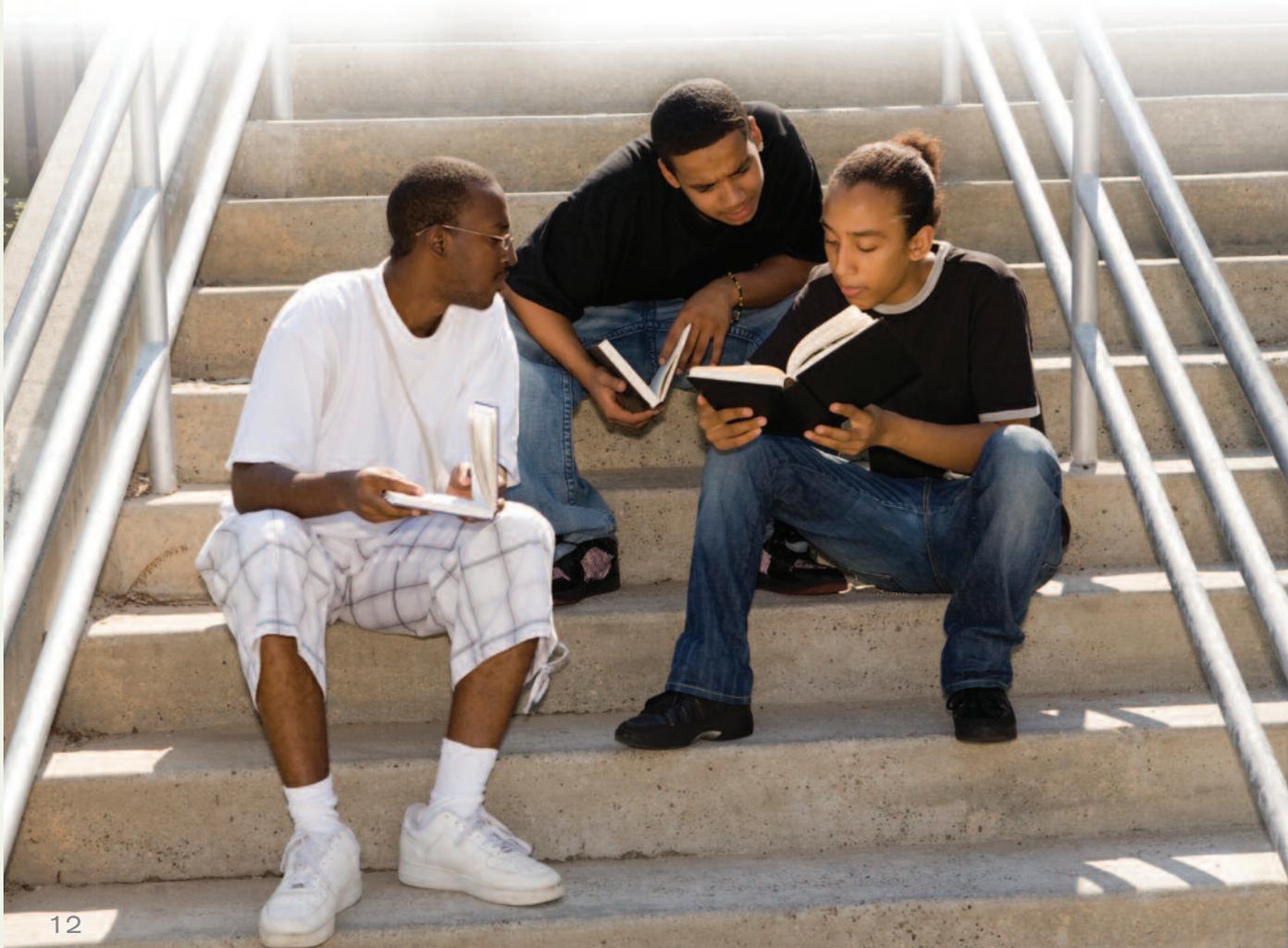
A mandated IEP Team member may be excused even if the member's area of the curriculum or related services *will* be discussed. They will be required to submit written input to you and the IEP Team prior to the meeting. A member may not be excused without your consent. The excused IEP Team member's input must be provided to both the parent and the IEP Team **at least 5 calendar days before the IEP Team meeting is held.**

You, the principal, official or CSE Office *may make this request* on the **Notice of IEP Team Meeting/Member Excusal Request Form**. If you agree to the member excusal, you must sign the form and return it to the contact person indicated. If you do not agree, that member will not be excused from the meeting.

Amending the IEP After Annual Review

A change to your child's IEP may be made by the IEP Team without a meeting only if you consent in writing to each proposed change.

Before an IEP can be amended without a meeting, the IEP Team must clearly describe all of the proposed changes on the **Waiver of IEP Team Meeting to Amend the IEP Form**. This notice will include a clear description of all proposed changes. In addition, an IEP Team member must be available to discuss with you any and all changes. If you agree with the changes, you must sign and return the Waiver of IEP Team Meeting to Amend the IEP Form. Once the Form is received, the changes will be made without a meeting. You must be sent a copy of the amended IEP the day after the IEP is amended without a meeting.



section 3



The IEP is about your child and how to meet his or her needs.

What information is included in my child's IEP?

– see page 17

The Individualized Education Program (IEP)

An important part of the IEP Team meeting is to document your child's current skills and abilities, establish educational goals and determine what special education supports and services will be provided for him or her.

The IEP:

- Documents your child's eligibility for special education services; and
- Formalizes, in writing, the Department of Education's plan for providing your child with a Free Appropriate Public Education (FAPE) in the least restrictive environment. The "least restrictive environment" means that your child will be educated alongside his or her non-disabled peers to the maximum extent possible and will attend the school he or she would attend if not disabled.

At the IEP Team meeting you will be asked to sign the IEP as proof that you attended the meeting. It does *not* mean that you are consenting to the contents of the document. You will receive a copy of the IEP. If you are unable to attend the meeting, a copy of the IEP will be sent to your home shortly after the meeting. In addition, at your request, the IEP will be translated into your preferred language.

Eligibility

Determining Eligibility

You will hear the term “**eligibility**” discussed. The IEP Team will decide whether your child is *eligible* for special education services. A school-age student is eligible for special education services if the student:

- Meets the criteria for one or more of the disability classifications (*see chart at right*); and
- The student requires approved special education services and programs.

If the student does not meet the criteria for one or more of the disability classifications that follow, the school-age student is *not* eligible for special education services. Additionally, a student is *not* eligible *even if he or she meets the criteria of one of the classifications listed*, but does not require special education services and programs, based on:

- A lack of appropriate instruction in reading, including explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies; or
- A lack of appropriate instruction in math; or
- Limited English proficiency.

The IEP Team, with your participation, may determine that your child is not disabled and does not need special education services. In this case, an IEP will not be developed. Information gathered from the evaluations will be given to the principal of your child's school, and the principal will work with the appropriate professionals in the school to help your child.

If the IEP Team, based upon the evaluation(s), determines that your child has a disability and that special education services are necessary, an IEP will be developed at the IEP Team meeting. The IEP outlines the special education programs and/or services your child will receive and the goals your child should be working toward. The special education services that may be provided are described in Section 4.

Disability Classifications

Below is a list of classifiable disabilities:

- Autism
- Deafness
- Deaf-Blindness
- Emotional Disturbance
- Hearing Impairment
- Learning Disability
- Mental Retardation
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment

Autism

A developmental disability, significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3, that adversely affects educational performance.

Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines and unusual responses to sensory experiences.

The term does not apply if a student's educational performance is adversely affected primarily because the student has an emotional disturbance. A student who manifests the characteristics of autism after age 3 could be diagnosed as having autism if the above criteria are otherwise satisfied.

Deafness

A student with a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects the student's educational performance.

Deaf-Blindness

A student with both hearing and visual impairments, the combination of which causes severe communication and other developmental and educational needs that cannot be accommodated in special education programs solely for students with deafness or students with blindness.

Emotional Disturbance

A student who exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects the student's educational performance:

- An inability to learn that cannot be explained by intellectual, sensory or health factors;
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- Inappropriate types of behavior or feelings under normal circumstances;
- A generally pervasive mood of unhappiness or depression;
- A tendency to develop physical symptoms or fears associated with personal or school problems.

The term "emotional disturbance" includes schizophrenia. It does *not* apply to students who are socially maladjusted, unless it is determined that they have an emotional disturbance.

Hearing Impairment

An impairment in hearing, whether permanent or fluctuating, that adversely affects the student's educational performance but is not included under the definition of deafness in this section.

The IEP Team will decide if your child is eligible for special education services based on the disability criteria shown above.

Learning Disability

Learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which manifests itself in an imperfect ability to listen, think, speak, read, write, spell or to do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing or motor disabilities; of mental retardation; of emotional disturbance or of environmental, cultural or economic disadvantage.

Mental Retardation

A student with significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects that student's educational performance.

Multiple Disabilities

A student with concurrent impairments (such as mental retardation–blindness, mental retardation–orthopedic impairment, etc.), the combination of which causes educational needs that cannot be accommodated in a special education program solely for one of the impairments. The term does not include deaf-blindness.



Orthopedic Impairment

A severe orthopedic impairment that adversely affects a student's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputation and fractures or burns which cause contractures).

Other Health Impairment

A student with limited strength, vitality or alertness, including a heightened alertness to environmental stimuli that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems, including but not limited to a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, diabetes, attention deficit disorder or attention deficit hyperactivity disorder, or Tourette syndrome, which adversely affects that student's educational performance.

Speech or Language Impairment

A student with a communication disorder, such as stuttering, impaired articulation, a language impairment or a voice impairment that adversely affects that student's educational performance.

Traumatic Brain Injury

A student with an acquired injury to the brain caused by an external physical force or by certain medical conditions such as stroke, encephalitis, aneurysm, and anoxia or brain tumors with resulting impairments that adversely affect that student's educational performance.

The term includes open or closed head injuries or brain injuries from certain medical conditions resulting in mild, moderate or severe impairments in one or more areas, including cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing and speech.

The term does not include injuries that are congenital or caused by birth trauma.

Visual Impairment

An impairment in vision including blindness that, even with correction, adversely affects that student's educational performance. The term includes both partial sight and blindness.



The Contents of the IEP

The IEP must contain information about your child and the educational program designed to meet his or her unique needs. This information includes:

Current Performance – The IEP must indicate how your child is currently doing in school (known as present levels of academic achievement and functional performance as well as social/emotional performance). This information usually comes from evaluation results such as classroom tests and assignments, individual tests given to decide eligibility for services or during reevaluation and observations made by parents, teachers, related service providers and other school staff. The IEP should detail the source of the levels listed on the IEP as current performance levels. Current performance includes how the child's disability affects his or her involvement and progress in the general education curriculum.

