

What to do if your child with an IEP is falling behind in school

March 22, 2022

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Advocates for Children of New York

Protecting every child's right to learn since 1971



Today's Training

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Introduction

Why is your child behind?

COVID Recovery Services

IEPs

Problem Solving





What is Advocates for Children (AFC)?

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AFC is an independent agency that protects the rights of all NYC students

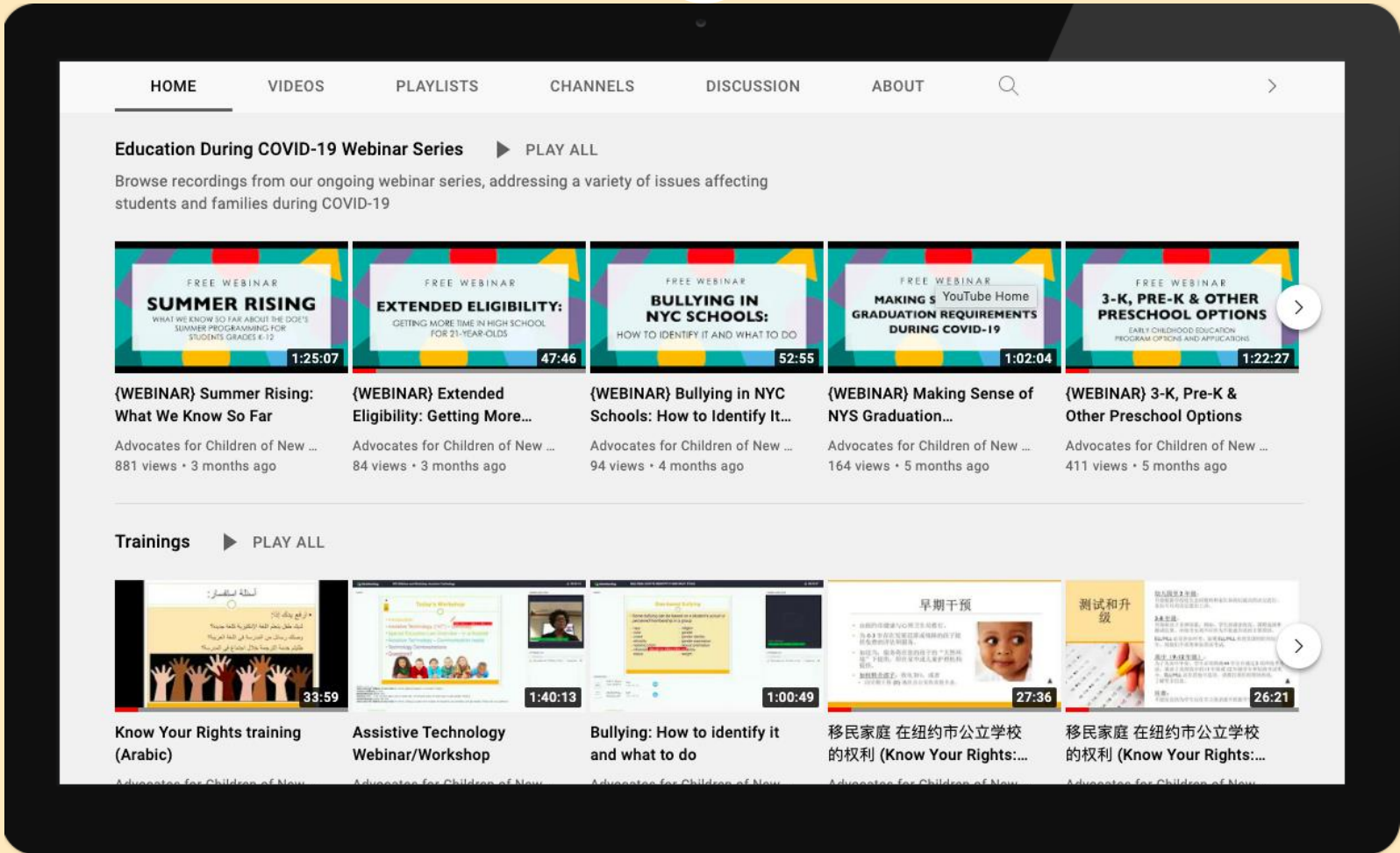
Our Services:

