



# New York State EDUCATION DEPARTMENT

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## Office of Special Education News and Notes- June 2016

### **Assistive Technology for Students with Disabilities in New York State**

NYSED is pleased to announce the release of a webcast on assistive technology for students with disabilities in New York State. An Assistive Technology Consideration Checklist has also been developed to assist school districts in the consideration of assistive technology devices and services for students with disabilities. The webcast and checklist are available at:  
<http://www.p12.nysed.gov/specialed/publications/2016-memos/assistive-technology-webinar.html>.

### **Changes to State Regulations:**

**Regents Approve Changes to State Regulations regarding 1:1 Aides and Preschool Special Education Programs and Services**

<http://www.regents.nysed.gov/common/regents/files/616brca12.pdf>

For guidance see:  
<http://www.p12.nysed.gov/specialed/publications/amendment-of-regulations-relating-to-one-to-one-aides.htm>.

### **Regents Approve CDOS Pathway to Graduation for All Students**

<http://www.regents.nysed.gov/common/regents/files/616p12a1.pdf>

For guidance see:  
<http://www.p12.nysed.gov/ciai/multiple-pathways/memos/cdos-graduation-pathway-option.html>

### **Regents Approve a New Superintendent Determination for Graduation with a Local Diploma for Students with Disabilities**

<http://www.regents.nysed.gov/common/regents/files/616p12a5revised.pdf>

For guidance, see:  
<http://www.p12.nysed.gov/specialed/publications/superintendent-determination-of-graduation-with-a-local-diploma.htm>.

### **Blueprint for Improved Results for Students with Disabilities**

An important principle under the Blueprint is that teachers design, provide and assess the effectiveness of specially-designed instruction to provide students with disabilities with access to participate and progress in the general education curriculum. NYSED has posted a lesson planning resource for teachers to support educators in embedding specially-designed instruction into lessons that are aligned with the State's learning standards.  
<http://www.p12.nysed.gov/specialed/commoncore/guidance-commoncore-template.htm>

### **School District Public Reports on Special Education**

A special education data report has been published for each school district on State Performance results for students with disabilities:  
<http://data.nysed.gov/lists.php?type=district>

### **Annual Determinations of School Districts in Meeting the Requirements IDEA**

The State must annually notify each school district of its IDEA determination as to whether the district's performance measured against the targets established in the State Performance Plan meets requirements, needs assistance, needs intervention or needs substantial intervention. The criteria for these determinations and the State's 2016 determinations are posted at:

- [New York State IDEA Determination Criteria for 2016](#)
- [New York State IDEA Determinations for 2016](#)
- [Actions Required for School District as Needs Assistance or Needs Intervention to Meet the Requirements of Part B of the Individuals with Disabilities Education Act \(IDEA\)](#)

### **New York State Laws and Regulations that Differ from Federal Requirements**

Under federal law, the State must identify in writing to all school districts located in the State any rule, regulation or policy that is a State-imposed requirement that is not required by IDEA and federal regulations. <http://www.p12.nysed.gov/specialed/idea/nys-laws-and-regulations-that-differ-from-federal-requirements-june-2016.html>

### **Mandate Relief and Other Policy Changes**

The State is accepting public comment on possible regulatory changes affecting special education programs and services regarding:

- minimum level of service requirements for the provision of consultant teacher services and resource room and corresponding caseload requirements;
- the maximum instructional group size requirement when students with disabilities are grouped together for instruction in a resource room or for related services;
- specially-designed reading instruction; and
- State approval of State aid reimbursement for placement of students in approved private schools.

For more information on these possible revisions and to provide comment see <https://www.surveymonkey.com/r/SpecialEducationMandateReliefProposals>.

### **Revised New York State Procedural Safeguards Notice: Rights for Parents of Children with Disabilities, Ages 3-21**

The State has made revisions to the *Procedural Safeguards Notice: Rights for Parents of Children with Disabilities, Ages 3-21*. School districts must use this revised form to meet its requirements to provide parents of students with disabilities with a copy of their procedural rights. The revised notice can be found at <http://www.p12.nysed.gov/specialed/formsnotices/procedural-safeguards-notice.htm>.

### **Guidance on Procedures Relating to Special Education Impartial Hearings**

A memorandum to school personnel and NYS special education impartial hearing officers provides clarification regarding some of the procedural requirements relating to special education due process hearings pursuant to section 200.5 of the Regulations of the Commissioner.

<http://www.p12.nysed.gov/specialed/publications/2016-memos/procedures-relating-to-impartial-hearings.html>

### **Proposed Amendments to Procedures for Appeals of Impartial Hearing Decisions to the Office of State Review**

The Department proposes to amend Part 279 of the Regulations of the Commissioner of Education to provide clarifications and updates to the procedures concerning appeals of impartial hearing officer decisions to a State Review Officer, make technical corrections to citations and references, and expedite and otherwise facilitate the processing of petitions for review to State Review Officers. For more information, see

<http://www.regents.nysed.gov/common/regents/files/616p12d4.pdf>

### **Award of New York City (NYC) Preschool Provider Bilingual/English as a New Language Professional Development Center**

A contract has been awarded to Long Island University for the "NYC Preschool Provider Bilingual/English as a New Language Professional Development Center" to provide in-service training to preschool special education programs in NYC to ensure these programs can meet the needs of English language learners with disabilities. For information contact Raven Maldonado at [raven.maldonado@liu.edu](mailto:raven.maldonado@liu.edu).



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