Annual Goals – These are goals that your child can reasonably accomplish in a school year. Goals may be academic, address social or behavioral needs, relate to physical needs or address other educational needs. The goals must be "measurable," meaning it must be possible to measure whether the student has achieved the goals. For students participating in alternate assessment, the goals are broken down into short-term objectives or benchmarks.

Special Education and Related Services – The IEP must list the special education and related services to be provided to your child or on behalf of your child. For detailed information about special education programs and supports please see Section 4.

The IEP contains detailed information about your child and the education program designed to meet his or her unique needs.

Participation with Non-Disabled Children –

The IEP must explain the extent to which your child will participate with non-disabled children in the general education class and other school activities. If a child is not permitted to attend lunch, school trips or assemblies with the rest of the school, it must be noted on the IEP.

Participation in State and Citywide Tests –

The IEP must indicate whether your child will participate in state and citywide assessments and what accommodations, if any, your child will need during the administration of these tests. If your child will not participate in state and citywide assessments, the IEP must state how your child's progress will be measured, including participation in the New York State alternate assessment program.

Please be aware that students who are participating in alternate assessment are not eligible to receive a Local or Regents diploma.

Promotion Criteria – Beginning in Grade 3, if your child is participating in state and citywide tests, the IEP must specify whether your child will be held to the same promotion standard as all students or whether your child will have modified promotion criteria. If modified promotion criteria are recommended, the IEP must describe the criteria.

Diploma Objective – Students with disabilities receiving special education services are eligible to receive a Regents diploma or a Local diploma. They are awarded to students who successfully complete the educational requirements for either the Regents diploma or the Local diploma.

Additionally, an IEP diploma is awarded to students who have successfully achieved the educational goals specified on the IEP but have not completed the requirements for a Regents or Local diploma.

Dates and Places – The IEP must indicate when services will begin, how often they will be provided, where they will be provided (in the classroom or some other school location) and how long they will last.

Measuring Progress – The IEP must indicate how your child's progress will be measured and how you will be informed of that progress.

Language of Instruction – If your child is an English Language Learner and requires English as a Second Language (ESL) and/or bilingual services, a recommendation will be made regarding his or her language of instruction. The language of the service will be specified in the IEP.

Mainstreaming – Children who receive full-time special education instruction in a special class should have opportunities for attending general education classes and activities for part of the school day. A child may be mainstreamed in an academic program such as math, language arts, science or social studies. This is known as academic mainstreaming. Academic mainstreaming activities must be indicated in your child’s IEP. Children in special classes should also participate in general education physical education, music and lunch. This is known as non-academic mainstreaming.

Transition Services

Transition Services are a coordinated set of activities that assist students moving from school to post-school activities, including post-secondary education, vocational education, competitive employment, continuing and adult education, adult services, independent living or community participation. The coordinated set of activities must be individualized for your child and will take into account his or her strengths, preferences and interests. Transition services may focus on the following areas:

- Instructional activities that will be provided to your child to help him or her achieve the stated transition outcome (e.g., general and special education course instruction including counseling, etc.);
- The development of employment and other post-school adult living skills;
- Community integration;
- The development of daily living skills for students who require this kind of assistance.

When your child turns 15 years old, Transition Services must be part of his or her IEP. Your child and, if you provide written consent, a representative of the agencies likely to be responsible for providing or paying for Transition Services must be invited to the IEP Team meeting to discuss Transition Services. At this meeting, the following will be considered:

- Regardless of whether your child attends the IEP Team meeting, the IEP Team must ensure that his or her preferences and interests are considered; and
- Regardless of whether an agency invited a representative, steps to involve the agency in the planning of any transition services must be taken.



It is important to educate children with disabilities together with non-disabled children in the general education classroom to the maximum extent appropriate.



What student/teacher ratio best fits my child?

– see page 24

What to Expect: School-Age Special Education Services

The IEP Team recommends services in the Least Restrictive Environment (LRE) appropriate to your child's needs.

This means that the IEP Team, of which you are a member, must consider how special education services can be provided to your child that will allow him or her to be educated with children who do not have disabilities, to the maximum extent appropriate.

The IEP Team will first consider whether your child's needs may be met in a general education class with supports, aids and services provided to your child.

If it is determined that your child cannot participate in general education classes, even with appropriate Supplementary Aids and Services, Special Education Teacher Support Services, Related Services or in a Collaborative Team Teaching/Integrated Co-Teaching class, other settings such as Special Classes or special schools will be considered.

Keep in mind:

- Your child should be provided the opportunity to participate in extracurricular and non-academic activities (e.g., physical education, recess, after-school activities) with non-disabled children, unless his or her disability makes such participation inappropriate;
- Your child should be educated in the school that he or she would attend if not disabled, unless the IEP requires that other arrangements are made.

Your Child Will Be Educated in the Environment that Best Suits His or Her Needs



Related Services

Related Services are developmental or corrective, and include other supportive services that are required to assist a child with a disability so that he or she benefits from an instructional program. Your child's related services may change from pre-school to school-age as his or her needs change with age. Related Services may be the only special education service given to your child, or they may be provided along with other special education services, such as special class services. The following related services might be recommended:

Counseling – These services are designed to improve social and emotional functioning in the areas of appropriate school behavior, discipline, self-control, conflict resolution if your child is experiencing difficulty interacting appropriately with adults or peers, withdrawal or acting out, low self-esteem or poor coping skills that significantly interfere with learning. If your child requires services from a particular provider (e.g., guidance counselor, school psychologist or social worker), it must be outlined in the IEP.

Hearing Education Services – Services designed to provide instruction in speech, reading, auditory training and language development to enhance the growth of receptive/expressive communication skills.

Speech/Language Therapy – These services help in the way your child understands sounds and language (called auditory processing), with articulation or phonological skills, comprehension, use of syntax, pragmatics, voice production and fluency.

Occupational Therapy – This will help your child maintain, improve or restore adaptive and functional skills, including fine motor skills and oral motor skills in all educational activities.

Orientation and Mobility Services – These services are designed to improve your child's understanding of spatial and environmental concepts and use of information he or she receives through the senses (e.g., sound, temperature, vibrations) for establishing, maintaining and regaining orientation and line of travel. They are provided to students with visual impairments.

Physical Therapy – Uses activities to maintain, improve or restore your child's functioning, including gross motor development, ambulation, balance and coordination in various settings, including but not limited to the classroom, gym, bathroom, playground, staircase and transitions between classes.

School Health Services – A school nurse or paraprofessional provides services that are designed to address your child's specific health needs, as documented by his or her physician, to ensure a safe educational environment.

Vision Education Services – These services are designed to provide instruction for your child if he or she is visually impaired. They utilize Braille, Nemeth Code, large print, optical and non-optical low-vision devices and other skills necessary to attain academic, social, vocational and life adjustment skills, literacy and acquisition of information using tactile, visual and auditory strategies.

Any related services that are recommended for your child will be indicated on the IEP. The IEP provides the number of times a week or month your child should receive the service (this is called the “frequency”) and the length of the session (this is called the “duration”), the maximum group size (if your child can be provided services in a group), the language in which the service must be provided and whether the service will be provided in your child’s classroom or in a separate room outside of the classroom (this is the “location”).

If your child has been recommended to receive one or more related services in his or her IEP and the Department is unable to provide this service with its own staff or with staff from agencies under contract, either during or after the school day, a **Related Service Authorization (RSA)** will be issued to you. An RSA allows you to use the services of an appropriately licensed, independent provider of the recommended related service(s) *at no cost to you*. Your child’s public school can help you with this process. If your child is attending a non-public or charter school, the local Committee on Special Education Office will help with this process.

A list of independent providers is available on the Department’s website, <http://schools.nyc.gov/Academics/SpecialEducation/ParentResources>

Special Education Teacher Support Services (SETSS)

Special Education Teacher Support Services (SETSS) are specially designed and/or supplemental instruction provided by a special education teacher. These services help your child stay in the general education classroom while receiving services from a special education teacher. The special education teacher may work directly with your child to support participation in a general education classroom and provide direct specially designed and/or supplemental instruction to your child. This may include adapting the content being taught or using different instructional methods such as visual aids, highlighted work sheets and simplified directions (this is called “direct” instruction). The special education teacher may also work with your child’s general education teacher to adjust the learning environment and/or modify and adapt instructional techniques and methods to meet your child’s individual needs (this is called “indirect” instruction).

- SETSS may be provided in the general education classroom, or in a separate location outside of the general education classroom or in any combination of general education classroom and a separate location;
- When SETSS are provided in a group, the group may not include more than eight students;
- SETSS may be provided for as few as three hours a week and as much as 50% of each day;
- Your child’s IEP must state the number of periods a week that the services will be provided, whether those services will be provided directly with your child or indirectly with his or her general education teacher and where the services will be provided.

Your child’s related services may change as your child gets older.



Collaborative Team Teaching/ Integrated Co-Teaching (CTT/ICT)

Collaborative Team Teaching/Integrated Co-Teaching (CTT/ICT) classrooms include students with disabilities and non-disabled students educated together with two teachers, a general education teacher and a special education teacher, who work together and collaborate throughout the day. These teachers work together to adapt and modify instruction for your child and make sure the entire class has access to the general education curriculum.

Children receiving CTT/ICT may also receive related services, assistive technology, para-professional services or other supplementary aids and services necessary.

While CTT/ICT may be provided on a full-time or part-time basis, part-time is more typically recommended in departmentalized school programs where classes change on a subject-by-subject basis. If it is provided part-time, that must be specifically indicated on your child's IEP, along with the number of periods each day he or she will receive the services clearly stated. The area of

instruction (for example, mathematics) for which your child will be receiving CTT/ICT must also be indicated.

The number of students with disabilities may not exceed 40% of the total class register or a maximum of twelve students with disabilities.

Special Class Services

Special Class Services are services provided for children with disabilities in a self-contained classroom. They serve children whose needs cannot be met within the general education classroom, even with Special Education Teacher Support Services, Related Services or participation in a CTT/ICT class. Special Class Services may be provided on a full-time or part-time basis.

In self-contained special classes, students must be grouped by similarity of educational needs. Classes may contain students with the same disability or with different disabilities as long as they have similar levels of academic and learning characteristics, levels of social development, levels of physical development and management needs.



Special classes offer different levels of staffing intensity depending upon your child's academic and/or management needs. This is called the **Staffing Ratio**. These classes may range from six to a maximum of fifteen students. Staffing for special classes includes one special education teacher and may have up to four paraprofessionals. If your child requires more intensive and constant adult supervision in order to learn, he or she will be recommended for a more intensive student-to-staff ratio. The IEP Team will determine your child's staffing ratio and indicate it clearly in his or her IEP. (See the chart on page 24.)

