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To: District Superintendents
Superintendent of Public Schools
Superintendents of State-Operated and State-Supported Schools
Superintendents of Special Act School Districts
Executive Directors of Approved Private Schools
Principals of Public, Nonpublic and Charter Schools
Presidents of Boards of Education
New York City Department of Education
Executive Directors of Approved Preschool Programs
Regional Special Education Technical Assistance Support Centers
Commissioner's Advisory Panel for Special Education Services
Organizations, Parents and Individuals Concerned with Special Education
Other State Agencies

From: James P. DeLorenzo 

Subject: New York State Laws and Regulations that Differ from Federal Requirements

Pursuant to 20 United States Code (U.S.C.) § 1407(a)(2) each state is required to identify in writing to the Secretary of the United States Education Department (USED) and local educational agencies (LEAs) located in the state any rule, regulation or policy as a state-imposed requirement that is not required by the Individuals with Disabilities Education Act (IDEA) and federal regulations. The New York State Education Department (NYSED) has taken steps to conduct a comprehensive review of its laws and regulations that apply to the education of students with disabilities. The attached summary provides a list of New York State (NYS) laws and regulations that differ from federal requirements in effect on the date of the analysis. This analysis was posted for general public review and comment on the NYSED website for 60 days beginning on January 11, 2011. Comments were accepted for at least 30 days until February 22, 2011.

Attachment