

# Special Education 101

## Ages 5-21

### COVID-19 Edition



**PRESENTED BY:**

**ARIEL PETERS, LILLIANA DÍAZ-PEDROSA &  
ROMI PAEK**

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



# Today's Training

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- Introduction (poll)
- Special Education Overview
- Remote Learning Plans
- Solving Problems





# What is Advocates for Children (AFC)?

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

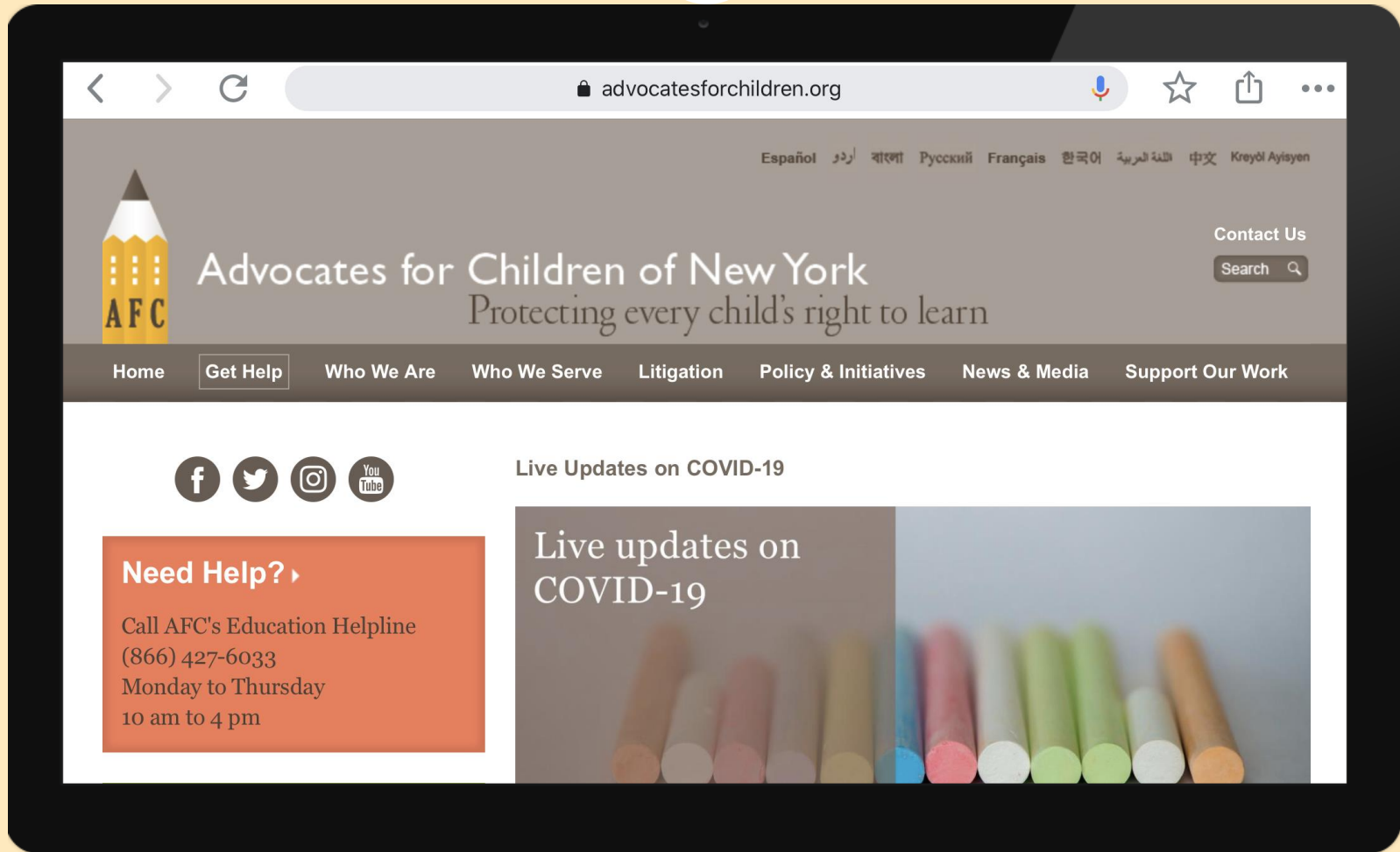
## Our Services:

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



# Check For Updates On Our [Website](#)

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# POLL!

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- What are your plans for school in the Fall?



# Individuals with Disabilities Education Act

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**IDEA:** All children (through age 21) with a disability...