Specialized Public Schools for Students with Significant Disabilities (District 75 Schools)

District 75 provides instructional support in a wide variety of settings for students with significant disabilities. Keeping within the mandate for Least Restrictive Environment (LRE), students can receive District 75 services in general education classrooms, in special classes located in community school buildings and in special classes in specialized schools, as well as in agencies, hospitals and at home. The IEP Team will determine the appropriate program and class size for your child based on his or her cognitive, social-emotional and physical management needs. District 75 services may be provided year round in a 12-month program. This helps your child have ongoing and consistent instruction over the summer months.

District 75 provides services and programs city-wide in D75 buildings, agency settings and in community school district buildings. District 75 students may participate in standardized assessment and take all city and state tests or may be assessed using New York State Alternate Assessments. District 75 provides special classes with ratios of 12:1:1, 8:1:1, 6:1:1, and 12:1:4 and other ratios for students in full inclusion.

If your child has significant hearing and vision impairments, District 75 also has self-contained classes with specialized equipment and services that can be integrated into the curriculum throughout the school day. Students whose vision and hearing concerns do not require that type of intensive programming will receive these support services in their general education, co-teaching or community-based special education settings.

District 75 also supports students who are afraid of being in a school setting (school phobic) and students with medical or psychiatric issues that require temporary or long-term instruction in a hospital or home-based setting.

Where appropriate, District 75 provides bilingual instruction and support, ESL services, travel training, personal activities of daily living (ADL) skill training, vocational programming and transition service coordination. Instructions for using augmentative or alternative technology will be provided as outlined in your child's IEP. To develop collaborative home-school partnerships, District 75 also offers counseling and training for parents in order to assist families in understanding and providing support for their children.

District 75 also provides special class services in a 12:1:1 ratio for students who are deaf/severely hard of hearing or blind/visually impaired. Services provided include audiology, assistive technology, sign language interpretation, orientation and mobility services, and Braille. Students can participate in New York State standardized or alternate assessments.

New York State-Supported Schools

State-supported schools provide intensive special education services to children who are deaf, blind or who have severe emotional or physical disabilities and who are determined by an IEP Team to be eligible for this type of program. Some State-supported schools provide five-day residential care for children who require 24-hour support.

The IEP Team will determine the appropriate program and class size for your child.

Special Class Ratio: What Ratio Fits Your Child's Needs?

12:1

(Elementary and Junior/Middle School)



- No more than twelve (12) students per class in elementary and intermediate/junior high school or fifteen (15) students per class in high schools;
- One full-time special education teacher.

This is a placement for students with academic and/or behavior management needs who require specialized instruction that is best accomplished in a self-contained setting.

15:1

(High School)



12:1:1



- No more than twelve (12) students per class;
- One full-time special education teacher;
- One full-time paraprofessional.

This is a placement for students with academic and/or behavior management needs that interfere with the instructional process and require additional adult support and specialized instruction that can best be accomplished in a self-contained setting.

8:1:1



- No more than eight (8) students per class;
- One full-time special education teacher;
- One full-time paraprofessional.

This is a placement for students whose needs are severe and chronic and who require intensive constant supervision, a significant degree of individualized attention, intervention and intensive behavior management, as well as additional adult support.

6:1:1



- No more than six (6) students per class;
- One full-time special education teacher;
- One full-time paraprofessional.

These classes serve students with very high needs in most or all need areas, including academic, social and/or interpersonal development, physical development and management. Student behavior is characterized as aggressive, self-abusive or extremely withdrawn with severe difficulties in the acquisition and generalization of language and social skill development. These students require very intense individual programming, continual adult supervision, usually a specialized behavior management program to engage in all tasks and a program of speech/language therapy (which may include augmentative/alternative communication).

12:1:4



- No more than twelve (12) students per class;
- One full-time special education teacher;
- One additional staff person for every three students.

This is a class serving students with severe and multiple disabilities with limited language, academic and independent functioning. These students require a program primarily of habilitation and treatment, including training in daily living skills, the development of communication skills, sensory stimulation and therapeutic interventions.

New York State Education Department Approved Non-Public Schools (Day)

These schools provide programs for children whose intensive educational needs cannot be met in a public school program. **State Education Department (SED) approved schools** are attended only by students with disabilities and therefore provide no opportunity to be educated with non-disabled children. An SED-approved non-public school may accept your child only if the school is able to provide the services recommended in his or her IEP.

The IEP Team must consider all options available in the public schools prior to deferring your child to the Central Based Support Team (CBST) for assistance in identifying an appropriate educational setting. When an IEP Team defers a case to CBST, it is important for you to understand that a recommendation for a specific setting for your child has not yet been made and may in fact be a public school setting. In other words, a deferral to CBST is *not* a recommendation for your child to attend a non-public school.

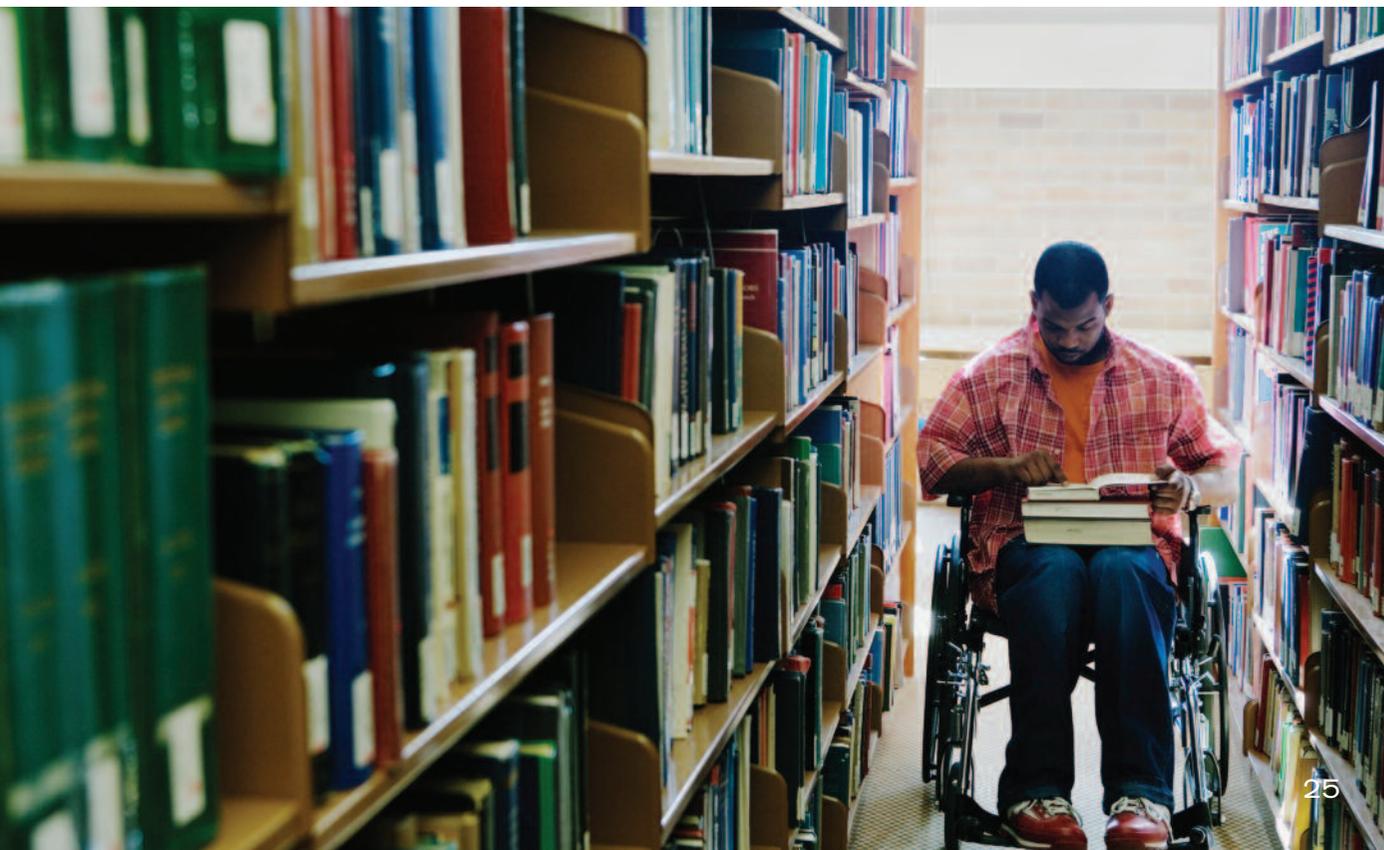
If it is determined that non-public school is appropriate for your child, and he or she is accepted to the school, the IEP will be completed.

New York State Education Department Approved Non-Public Schools (Residential)

Residential schools are settings that provide intensive programming in the classroom and a structured living environment on school grounds on a 24-hour-a-day basis. This program is for children whose educational needs are so intensive as to require 24-hour attention. Residential schools that are approved by the New York State Education Department are located in New York State and in other nearby states. If it is determined that a residential setting is appropriate, the DOE is required to first consider in-state residential settings before considering an out-of-state school.

Home and Hospital Instruction

These are educational services provided to children with disabilities who are unable to attend school for an extended period of time. They are typically only provided until the child is able to return to school or, in the case of hospital instruction, until he or she is discharged from the hospital. These services might be recommended for a child with severe medical or emotional problems that prevent him or her from attending school until the problems are resolved. They might also be recommended for a child who is waiting for an approved, non-public school that is not yet available to him or her.



Your child is entitled to a minimum of two hours a day of Home and Hospital Instruction for high school students and one hour a day for all other students. The number of hours, length of session and number of times a week are determined by the IEP Team and must be based on your child's individual needs.

Supplementary Aids and Services

These are services and other supports that are provided in both general education classes or other settings that are more restrictive. Supplementary Aids and Services may include, but are not limited to, the following materials, devices and adaptations:

Functional Behavioral Assessment – A functional behavioral assessment is conducted for any student whose behavior impedes his or her learning or the learning of other students. It is the process of determining the purpose that a behavior serves for a student and is accomplished by careful assessment of the situations that lead to certain behaviors and the consequences that result. The results of the functional behavioral assessment are incorporated into a behavioral intervention plan which provides intervention strategies to address the behavior.

Curriculum Accommodations – Accommodations change how a student accesses information and demonstrates that he/she has learned the information. They may include the use of audiotapes instead of books, large-print books, Braille materials, use of a calculator for math or use of a word processor instead of handwriting.

Curriculum Modifications – Modifications change the way the curriculum is delivered and the instructional level, but the subject matter itself remains the same. Examples of modifications include redesigning the size or focus of the assignment.

Individualized Supports – Examples of supports include rephrasing of questions and instructions, additional time to move between classes, special seating arrangements, testing accommodations such as questions being read or re-read aloud, additional time, etc., curricular aids such as highlighted reading materials, main idea summaries, organizational aids, pre-written notes or study guides.