- Helpline: **1-866-427-6033** (Mon-Thurs, 10am – 4pm)
- Guides and resources: www.advocatesforchildren.org
- Workshops and trainings
- Free legal services to low-income families



Check Out Our Webinars on YouTube
















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My Student Portal “NYCSA”

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 Grades	 Assessments	 Reading Level	 Promotion Tracker	 Graduation Tracker
 Student Documents	 IEP	 Student Academic Supports	 Attendance	 Schedule
 Student Wellness	 Transportation	 Guardians	 Enrollment	 Student

Need an account? Ask your child's school

WHY IS YOUR CHILD BEHIND?





WHAT HAPPENED?

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Fell behind during pandemic

Not getting program or services on IEP

Need other programs or services

Not sure: Need evaluations

Now what?



Evaluations

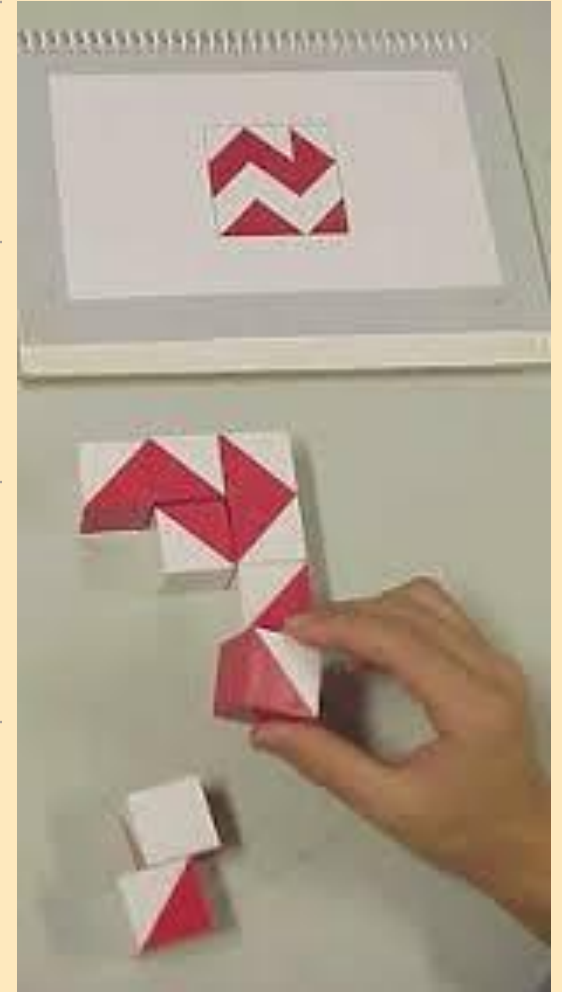
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Free

Every three years, but up to once a year

Right to copies

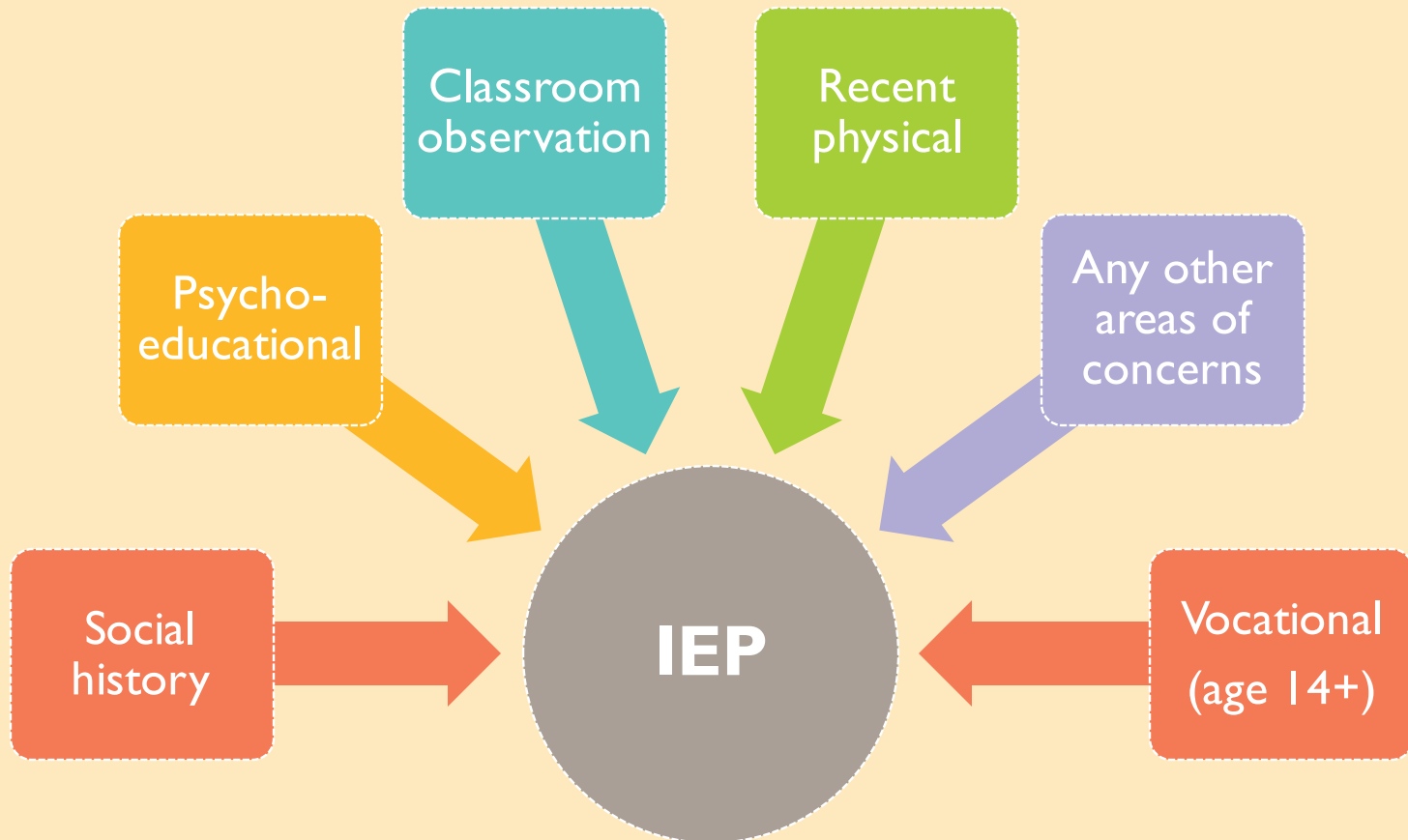
Emergent Bilingual?





What Should an Evaluation Include?

Free DOE evaluations in all areas of suspected disability





Additional Evaluations

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Occupational
Therapy

Physical
Therapy

Speech
Language
Therapy

Assistive
Technology

Functional
Behavior
Assessment

Vocational
(Level 2 or
Level 3)



Independent Assessment Authorization (IAA)

STUDENT, PARENT/GUARDIAN AND INDEPENDENT EVALUATOR INFORMATION

Please complete and sign this form, attach a copy of the **Evaluator's New York State Education Department ("NYSED") certificate/license and current registration**, and submit it to the **"Contact Person" (Section I)** for the New York City Department of Education ("DOE") for approval. Providers of bilingual assessments must also attach one of the following:

- a. the passing results of the NYSED Bilingual Education Assessment or other valid language proficiency assessment; or
- b. an appropriate NYSED Bilingual Education Extension credential.