Supplementary Aids and Services may also include the services of various personnel, such as related service providers, special education teachers and paraprofessionals, and they may be combined in different ways to meet the individual needs of your child.

General Education with Declassification Services

If your child has been declassified from special education, there are services that may be provided to him or her (i.e., what is called “direct” instruction), and to his or her teacher (i.e., what is called “indirect” instruction) to help your child make the transition to general education.

These services can include instructional support, remediation, instructional modifications or individual and/or group speech or counseling. A student may only be decertified after a reevaluation.

If your child has been declassified, the IEP Team will define what services, if any, your child will need during his or her first year in a full-time general education classroom in order to help him or her make a successful transition.

Specialized Transportation Accommodations

When your child is initially referred, the IEP Team must inform you that medical documentation is required for any **Specialized Transportation Accommodations**. This information is shared with you during the initial social history meeting. Specialized Transportation includes limited-time



travel, individual transportation paraprofessionals, nurses, and medically-related accommodations.

You will be provided with copies of the **Request for Medical Accommodations to be Completed by Treating Physician Form** that will need to be filled out by your doctor. You will also receive the **Authorization for Release of Health Information Pursuant to HIPPA Form**, which you will have to fill out and then give to the IEP Team.

Requests for Specialized Transportation

Accommodations require current medical documentation from a physician that clearly states what your child's medical condition is and why he or she requires the accommodation. For example, if you request a limited bus run or an air-conditioned bus, the request must include a description of your

child's medical condition and an explanation of why he or she requires that kind of service. Your child's doctor must provide this documentation **on an annual basis** during your child's annual review or mandated three-year evaluation in order for the accommodation to be approved.

All recommendations for limited-time travel, individual transportation paraprofessionals, nurses, and medically-related accommodations will be reviewed by a doctor. Based on the review, the doctor will make a recommendation to the IEP Team prior to the IEP Team meeting. The doctor may recommend alterations to the original medical recommendation.

If the IEP Team determines that your child requires Specialized Transportation, the type of accommodation(s) required must be added to his or her IEP.



Additional Special Education Services

Paraprofessional Services – Some children with disabilities may require the support service of a paraprofessional for all or a portion of the school day to address their management needs and to allow them to benefit from instruction. Among other things, a paraprofessional can be assigned:

- to assist your child with his/her behavior if it is dangerous to him/her or others;
- to assist your child as he/she awaits placement in a more restrictive setting;
- if your child's behavior on the bus to and from school presents a danger to him/her or others.

Paraprofessionals can also be assigned as sign language interpreters, oral interpreters or cued speech translators, for orientation and mobility, health services or toileting, or for other reasons.

Support from a paraprofessional assigned to the general education classroom may be necessary for your child to help adapt tasks and assignments and provide reinforcement and small group instruction. The same level of support may not be necessary in all situations for your child. For example, he or she may need support in math class but no additional support during the rest of the day. Paraprofessional support as a supplementary aid and service in the general education classroom must be indicated in your child's IEP, and the IEP must specify the number of periods a day or week the support is required. For children at the middle or high school level, the IEP must specify during what subject area(s) paraprofessional support is necessary.

Assistive Technology Devices and Services – Assistive Technology is any piece of equipment, product or system that is used to increase, maintain or improve the functional capabilities of a child with a disability (e.g., a communication device, FM unit, computer access). An Assistive Technology Service is any service that directly helps a child with a disability select, acquire, or use an assistive technology device. Any Assistive Technology or Services your child requires must be listed in his or her IEP. If you think your child needs assistive technology, you may request an assistive technology evaluation.

Adapted Physical Education – Adapted Physical Education is a specially designed program of developmental activities, games, sports and rhythms suited to the interests, capabilities and limitations of individual children who may not safely or successfully participate in the activities of a regular physical education program. Your child may be recommended for adapted physical education when his or her disabilities interfere with his or her ability to perform activities involved in a regular physical education program.

Twelve-Month School Year Services – If your child requires his or her education to continue during the summer in order to prevent significant regression, Twelve-Month School Year Services may be provided.

Toilet Training – Toilet Training is a short-term instructional service to help prepare your child for independence in toileting. It is provided by a paraprofessional who schedules, instructs and assists the student.

Parent Counseling and Training – If you, the parent, need some help understanding the special needs of your child, Parent Counseling and Training can provide you with information about your child's development. Parent Counseling and Training is typically provided as part of the program if your child is in special classes with staffing ratios of 8:1:1, 6:1:1 and 12:1:4. These are not adult counseling services and are not intended to meet your personal or educational needs.

Travel Training – Travel Training services are short-term, comprehensive and specially designed instruction that teach high school students with disabilities other than blindness or visual impairments to negotiate public transportation vehicles and facilities safely and independently as they travel between home and a specific destination (usually school or the workplace).

Transitional Support Services – Transitional support services, such as consultation and/or training, may be provided for a short period of time to staff members working with your child as he or she moves from self-contained special classes to general education classes or less restrictive classrooms.

After the IEP Is Developed: Placement Procedures at the IEP Team Meeting and Arranging Services

Prior to the completion of the IEP Team meeting, a discussion regarding available programs at your child's current public school and whether your child can remain there must take place.

Your child will remain in his or her current school if he or she is:

- Remaining in his or her current program;
- Recommended to receive Related Services Only;
- Recommended to receive Special Education Teacher Support Services (SETSS) with or without Related Services.

If your child is recommended to attend a Special Class or Collaborative Team Teaching/Integrated Co-Teaching program and these programs are not available at your child's current school, the district representative must discuss the schools within your child's district where the program is available.

Parents have a right to visit the recommended school program.

What are my options if I disagree with my child's placement?

– see page 34



Regardless of whether your child will be remaining in his or her current school or will be attending a new school, detailed information about possible classes should be given to you prior to the end of the IEP Team meeting. If your child is recommended for a Special Class or Collaborative Team Teaching/ Integrated Co-Teaching Class and can't be supported at his or her current school, information regarding the schools within your child's district in which the program is available must be discussed with you. You may tell the district representative if you prefer one of those schools over another. However, there is no guarantee that one of these options will be offered.

If a decision about the school site is made at the IEP Team meeting, you will immediately receive a **Final Notice of Recommendation Letter** in your preferred language. This tells you the name and address of the school where your child will receive the special education services recommended in his or her IEP.

As the parent, you have the right to visit the program recommended in your child's IEP before or after providing consent, regardless of whether the program is located in your child's current school or in a different school. In order to schedule a visit, you should contact the person listed on the **Final Notice of Recommendation Letter**.

If you were not present at the IEP Team meeting or could not be given a placement at the meeting, you will receive in the mail a **Final Notice of Recommendation Letter** in your preferred language.

You must provide initial consent for special education services to begin.

Students Who Have Never Received Special Education Services: Initial Consent

If your child has never received special education services, you must give consent for the recommended special education services before they will be provided. You will be asked to indicate your consent at the bottom of the **Final Notice of Recommendation Letter** and return it to the address listed. If you do not consent, your child will remain in general education without the recommended services.

Students Who Are Receiving Special Education Services

You will be notified in the **Final Notice of Recommendation Letter** of any changes to your child's recommended special education services as a result of a new IEP Team meeting. For students who are already in special education, consent is not required again.

If you agree with the recommendation, you should sign the **Final Notice of Recommendation Letter** and return it to the address listed. Special education services will then be arranged for your child and you will be sent an **Authorization to Attend Letter**. This notice explains the date the new services will begin.

If you disagree with the services you should contact the DOE and attempt to resolve your disagreement. If you cannot reach agreement with the DOE, you have the right to request Mediation or an Impartial Hearing. During the Mediation, the Impartial Hearing or in any further appeal process, your child's services may not be changed until the decision of the Impartial Hearing Officer is issued or any further appeal is completed.

Withdrawing Consent for Special Education Services

Anytime after consenting to special education services, you may withdraw your consent for the special education services specified in your child's IEP. *The request must be in writing.* When consent is withdrawn, it is for all special education and related services specified in your child's IEP. This includes recommendations for specialized transportation, assistive technology, program modifications, testing accommodations and the need for modified promotion criteria. Children who

have been recommended to participate in alternate assessments are no longer eligible to participate in the alternate assessment program. You may not withdraw consent for only a portion of the special education and related services. In situations where you disagree with only some of the IEP recommendations, an IEP Team meeting can be arranged to review the student's IEP or you may use the due process procedures outlined in this document on page 36.

Within ten calendar days of receipt of written notice from you that withdraws consent for special education services, the school or the CSE Office (for non-attending students and students attending non-public, parochial and charter schools) must send you a completed **Notice of Termination of Special Education Services Due to Parental Withdrawal of Consent**. The notice must be in your preferred language. This notice outlines the IEP-recommended special education services your child has most recently received and will no longer be receiving. The notice indicates the general

education placement that your child will attend, and explains to you that your child will be considered a general education student at all times, including in any discipline/suspension procedures, and that IEP Team meetings will no longer be held for your child. The notice also provides the name of a contact person in the event you have questions or concerns.

When a parent withdraws consent for special education services, the school or the CSE Office is not required to convene an IEP Team meeting or develop an IEP for your child. In addition, the school or the CSE Office is not required to amend your child's education records to remove any references to his or her receipt of special education and related services because of the withdrawal of consent.

Please note that the school or the CSE Office may *not* use due process procedures (i.e., mediation or an impartial due process hearing) in order to obtain a ruling that the services may be provided to your child without your consent.



Placement Timelines

The DOE is required to provide a placement for your child as recommended in the IEP as follows:

- For initial (first-time) referrals to special education, within **60 school days** from the date you provided consent to evaluate your child;
- If your child is already receiving special education services, **60 school days** from the date of the referral for a reevaluation.

If your child requires a special class setting and you do not receive a **Final Notice of Recommendation** within 60 school days from the date of consent or referral during the school year, or by August 15th for placements for an upcoming school year, you will receive a **P-1R Letter**. This entitles your child to attend a New York State Education Department approved non-public day school at the expense of the DOE. A list of New York State Education Department approved non-public day schools will accompany the eligibility notice. You must bring the **P-1R Letter** and a copy of your child's most recent IEP to the non-public school interview.

If you unreasonably delay the evaluation, referral and/or placement process, however, the timeline may be adjusted accordingly.

Once your child is accepted by an approved New York State Education Department non-public day school, you and the non-public school will be asked to sign a **P-2 Letter**. Your signature indicates that you consent to the non-public school placement, and the signature of the non-public school representative indicates that the school agrees to provide educational and related services as indicated on your child's IEP. Once approved, you will receive a **Final Notice of Recommendation Letter**, which will finalize your child's placement. If you have questions about this process or require assistance, you should contact the representative listed at the bottom of the **P-1R Letter**.

Arranging Special Education Teacher Support Services (SETSS)

If a DOE teacher is not available to provide these services at your child's school, an authorization for SETSS (called a **P-3 Authorization**) will be issued. The **P-3 Authorization** will allow you to identify an appropriately licensed independent provider of SETSS *at no cost to you*. You will also be provided with information regarding whom to contact at the DOE for assistance if you have questions or are unable to locate an available SETSS provider.

Arranging Collaborative Team Teaching/ Integrated Co-Teaching (CTT/ICT)

If your child is recommended to receive CTT/ICT and the services are not offered to you by the **60th school day** from referral *and* your child is currently in a *less* restrictive environment (e.g., general education, SETSS, related services only), then the DOE will provide your child with two periods a day of SETSS (i.e., multiple SETSS) in the school your child currently attends as an alternative.

If multiple SETSS are not available in your child's current school, a **P-3 Letter** will be issued authorizing you to identify an appropriately licensed independent provider of SETSS for two periods a day at no cost to you. You will also be provided with information regarding whom to contact at the DOE for assistance if you have questions or are unable to locate an available provider.

Arranging Related Services

The DOE will assign a DOE staff member to provide Related Services. If DOE staff is unavailable, we will arrange services using staff from agencies under contract with the DOE.

In cases where neither the DOE nor contract agency staff are available, you will be issued a **Related Service Authorization (RSA)**. The RSA allows you to identify an appropriately licensed independent provider of the service *at no cost to you*. You will be provided with information about available independent providers, instructions about how to use the RSA and information regarding whom to contact at the DOE for assistance if you have questions or are unable to locate an available provider.

Arranging ESL Services

If your child has been recommended to receive English as a Second Language Services (ESL), the DOE will assign a DOE ESL Teacher to provide these services. If a DOE ESL teacher is not

available, an authorization for ESL Services (the “**ESL Authorization**”) will be issued. It will allow you to identify an appropriately licensed independent provider of ESL *at no cost to you*. The ESL Authorization will indicate the frequency and duration of services. You will also be provided with information regarding whom to contact at the DOE for assistance if you have questions or are unable to locate an available provider.

Arranging Transportation

If your child is recommended for special education services, he or she may also be entitled to transportation to and from your home to the school.

If your child is recommended for special education services in your neighborhood school, he or she may be able to walk to school. Depending on the distance of the school from your home, your child may be recommended for general education yellow bus service (i.e., stop-to-stop) or to receive a New York City MetroCard for use on public transportation. If they are able, junior high school and high school students with disabilities receiving special education services are generally expected to use public transportation.

All recommendations for specialized transportation (i.e., door-to-door) are determined by the IEP Team. Children with limited mobility, physical/orthopedic disabilities and other health impairments generally require door-to-door busing. If your child requires door-to-door transportation, this will be indicated in his or her IEP. Bus service is arranged as quickly as

possible, but generally in no more than five days. You will be notified in writing by the Office of Pupil Transportation (OPT) of the date that bus service will begin. If you do not receive information from OPT, call the hotline at **718-392-8855** for assistance.

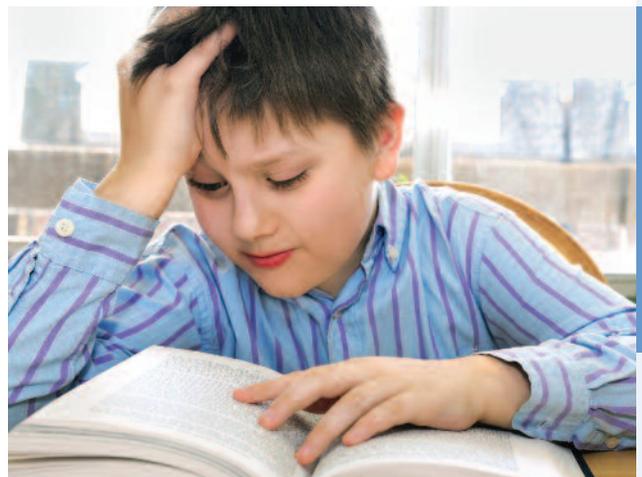
If the Department is unable to arrange for bus service to the recommended school in a timely manner from the date of consent, alternative transportation arrangements may be made to enable your child to get to and from school. If this situation occurs, you will receive a letter and a travel reimbursement form.

Confidentiality of Records

At the time of consent for evaluation, you will be asked to sign a release of records form that authorizes the IEP Team to obtain reports from outside agencies or medical reports from physicians that may be important to your child’s evaluation. While you are not required to sign this release form, the DOE asks that you consider allowing the IEP Team to have access to records from outside agencies or physicians that may help the IEP Team members better understand your child’s needs.

All evaluations are written and placed in an official file that is kept in your child’s public school and at the CSE Office. The information in the file is *confidential* and will not be given to any outside agency or individual without your consent or unless a court orders the release of your child’s records. Only school staff who work with your child have access to these records.

Your child’s evaluations and reports are confidential.



Access to Records

You should receive a copy of any evaluations or reports that will be considered before an IEP Team meeting for your child. Additionally, you have the right to request copies of any evaluations or reports that have been written and placed in your child's file. This can be done by making a request to the school or, if your child attends a non-public or charter school, the CSE Office Chairperson. Sometimes parents disagree with statements made in their child's record. If this is the case, you can request, in writing, to meet with the school or, for non-public and charter schools, the CSE Office Chairperson to discuss the area(s) of disagreement.

As a result of such a meeting, the school or CSE Office may decide to remove portions of the record. You will be notified of any changes to your child's record. If the school or CSE Office does not agree to remove the portions that you questioned and your concerns have not been addressed to your satisfaction, you may write a letter to the school or CSE Office Chairperson stating the areas in the record with which you disagree. The school or CSE Office is required to place this letter in your child's file. You may also file an appeal to the Superintendent under **Chancellor's Regulation A-820, "Confidentiality and Release of Student Records; Records Retention."**

Parent Options

As a parent, you have the right and responsibility to make sure you fully understand what is in your child's IEP before you consent to services. There are times when you may not agree with the school's recommendation about your child's education as described in the IEP. You have the right to challenge decisions about your child's eligibility, evaluation, services and placement. If you disagree with the school's actions or refusal to take action in these matters, you have several options:

Ask for Mediation – During Mediation, you and a member of the IEP Team sit down with a neutral third party who assists and encourages you and the Department of Education to reach an agreement. You can make a request for mediation to your child's school or the CSE Office if your child attends a non-public school.

Request for an Impartial Hearing – As a parent, you have the right to request what is known as an Impartial Hearing. This is a legal proceeding. During an Impartial Hearing, you will appear before an Impartial Hearing Officer (not a DOE employee) and present your side of the story. The Hearing Officer will listen to you and the representative from the DOE, take evidence from witnesses and documents and make a written determination regarding how to resolve the issues that you have raised.

Once an Impartial Hearing is requested, "**pendency**," (sometimes called "**stay-put**") applies. This means that your child will remain in his or her current placement for the duration of any due process proceedings until the matter is resolved or you have reached an agreement with the DOE.



Parents have the right to challenge the child's IEP.

Impartial Hearing requests must be made in writing to the Impartial Hearing Office at:

Office of Impartial Hearings
131 Livingston Street, Room 201
Brooklyn, New York 11201
(718) 935-3280

Your request must:

- Be made in writing to the Office of Impartial Hearings;
- Describe the facts relating to your concerns and a proposed solution;
- State your child's name and address; and
- Name the school your child attends.

A recommended form letter, which you may use to request an Impartial Hearing, is available from the CSE Office or the Impartial Hearing Office. You may also obtain a form from the New York State Office for Vocational and Educational Services to Individuals with Disabilities.

Resolution Process When an Impartial Hearing Is Filed

Within 15 days of your request for an Impartial Hearing, the DOE will work with you toward resolving the issues you've described in your Impartial Hearing request at a Resolution Meeting. This is not the same as Mediation but is a required part of the Impartial Hearing process.

There are three instances in which a Resolution Meeting will not be held:

1. If you and the Department of Education agree *in writing* to waive the Resolution Meeting, the Impartial Hearing Office must be notified and an Impartial Hearing will be scheduled within 14 calendar days.
2. If you withdraw your request for the Impartial Hearing, a Resolution Meeting does not need to be held.

3. If after documented attempts have been made by the Department of Education to schedule a Resolution Meeting and you do not participate or you did not waive the Resolution Meeting in writing, the Impartial Hearing Officer must be informed and the DOE has the right to ask that your request be dismissed.

After receiving a request for an Impartial Hearing, the Hearing Office will contact you and the DOE by telephone to schedule the hearing. You will also receive a complete description of the Impartial Hearing process and will be notified in writing of the scheduled date, time and location of the hearing. If you wish to bring an attorney to the hearing, a Notice of Appearance from the attorney must be sent to the Impartial Hearing Office before the hearing. School staff may also request an Impartial Hearing. An interpreter will be provided, if needed. After the hearing, during which you and Department of Education staff explain your respective positions and submit evidence in support of your decision, the Hearing Officer writes a decision. A copy of the decision will be mailed to you.

The Hearing Officer's decision is based entirely on evidence admitted at the hearing. It should include the reasons and the basis for the decision. The decision informs you and the Department of the right to appeal the decision to the New York State Review Officer. If you do not submit an appeal(s) within 30 days from the date of the receipt of the decision, all parties will be required to abide by the Hearing Officer's decision.

Appeals to the State Review Officer

An appeal to the New York State Review Officer is another step toward resolving disagreements. A request for an appeal is a legal process. While a lawyer is not required, procedures for submitting an appeal are specific and must be followed exactly to avoid delay or dismissal. This information is contained in the section "Due Process Rights" of the pamphlet "Special Education in New York State for Children Ages 3–21: A Parent's Guide."

Due Process

Due Process refers to procedures that, by law, are used to ensure your child's rights to a Free Appropriate Public Education (FAPE) and your rights to be involved and have a full understanding of that process. Due Process assures the following:

The Right to Be Fully Informed – You must be adequately notified, in your preferred language or mode of communication, of your rights in the educational decision-making process.

There are instances identified in this Parent Guide when you will be asked to provide your consent. Providing consent means that you have been fully informed in your preferred language of all information about the action for which you are giving consent, that you understand and agree in writing to that action and that the notification includes what, if any, records will be released and to whom. Consent also means that you understand that the consent is voluntary on your part and you may withdraw your consent at anytime. Please understand that your withdrawal of consent does not negate (undo) an action that has occurred after you gave your consent and before you withdrew it.

The Right to Participate – You have the right to participate in decision-making through attendance at meetings and other involvement that allows your point of view to be considered. This includes your right to bring other individuals who have knowledge or special expertise

regarding your child to meetings. Meetings to discuss the service recommendations for your child must be scheduled with you at a mutually convenient time. If you require an interpreter, the Department of Education must provide one.

The Right to Challenge – You have the right to challenge school decisions made regarding your child. You can request Mediation, an Impartial Hearing or challenge any decisions which affect your child's education or to resolve differences. If you require an interpreter, the Department of Education must provide one.