SECTION I. TO BE COMPLETED BY NEW YORK CITY DEPARTMENT OF EDUCATION STAFF

Name of Student:	Stella Student	Student's ID: 223000281
Assessment Requested:	Neuropsychological Assessment	Language: Spanish
School:	09X505:Bronx School for Law, Government and	Borough: Bronx
District:	Justic	
Contact Person:	Restituyo, Marymilt	Telephone#: 718-681-7507
Contact Person Address:	1155 CROMWELL AVENUE	BRONX NY 10452

SECTION II. TO BE COMPLETED BY PARENT/GUARDIAN

Name of Parent/Guardian:	Felicia Foster Parent	
Address:	1357 Washington Ave Bronx, NY 10456	
Work Telephone No.:		Home Telephone No.: 7182930000
Evaluator Name:		Agency Name (if applicable):
Services to be provided at:		

Special Education Recovery Services





Recovery Services

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Extra instruction and related services

For students with IEPs in public school

To make up for impact of remote learning/COVID

Should include any missed services but can include services even if not missed



Recovery Services Process

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Meet

- School meets with parents
Fall/Winter

Talk

- How remote/hybrid learning
affected the student

Offer

- School will offer Recovery Services
at the meeting and by letter

What if no
meeting?

- Ask for a meeting with the school
to discuss Recovery Services



When Are Recovery Services Offered?

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Each school creates a plan



SERS offered:

- Before or After School
- Saturday Program
- Remotely



You can ask for a different time or day



Guidance to Schools for Recovery Services

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PER CYCLE

1

Tier 1

- 20 hours SETSS
- 10 hours Related Services

2

Tier 2

- 16 hours SETSS
- 8 hours Related Services

3

Tier 3

- 10 hours SETSS
- 5 hours Related Services



What About Busing?

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Ask the School for Busing if need busing to/from recovery services



Ask the DOE to pay you back for transportation cost if busing is on IEP but is not provided



What If My Child Needs More or Different Services?

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Ask

Ask the school for more or different services to make up for remote learning

Ask

Ask for an IEP meeting to request compensatory services to make up for remote learning

Email

Email sers@schools.nyc.gov or call 311 to ask for additional services to make up for remote learning

Request

Request an impartial hearing to request compensatory services

Questions?

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IEPs





What is an IEP?



Individualized

COVID-19: Can be phone/virtual

Legally binding (like a contract)

Good for one year

Based on student's needs NOT a school's resources

Created at a team meeting that includes parent



Tips for IEP Meetings

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Ask for any reports
or evaluations
before the meeting

Get the finalized IEP.
Compare it to your
notes!

Sign and get a copy
of the attendance
sheet

Get a draft of the
IEP after the
meeting



Important Sections in an IEP

Present Levels of Performance

FBA/BIP

Annual Goals

Recommended Program

Related Services/
AT

Testing Accommodations

Transition Plan

Promotion Criteria

Parent Concerns



How to sort through papers:

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What are your child's needs?

- Are evaluations correct?
- If not, get new evals.

What should IEP say?

- Describe needs accurately?
- Recommends right program?

Is your child getting what's on IEP?

- If not, why not?
- New school? Extra services?

Is Program working?

- Does staff have the right skills/training?
- Other supports needed?



Language Access Rights

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- Parents have the right to get documents translated, including report cards and IEPs
- Parents also have the right to interpretation services at school meetings and events
- DOE Languages: Spanish, French, Arabic, Chinese, Bengali, Urdu, Russian, Korean, and Haitian-Creole



Problems with translation or interpretation?