The Right to Appeal – You have the right to appeal the decision of an Impartial Hearing Officer to the New York State Review Officer, or to seek court review of the State Review Officer's decision. You may also oppose appeals initiated by the Department of Education.

The Right to Decline the Participation of a Parent Member at the IEP Team meeting – You have the right to decline the participation of the parent member at an IEP Team meeting. If you choose to decline the participation of the parent member, you will be asked to sign a statement that you declined. This will be kept on file in your child's CSE Office record.

You also have the right to obtain and/or examine copies of your child's school records. You have the right to receive and consider all reports and evaluations before an IEP Team meeting. You have the right to copies of your child's IEP and evaluations in your preferred language.

High School Diploma Options and Post-Secondary Planning

High school graduation marks an important completion stage in the development of a young adult.

Preparing for high school graduation requires that students and parents know the requirements and take all necessary steps to support students in achieving their goals. New York State provides students with the following diploma options:

- **Advanced Regents Diploma**
- **Regents Diploma**
- **Local Diploma**
- **IEP Diploma**

The IEP Diploma

The IEP diploma certifies that your child has achieved his or her IEP goals. IEP diplomas are not accepted for admission to college or enrollment in military service or as a qualifying high school diploma for some jobs. Students receiving IEP diplomas are entitled to remain in school until the end of the school year in which they turn 21 and may still pursue Advanced Regents, Regents, Local, Careers and Technical Education (CTE) or GED diplomas regardless of the diploma objectives on the IEP.

Plan for graduation.



What are the diploma requirements?

– see page 39

You must receive written notice prior to your child's graduating from high school with a Regents or Local diploma to inform you that your child is no longer eligible to receive a Free Appropriate Public Education (FAPE) after graduation. This regulation does *not* apply to students with disabilities who exit high school with an IEP diploma.

Basic Diploma Requirements

Achievement of Regents and Local diplomas require students to acquire 44 credits and pass specific state exams. All students must complete the specified credits in the following subjects:

- 8 English credits
- 8 Social Studies credits
- 6 Mathematics credits
- 6 Science credits
- 2 Second Language credits
- 1 Music credit
- 1 Art credit
- 5 Physical Education credits
- 7 Elective credits

Diplomas Requiring an Examination

All students are eligible to receive an Advanced Regents diploma, a Regents diploma and a Local diploma. Students are required to take particular exams to be eligible to receive these diplomas.

Please be aware that if your child is participating in alternate assessment, he or she is *not* eligible to receive a Local or Regents diploma.

Transition Services and Post-Secondary Options

Transition Services are a coordinated set of activities that assist students moving from school to post-school activities, including post-secondary education, vocational education, competitive employment, continuing and adult education, adult services, independent living or community participation. The coordinated set of activities must be individualized for your child and will take into account his or her strengths, preferences and interests. The goal is to build a communication process that focuses on the student's strengths, interests and abilities. This information is the basis of planning so that students are well prepared for the movement from secondary school and have as many options as possible once they leave.

When your child turns 15 years old, Transition Services must be part of his or her IEP. This will be updated every year after that as part of the annual review IEP Team meeting.

Transition Services may focus on the following areas:

- Instructional activities that will be provided to your child to help him or her achieve the stated transition outcome;
- The development of employment and other post-school adult living skills;
- Community integration;
- The development of daily living skills for students who require this kind of assistance.

Transition Services aim to meet the following criteria:

- They are designed to be results-oriented;
- They help focus staff on improving academic and functional achievement of students and are based on the individual student needs;
- They take into account the student's strengths, preferences and interests;
- They are integrated services that touch upon various aspects of the school experience and include responsibilities shared by multiple members of the school community.

Your child and, if you provide written consent, a representative of the agencies likely to be responsible for providing or paying for Transition Services must be invited to the IEP meeting to discuss Transition Services. At this meeting to discuss Transition Services, the following will be considered:

- Regardless of whether your child attends the IEP Team meeting, the IEP Team must ensure that his or her preferences and interests are considered; and
- Regardless of whether an agency invited a representative, steps to involve the agency in the planning of any transition.

Graduation Requirements for Students with Disabilities

For students who entered 9th grade in September 2001–September 2006, please discuss the graduation requirements with the staff at your child’s school. For additional information regarding graduation requirements, please visit our website at <http://schools.nyc.gov>.

Students Entering 9th Grade in September 2007, 2008 or 2009

	Local Diploma	Regents Diploma	Advanced Regents Diploma	
REGENTS EXAM REQUIREMENTS	SCORE	SCORE	SCORE [†]	
Comprehensive English	55 or above on Regents or Passing RCT in Reading and Passing RCT in Writing	65 or above	65 or above	
Mathematics	Passing RCT in Mathematics or		2 Exams	3 Exams
Integrated Algebra 1	55 or above or 55 or above in any of the Math specialities below	65 or above or		65 or above [†] or
Math A	55 or above or	65 or above or	65 or above [†] or	65 or above [†] and
Math B	55 or above or	65 or above or	65 or above [†] and	
Geometry	55 or above or	65 or above or		65 or above [†] and
Algebra II/ Trigonometry	55 or above	65 or above	65 or above [†]	65 or above [†]
Global History and Geography	55 or above on Regents or Passing RCT in Global History and Geography	65 or above	65 or above	
U.S. History and Government	55 or above on Regents or Passing RCT in U.S. History and Government	65 or above	65 or above	
Science	55 or above on Regents or Passing RCT in Science (any science)	65 or above (any science)	65 or above (life science)	
Science			65 or above (physical science)	
Language other than English			65 or above*	

* Students completing an approved 10 credit sequence in the Arts or CTE are only required to complete 2 credits of a second language and are not required to take the Regents in a Language other than English in order to receive a Regents Diploma with advanced designation. However, they must still meet the requirements for the total number of units of credit (44).

† Advanced Regents Diploma:

2 Exams: Math A **and either** Math B **or** Algebra II/Trigonometry

3 Exams: **Either** Integrated Algebra I **or** Math A **and** Geometry **and** Algebra II/Trigonometry

What Should Be Discussed at the Last Transition Meeting Before the Student Graduates?

The discussion at the last IEP Team meeting before the student graduates should include, among other things:

- Plans for schooling/training, living arrangements, travel and finances;
- Paperwork and documents necessary for post-secondary plans;
- Whether student and/or parent/guardian has copies of all the paperwork and documents;
- Whether the student and/or parent/guardian has names, addresses, phone numbers and names of contacts at the various agencies.

Additionally, schools are required to provide a **Student Exit Summary** for:

- All students with disabilities attending public school and non-public schools; and
- Students with disabilities for whom special education services will terminate in the current year because he or she will receive a Regents, Local or IEP diploma; or
- Students who will reach the age of 21.

The Summary should provide a meaningful picture of your child's strengths, abilities, skills, functional and academic levels, needs, limitations, necessary accommodations and recommendations that will support his or her goals after leaving the New York City Department of Education. The Summary will assist your child in establishing eligibility for reasonable accommodations and supports in post-secondary education, the workplace and the community.

Office of Vocational and Educational Services for Individuals with Disabilities (VESID)

The Office of Vocational and Educational Services for Individuals with Disabilities (VESID) provides the opportunity each year for individuals with disabilities to become independent through employment. VESID is an office of the New York State Education Department, and provides job-readiness and preparation services to eligible individuals. VESID also assists people with disabilities who are having difficulty keeping their jobs.

A referral to VESID, two years prior to school exit, prevents an interruption in services and will help the student transition to adulthood. VESID offices are located in each of the five boroughs.

Borough District Office	Phone Number	Address
Bronx	718-931-3500	1215 Zerega Avenue Bronx, NY 10462
Brooklyn	718-722-6700	New York State Office Building 55 Hanson Place, Second Floor Brooklyn, NY 11217
Manhattan	212-630-2300	116 West 32nd Street, 6th Floor New York, NY 10001
Harlem Satellite Office <i>Serving 110th St. to 155th St.</i>	212-961-4420	Adam Clayton Powell, Jr. State Office Building 163 W. 125th Street, 7th Floor, Room 713 New York, NY 10027
Queens	347-510-3100	1 LeFrak City Plaza 59-17 Junction Boulevard, 20th Floor Corona, NY 11368
Staten Island Satellite Office	718-816-4800	2071 Clove Road, Suites 204 and 205 Staten Island, NY 10304
For more information, visit the VESID website at:	www.vesid.nysed.gov www.fcny.org/train/trainhtml/geninfo.htm	

Additional Important Information

Glossary of Terms

Accommodations: Tools and procedures that provide equal access to instruction and assessment for students with disabilities. Designed to “level the playing field” for students with disabilities, accommodations are generally grouped into the following categories:

- Presentation (e.g., repeating directions, reading aloud, using larger bubbles on answer sheets, etc.);
- Response (e.g., marking answers in book, using reference aids, pointing, using a computer, etc.);
- Timing/Scheduling (e.g., extended time, frequent breaks, etc.);
- Setting (e.g., study carrel, special lighting, separate room, etc.).

Adapted Physical Education (APE):

A specialized physical education program for children with disabilities who may not safely or successfully participate in the regular physical education program.

Adoptive Parents: Adults who have been granted responsibility for a child through legal adoptive proceedings that relinquish or terminate the rights of birth parents.

Alternate Placement: A temporary placement provided for students recommended for bilingual classes but for whom a bilingual teacher/class is not available. A bilingual paraprofessional may be assigned to work with the student in class with a monolingual teacher who has been trained in English as a Second Language approaches and methodology.

Alternative Services (also known as intervention/prevention services): Services provided to general education students who are having difficulty in school. These services are an alternative to special education for students who are not classified as disabled or prior to a referral for a special education evaluation. Alternatives to special education may include reading and math remediation programs, guidance services and speech and language therapy that are provided within the school prior to referral for a special education evaluation.

Annual Goals: Goals written on the IEP that describe what the child is expected to achieve in the disability related area(s) over a one-year period.

Annual Review: A review of a disabled student's special education services and progress that is completed at least once each school year by the student's teacher(s) at an IEP Team meeting.

Changes in special education services may or may not be recommended at this time.

Articulation: A process that begins each spring to determine a student's movement from elementary to middle or from middle to high school within the same program.

Assessment: The process of collecting information about a student's strengths and weaknesses to improve his or her educational program. The information collected through tests, observations and interviews will assist the team in determining the child's levels of functioning and educational needs.

Assessment Authorization: A letter to parents that informs them of their right to obtain an independent evaluation for their child by a non-Department of Education independent provider at Department of Education expense.

Assistive Technology Devices and Services:

An Assistive Technology Device is any piece of equipment, product or system that is used to increase, maintain or improve the functional capabilities of a child with a disability (e.g., a communication device, FM unit, computer access). An Assistive Technology Service is any service that directly helps a child with a disability select, acquire or use an assistive technology device. Any assistive technology or services your child requires must be listed in his or her IEP. If you think your child needs assistive technology, you may request an assistive technology evaluation.

Audiological Evaluation: A specialized hearing assessment conducted to determine whether or not a student has a significant hearing loss.

Authorization to Attend Letter: A notice sent to parents after they have consented to special education services indicating the date on which the student will begin to receive the recommended special education services.

Behavior Intervention Plan (BIP): A plan to address problem behavior that includes, as appropriate, positive behavioral interventions, strategies and supports, program modifications and supplementary aids and services that may be required to address the problem behavior.

Bilingual Evaluation: An evaluation conducted in both English and a child's preferred language by professionals who understand both languages. The evaluation may be conducted by a Department of Education bilingual evaluator, an evaluator employed by an agency under contract to the

Department of Education, a non-Department of Education independent evaluator or a monolingual evaluator with an interpreter.

Bilingual Instruction: Instruction in two languages (English and the child's other-than-English language) provided to English language learners who are either non-English speaking and beginning to acquire English or who are beginning to perform at more advanced levels of English but are not at the level of native English-speaking students.

Child Find: Ongoing activities undertaken by states and local school districts to locate, identify and evaluate all children residing in the city who are suspected of having disabilities so that a Free Appropriate Public Education (FAPE) can be made available to all eligible children, including all children in public, private and parochial schools.

Class Size: The maximum number of students permitted in the recommended services and/or class. This is indicated in the IEP.

Classification: This term is taken from New York State law and refers to types of disabilities.

Classroom Observation: The process of observing a student during the school day in the classroom and other school settings to see how learning occurs and what behaviors are exhibited.

Clinician: Another term used for a Department of Education assessment professional, such as a school psychologist or school social worker.

Commissioner's Regulations: State Education Department guidelines based on Federal and State education laws that specify, among other things, the steps school districts must follow in the special education referral, evaluation and placement process.

Committee on Special Education (CSE) Office: The "CSE Office" has historically referred to the Committee on Special Education Office and the teams that are housed in that Office, as well as other IEP Teams. Currently, the "Committee on Special Education Office" and "IEP Teams" are referred to separately. IEP Teams are located both at schools and in the Committee on Special Education Office, and they may be composed as either a Full Committee or a Subcommittee. The IEP Teams located at the Committee on Special Education Office and directed by the Chairperson are responsible for several groups of students.

These teams are responsible for all students 5 to 21 years of age who attend a school within the geographic boundaries of the districts that is a:

- Private school
- Parochial school
- Charter school
- State approved non-public school

The IEP Teams located at a Committee on Special Education Office are also responsible for students who reside within the geographic boundaries of the districts that are served by the Committee on Special Education Office and who are:

- Students attending non-public schools outside New York City and New York State;
- Students who receive home or hospital instruction as their placement on their IEP (please note that this does not include students on temporary home instruction, as these students are expected to return to their prior school);
- Students who are being home-schooled; and
- Students who are non-attending.

Confidentiality: The obligation of the Department of Education to maintain the student's special education records in a manner that assures that only appropriate staff has access to the student's IEP and records.

Consent: Consent must be "informed," which requires more than obtaining a parental signature. The following steps are taken for informed consent to be obtained:

- You must be fully informed, in your preferred language or other mode of communication, of all information relevant to the activity for which consent is sought. Also, you must be notified of the records of your child that will be released and to whom they will be released. This includes providing you with information about what testing will be completed, if any, and where the testing will take place;
- You must understand and agree in writing to the activity for which consent is sought; and
- You must be made aware that the consent on your part is voluntary and may be revoked at any time. However, if you revoke consent, understand that revocation is not retroactive, meaning that it does not negate an action that has occurred after you gave consent and before the consent was revoked.

Continuum: The range of education services in the Department of Education to support educating children with disabilities in the least restrictive environment.

CSE Office Record or CSE Office File: All of the student's referral, evaluation and placement materials including due-process notices, IEPs and school reports.

Deaf-Blindness: A student with both hearing and visual impairments, the combination of which causes severe communication and other developmental and educational needs that cannot be accommodated in special education programs solely for students with deafness or students with blindness.

Deafness: A student with a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects the student's educational performance.

Declassification: An IEP Team determination that a student no longer needs special education services.

Declassification Support Services: Services to support a decertified student to make the transition back to general education classes with no special education services. Declassification services may be provided for up to one year from the date of decertification and may include instructional supports and modifications, speech and language services, counseling services, etc.

Deferred Placement: During the IEP Team meeting, discussion will include a decision as to whether or not the recommended special education services should begin immediately. It may not be in a student's best interests to immediately implement the recommended special education services. This is referred to as a "deferred" placement and requires consent from the parent.

Due Process: The provision in law that guarantees and protects the rights of parents, students and the Department during the referral, evaluation and placement process.

Due Process Complaint: Also called a Request for an Impartial Hearing, this is a written complaint filed by a parent or a school district involving any matter relating to the identification, evaluation, educational placement or provision of a free, appropriate, public education to a student with a disability. This may result in an Impartial Hearing.

Due Process Hearing (Impartial Hearing): A legal proceeding before an Impartial Hearing Officer who is not an employee of the New York City

Department of Education. Both the parents and the school district present arguments, witnesses, if any, and evidence.

Emotional Disturbance: A student who exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects the student's educational performance:

- An inability to learn that cannot be explained by intellectual, sensory or health factors;
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- Inappropriate types of behavior or feelings under normal circumstances;
- A generally pervasive mood of unhappiness or depression; or
- A tendency to develop physical symptoms or fears associated with personal or school problems.

The term "emotional disturbance" includes schizophrenia. It does not apply to students who are socially maladjusted unless it is determined that they have an emotional disturbance.

English Language Learner (ELL) (formerly students with limited English proficiency):

A student who speaks a language other than English at home and scores below a state-designated level of proficiency in English upon entering the New York City public school system.

English as a Second Language (ESL):

A teaching approach and methodology used by trained English-speaking teachers for ELLs who are acquiring English-language skills.

Final Notice of Recommendation: A placement letter to parents indicating the special education services recommended and where the services will be provided. Parents are asked to consent to or acknowledge the placement.

Free Appropriate Public Education (FAPE):

Special education and related services that are provided at public expense, under public supervision and direction, and without charge to the parent.

Functional Behavioral Assessment (FBA):

A problem-solving process for addressing student problem behavior. FBA relies on a variety of techniques and strategies to identify the reasons for a specific behavior and to help IEP Teams select interventions that directly address the problem behavior.

General Education Curriculum: The body of knowledge and range of skills that all students, including students with disabilities, are expected to master.

Hearing Impairment: An impairment in hearing, whether permanent or fluctuating, that adversely affects the student's educational performance but that is not included under the definition of Deafness.

Health Services: A type of related services provided to students who are identified as having medical and/or health needs that require the assistance of a nurse or health paraprofessional during the school day. Examples of this service may be feeding, ambulation, suctioning or catheterization.

High School Diploma: Given to students who have successfully completed either Regents exams or competency tests and course credit requirements as prescribed by regulation.

Home Instruction as a program recommendation on the student's IEP: Home instruction may be recommended by the relevant IEP Team for students with disabilities who have a medical or psychological illness which prevents the student from attending a public or private facility for an extended period of time (i.e., one year or longer).

Home Language Identification Survey (HLIS): A parent questionnaire to determine whether or not a language other than English is spoken in the student's home.

Hospital Instruction: An educational service provided on a temporary basis to students who are hospitalized for medical conditions that prevent them from attending school.

IEP Diploma: The IEP diploma certifies that a student has completed IEP goals. IEP diplomas are not accepted for admission to college or enrollment in military service. Students who are participating in alternate assessment and are expecting to achieve an IEP diploma should discuss transition plans including post-graduation and career training during their IEP Team meeting. Students receiving IEP diplomas are entitled to remain in school until the end of the school year in which they turn 21 and may pursue Advanced Regents, Regents, Local, Careers and Technical Education (CTE) or GED diplomas.

Independent Evaluation: An assessment conducted by an individual not employed by the Department of Education. This evaluation will be paid for by the Department of Education only if the Department of Education's evaluation is determined by an Impartial Hearing Officer to be inappropriate or the DOE agrees to pay for an independent evaluation. This is not the same as an evaluation that a parent pays for on his or her own or through insurance ("private evaluation").

Individuals with Disabilities Education Improvement Act (IDEIA): A Federal law that gives students with disabilities the right to receive a Free Appropriate Public Education (FAPE) in the least restrictive environment from age 3 to the year the student turns 21 years or graduates with a high school diploma.

Interim Alternative Educational Setting (IAES): A setting other than the student's current placement that enables the student to continue to receive special education services.

Interpreter/Translator: A person who speaks the parent's preferred language/mode of communication or the child's language and interprets meetings for the parent and/or assessments for the student.

Language Assessment Battery-Revised (LAB-R): A test given to determine a student's level of proficiency in English and need for bilingual ESL instructional services.

Least Restrictive Environment (LRE): "Least Restrictive Environment" means that placement of students with disabilities in special classes, separate schools or other removal from the regular educational environment occurs only when the nature or severity of the disability is such that even with the use of supplementary aids and services, education cannot be satisfactorily achieved.

Limited Mobility: Students who have specific mobility impairments, whether physical or sensory, for whom the design of buildings may pose barriers and who, therefore, must be offered access to programs to the extent required by law.

Mainstreaming: Children who are identified as having an educational disability and receiving special class services full-time or for the majority of the school day must have access to general education classes and services to the maximum extent appropriate.

Mainstreaming is the placement of a child who is in a full-time special class or in a special class for the majority of the school day into a general education classroom with age-appropriate peers for the areas of instruction in which the child's disability does not impact on his or her ability to participate. A child may be mainstreamed in academic classes such as math, language arts, science or social studies or a non-academic program such as music or art.

Management Needs: The amount of adult supervision and any necessary environmental modifications required to meet a student's needs. This must be indicated in the IEP.

Matron: A person who assists students on the special education bus while riding to and from school.

Mediation: A confidential, voluntary process that allows parties to resolve disputes without a formal due process hearing. An impartial mediator helps the parties to express their views and positions and to understand the other's views and positions. The mediator's role is to facilitate discussion and help parties reach an agreement, not to recommend solutions or take positions or sides. If parties reach agreement, that agreement is binding and may not be appealed.

Medical Examination: A doctor's report on a student's physical and medical condition that is taken into consideration during the IEP Team meeting.

Modifications: Describes a change in the curriculum. While accommodations are changes in formats or procedures that enable students to participate readily rather than be limited by disabilities, modifications are more extensive changes of both difficulty level and/or content quantity. Modifications are made for students with disabilities who are unable to comprehend all of the content an instructor is teaching. For example, assignments might be reduced in number and modified significantly for an elementary school student with cognitive impairments that limit his or her ability to understand the content in the general education class in which they are included.