Email Hello@schools.nyc.gov or

Call DOE complaint line: (718) 935-2013



Continuum of Services

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Least
Restrictive

- General Education with Supports/Services

More
restrictive

- Integrated Co-Teaching (ICT)

A little
more

- Special Class in a Community School (self-contained)
- 12:1+1; 12:1; 15:1

Even
more

- District 75 inclusion in a Community School



Continuum of Services

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D75

- Special Class in a Specialized School (District 75)
- 12:1+1; 8:1+1; 6:1+1; 12:1+4

NPS

- State Approved Non-Public School (NPS)

More
support

- Residential Placement

At home

- Home Instruction (“Medically Required”)



Specialized Programs

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Bilingual ICT or Special Class



ASD Nest & Horizon (Autism)



ACES (Intellectual Disability)



Barrier Free/ Accessible Schools



State-approved Non-Public Schools (NPS)

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If needs cannot be met in a public-school program

Schools specialize in meeting particular needs

IEP says “Defer to CBST” or “NYSED Approved Non-Public Day Program.”

Central Based Support Team (CBST): DOE office that applies to NPS BUT parent can also apply

For a list of schools, go to:
<http://www.p12.nysed.gov/specialed/privateschools/home.html>



Supports & Services

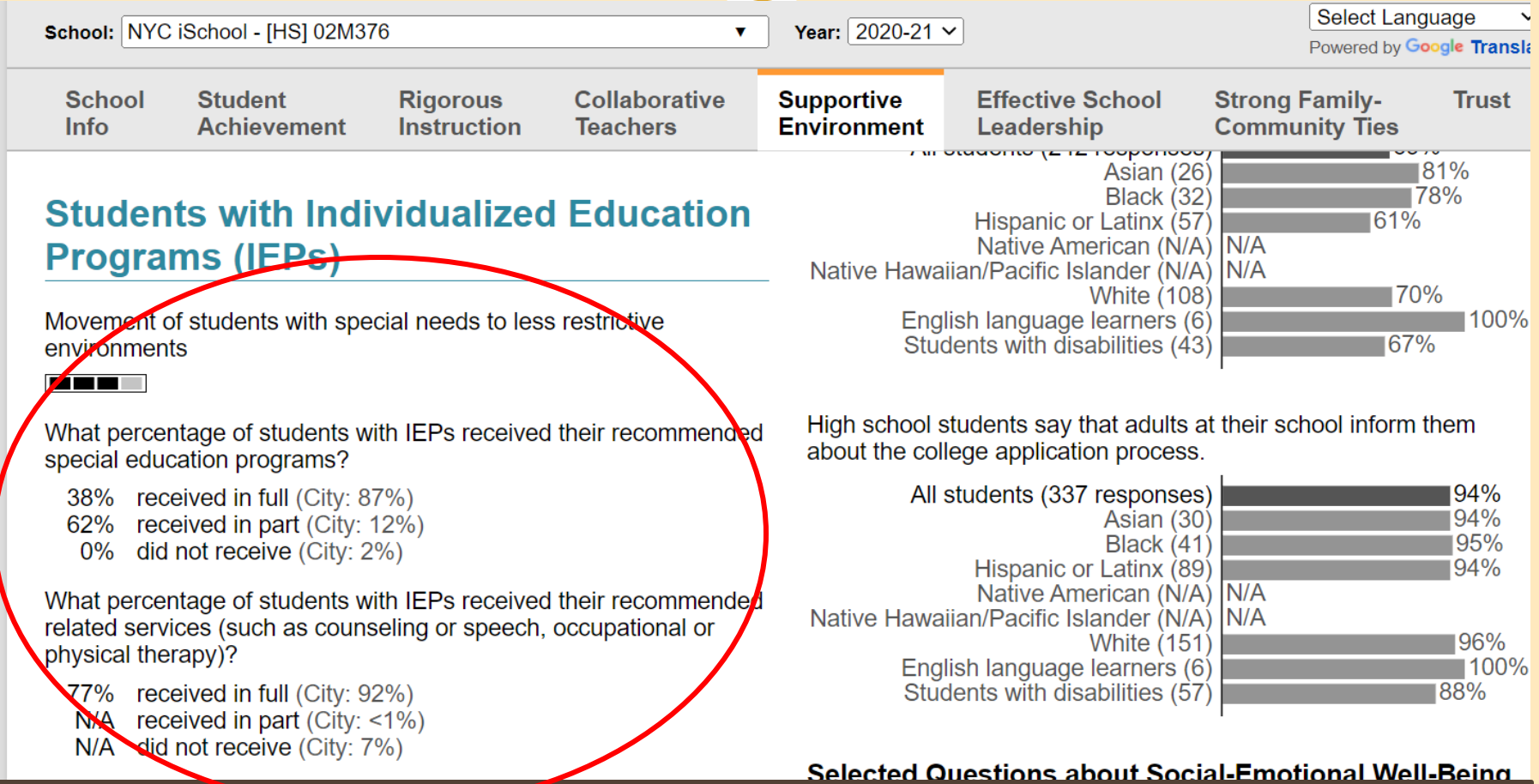
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- Assistive Technology (AT)
- Paraprofessionals
- Related Services
 - Counseling
 - Nursing
 - Occupational Therapy (OT)
 - Physical Therapy (PT)
 - Speech and Language Therapy and more...
- Special Education Teacher Support Services (SETSS)