Multidisciplinary Evaluation: The complete assessment of students by the evaluation team to determine if the student is disabled and requires special education services. This is also called a Multidisciplinary Assessment.

Neurological Evaluation: A specialized assessment conducted by a neurologist to determine if the student exhibits signs of a brain dysfunction that may affect learning.

New York State English as a Second Language Achievement Test (NYSESLAT):

The NYSESLAT is taken by English Language Learners (ELLs) in kindergarten through grade 12 who have been placed in ESL, bilingual or Dual Language classes. They will continue to receive ESL and bilingual services until their scores on the NYSESLAT indicate that they have gained sufficient proficiency in English to fully participate in an English-only program.

Non-Disabled: A student who is not classified as having a disability and receives no special education services.

New York State Approved Non-Public School:

A school that provides a publicly funded special education program and that is not part of the New York City Department of Education.

Non-Public School Eligibility Notice (P-1R):

When a Final Notice of Recommendation for a special class has not been offered to a student on or before the 60th school day from the date of consent for initial referrals or from the 60th school day of receipt of referral for previously identified students, the Department is obligated to provide the parents with a letter (**P1-R**) on the 60th day that entitles the student to placement in a State approved non-public school at public expense.

If, however, there is documented parental delay (e.g., the parent refuses to consent to initial evaluations, the student moves out of New York City, the principal and parent agree to withdraw the referral, the referral is withdrawn by the referring party or the parent requests an independent evaluation that is completed beyond the compliance timeline), the Department may refrain from sending the **P1-R** to the parent for a period of time beyond the original 60th school day equal to that attributable to the period of substantial parental delay.

Notice of Referral: A letter sent to parents in their preferred language, if known, no more than five days after the receipt of a referral.

Office of Student Enrollment (OSE):

The central Office of Student Enrollment facilitates student placement, enrollment, zoning and choice programs on a citywide basis for all grade levels. OSE is also responsible for placing public school students in collaborative team teaching and special education classes once they have been recommended for these services and the student cannot be served in his or her current school.

Other Support Services: Related services provided to students who require developmental or corrective assistance to be maintained in their current educational programs.

Paraprofessional: A person who provides assistance (e.g., behavior management, health services, transportation or toileting, awaiting placement services, alternate placement services, or sign-language interpretation) either to the entire class or an individual or group of students.

Parent Member: A parent of a child with a disability in the school district who participates in IEP Team meetings and assists a parent of a child with a known or suspected disability in making educational decisions for his or her child. Parents have the right to decline participation of the Parent Member at IEP Team meetings.

Pendency: When a party requests an Impartial Hearing or participates in mediation, pendency, a “stay-put” provision, allows the student to remain in his or her “last-agreed-upon placement” until the Impartial Hearing process (including all appeals) is complete, unless the parent and the IEP Team agree in writing to an alternative.

Persons in Parental Relationship: A person in parental relationship to the child, as defined in New York Education Law, including a father or mother (by birth or adoption), a stepfather, a stepmother, a legally appointed guardian or a custodian. A custodian is someone who has assumed the charge and care of a child because the parents or guardian have died, are imprisoned, are mentally ill, have been committed to an institution, or have abandoned or deserted the child or are living outside the state or their whereabouts are unknown.

Pursuant to Title 15-A of the General Obligations Law, which allows parents to voluntarily designate someone else to make educational decisions for their child, a person may be designated as a person in parental relation. The designation must be in writing and can be for no longer than six months at a

time. If the designation is for longer than 30 days, it must be notarized and signed by the designee as well as the parent.

The person acting in parental relationship is called on by the IEP Team for involvement and consultation throughout the special education process. If the birth parents return to the student's life at any time and assume parental responsibility, the IEP Team involves them in the decision-making process and no longer recognizes the other parenting relationships that existed prior to the parent's return.

Preferred Language: The language that a parent feels most comfortable speaking. This may or may not be the language regularly spoken at home.

Psychiatric Evaluation: A specialized assessment conducted by a psychiatrist to determine a student's ability to relate to the environment and the level to which emotional problems interfere with learning.

Psychological Evaluation: An assessment conducted by a licensed psychologist to measure a student's strengths and weaknesses in overall learning abilities and how he/she relates to other children and adults.

Recommendation: A determination of the provision of special education services made at an IEP Team meeting.

Reevaluation: An updated evaluation(s) for a student with a disability. A request for this can be made by the student's teacher, parent or school district. Additionally, students with disabilities must be reevaluated once every three years, except when the district and parent agree in writing that a reevaluation is not necessary. A reevaluation may not be conducted more than once a year unless the school and the parent agree otherwise.

Referral: A referral begins the evaluation and placement process to determine whether the student has a disability and requires special education services.

Regular Education:
See General Education curriculum.

Related Services: Services that may be given to special education students to help support and assist their participation in their school program. These services must be recommended on the IEP and are provided either individually or in groups of no more than five. Services include: counseling, school health services, hearing education services,

occupational therapy, physical therapy, speech/language therapy, vision education services, orientation and mobility services and “other support” services.

Related Services Authorization (RSA):

An RSA is an authorization letter given to parents that allows them to obtain the services of a non-Department of Education independent provider of specific related services at Department of Education expense when the Department of Education has been unable to provide these services for the student within the required timelines.

Requested Review: An IEP Team meeting to review the child’s IEP to determine if it continues to meet his or her needs. This review may be requested at any time by a parent, a teacher or other school staff member.

Resolution Session: A mandatory meeting that the school district must convene within 15 days of receiving the parents’ due process complaint. The resolution session includes parents, members of the IEP Team relevant to the complaint and a representative of the school district who has decision-making authority.

Right to Visit a Class: Parents have the right to visit the school where their child will receive special education services. The parent may be shown a class that is an example of the program the student is recommended to receive.

Short-Term Objectives: The specific steps that will be taken so the student can meet his or her annual goals. They provide direction to the teacher or providers on how to meet the annual goal and how to measure the student’s progress in meeting the goal. These short-term objectives are written by the IEP Team and indicated in the student’s IEP *only* when the student participates in alternate assessment.

Social History: An interview with parents concerning a student’s health, family and school background, including social relationships, that is used as part of a student’s evaluation.

Special Class: Special Class Services are services provided for children with disabilities in a self-contained classroom. They serve children whose needs cannot be met within the general education classroom, even with the use of supplementary aids and services. In self-contained special classes,

students must be grouped by similarity of educational needs. Classes may contain students with the same disability or with different disabilities as long as they have similar levels of academic and learning characteristics, levels of social development, levels of physical development and management needs.

Special classes offer different levels of staffing intensity depending upon the student’s academic and/or management needs.

Specially Designed Instruction: Ways that special education professionals adapt the content, methodology (approaches to teaching certain grade-level content), or the delivery of instruction to address the unique needs that result from the child’s disability. Specially designed instruction should also ensure that the eligible child has access to the general curriculum so that he or she can meet the educational standards of the school district that apply to all children.

Speech or Language Impairment: A student with a communication disorder, such as stuttering, impaired articulation, a language impairment or a voice impairment, that adversely affects the student’s educational performance.

Surrogate Parents: To ensure the rights of the student are protected, in the following circumstances, a person may be appointed by the Department as a “surrogate parent” to act in the place of parents or guardians:

- No parent can be identified;
- After reasonable efforts, the Department cannot discover the whereabouts of the parent;
- The student is an unaccompanied homeless youth as defined by the McKinney-Vento Homeless Act;
- The student is a Ward of the State and does not have a parent who meets the definition of parent. A Ward of the State is a child or youth under the age of 21 who has been placed or remanded through a juvenile delinquency, PINS or child protective proceeding; is in the custody of the Commissioner of Social Services or the Office of Children and Family Services; or is a destitute child not being cared for in his or her home.

Surrogate parents are not officers, employees or agents of the Department of Education or the State Education Department or any other agency involved in the education or care of the student.

Transition Services: A coordinated set of activities that:

- Improves the academic and functional skills of the student in order to facilitate the student's movement from school to post-school activities such as post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation;
- Is based on the individual student's needs, taking into account his or her strengths, preferences and interests, and includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives and, when appropriate, the acquisition of daily living skills and functional vocational evaluation.

Transitional Support Services: Transitional support services, such as consultation and/or training, may be provided to staff (generally for 30 days) who work with children with disabilities as they move into less restrictive settings. Although transitional support services are provided to teachers, the benefit extends to the child with a disability.

Travel Training: A service that teaches high school-aged students to travel to and from school or to and from the work-study site safely and independently.

Twelve-Month School Year Services
(also known as extended school year services):

Twelve-Month School Year Services are provided to students with severe disabilities who require the continuity of education in order to prevent substantial regression in their developmental levels during July and August. This must be recommended by the IEP Team and indicated on the IEP. Parents must consent to extended school year services.

Vocational Assessment: Tests for junior and senior high school students to measure their interest and abilities in job-related areas. This assessment helps the IEP Team, the parent and the student to plan for the student's transition from school to post-school activities, including future career and job possibilities.

Work-Study: Opportunities for secondary students to participate in educational, vocational and work-related experiences in preparation for the adult world.

**New York City Department of Education
Contact Information for the Committee on Special Education Offices**

CSE Office	Districts	Address	Phone Number
1	7 9 10	One Fordham Plaza Bronx, New York 10458	(718) 329-8091
2	8 11 12	3450 East Tremont Avenue 2nd Floor Bronx, New York 10465	(718) 794-7428 or (718) 794-7429
3	25 26	30-48 Linden Place Flushing, New York 11354	(718) 281-3520
3	28 29	90-27 Sutphin Boulevard Jamaica, New York 11435	(718) 557-2500
4	24 30	28-11 Queens Plaza North 5th Floor Long Island City, New York 11101	(718) 391-8405
4	27	Satellite Office 82-01 Rockaway Boulevard 2nd Floor Ozone Park, New York 11416	(718) 642-5715
5	19 23 32	1655 St. Marks Avenue Brooklyn, New York 11233	(718) 240-3500
6	17 18 22	5619 Flatlands Avenue Brooklyn, New York 11234	(718) 968-6200
7	20 21	415 89th Street Brooklyn, New York 11209	(718) 759-4933
7	31	715 Ocean Terrace Building A Staten Island, New York 10301	(718) 420-5752
8	13 14 15 16	131 Livingston Street 4th Floor Brooklyn, New York 11201	(718) 935-4900
9	1 2 4	333 7th Avenue 4th Floor New York, New York 10001	(917) 339-1600
10	3 5 6	388 West 125th Street New York, New York 10027	(212) 342-8300

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Chief Achievement Office
Students with Disabilities & English Language Learners
52 Chambers Street
New York, New York 10007

For additional information **dial 311**
schools.nyc.gov