Students can get these in any school setting!

Are students getting what is on their IEP's?



Find school on DOE website, look for School Quality Reports, under Supportive Environment



How do I know if a school has a small class or ICT?

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- Look up school on DOE website
- Go to “School Quality” Reports
- Click on “School Quality Guide” 2nd in list NOT Snapshot
- Click on “+” next to SWD

	%	n	Compared to Borough Average	Compared to C
<input type="checkbox"/> Students with Disabilities	20.6%	97	+3.8%	
General Ed Settings with Special Ed Teacher Support Services (SETSS)	1.3%	6	+0.0%	+
Integrated Co-Teaching Settings (ICT)	14.4%	68	+3.4%	
Self-Contained Settings (SCT)		N < 5		



NYC School Level Class Size Report

<https://infohub.nyced.org/reports/government-reports/class-size-reports> Click on “Detailed School Level Data” Excel file

Gen Ed	English	MS English Other	10	1	10.0	<15	<15
ICT	English	MS English Core	159	6	26.5	25.0	29.0
ICT	Math	MS Math Core	159	6	26.5	25.0	29.0
ICT	Science	MS Science Core	159	6	26.5	25.0	29.0
ICT	Social Studies	MS Social Studies Core	159	6	26.5	25.0	29.0
SC	English	MS English Core	34	3	11.3	10.0	12.0
SC	Math	MS Math Core	34	4	8.5	<6	12.0
SC	Science	MS Science Core	34	3	11.3	10.0	12.0
SC	Social Studies	MS Social Studies Core	34	4	8.5	<6	12.0

Summer Rising Returns!

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Keep up to date on DOE website

K-8: CBOs/ 12 month programs

High School: SYEP, apply by April 22

Supports available for students with IEPs including paraprofessionals;

Working out details on transportation

ASK FOR WHAT YOUR CHILD NEEDS NOW!



What if You Disagree with the DOE?

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Informal Dispute Resolution

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Start with the School

Parent Coordinator, Principal



District Superintendent's Office

Family Support Coordinator or District Family Advocate



Borough Support Organization (B/CO)

Administrator of Special Education



DOE Central – Office of Special Education

(718) 935-2007 or specialeducation@schools.nyc.gov

For school, superintendent and B/Co Contact Information
visit: <https://sites.google.com/a/strongschools.nyc/contacts/>



Formal Dispute Resolution

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Mediation

- Voluntary meeting.
- Parent and DOE discuss the problem.
- A mediator facilitates.
- Parties control the outcome
- Parties may still go to an Impartial Hearing

Impartial Hearing

- Is a legal proceeding.
- An Impartial Hearing Officer (IHO) in charge.
- Written decision based on:
 - Witnesses
 - Documents
- Can appeal decision

Upcoming Webinars...

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Mon, 28 Mar 2022 11:30 AM EDT

More!

- **School Discipline...**
- **Related Services....**
- **Summer Rising...Again!**



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Call us with questions!

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Monday-Thursday, 10am-4pm

info@advocatesforchildren.org