Have the right to a

Free

Appropriate

Public

Education

**FAPE**

In the

Least

Restrictive

Environment

**LRE**



# Free Appropriate Public Education (FAPE)

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- FAPE = services tailored to a student's needs
- Must provide a meaningful benefit
- Helps the student progress

“A Chevy, not a Cadillac”





# Least Restrictive Environment (LRE)

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- Goal is inclusion
- As much as possible, students with disabilities learn with students who do not have disabilities







# To be Eligible: Classifications

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## *13 Classifications of disability...*

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

*Children ages 3-5 will be classified as a  
“preschool student with a disability.”*



# 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)



\*Remote / In-Person



# Continuum of Services



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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Getting  
restrictive

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

Even  
more so

- State Approved Non-Public School (NPS)

Very  
restrictive

- Residential Placement

Most  
restrictive

- Home Instruction

# Questions / Poll

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# The Special Education Process

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Referral

Consent

Evaluation

IEP  
Development

Placement/  
Services



## Referral for Special Education

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To refer your child for an evaluation

- Email the Principal/CSE
- Email [specialeducation@schools.nyc.gov](mailto:specialeducation@schools.nyc.gov)
- Call 311



## Evaluations: COVID 19

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- Remote Evaluations? Yes! On a case-by-case basis
- IEP meeting can be held with current information, but another meeting must follow once assessments are completed.
- School closings do not pause IDEA timelines (for the most part).

<https://www.schools.nyc.gov/learn-at-home/information-on-remote-learning>

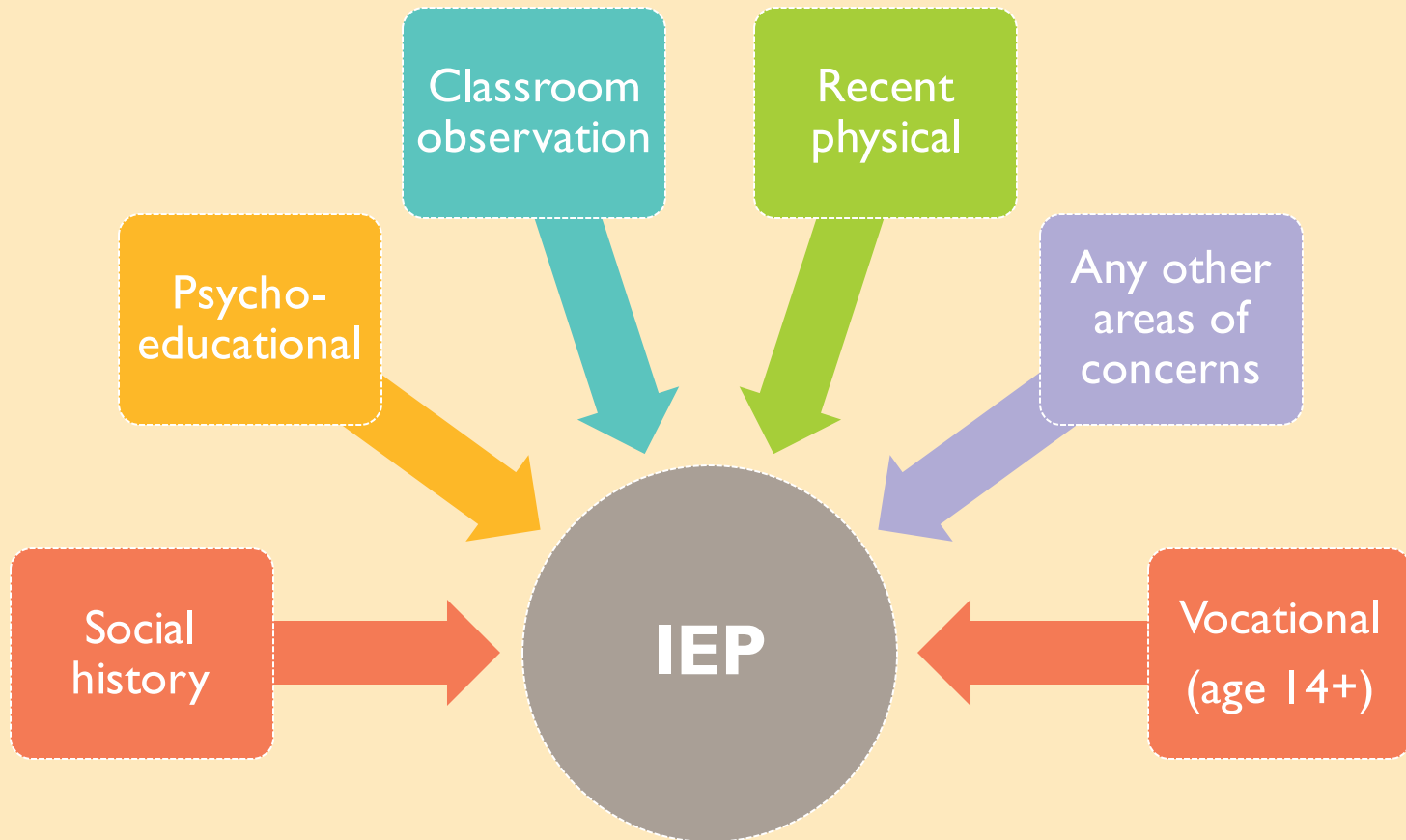
<http://www.p12.nysed.gov/specialed/publications/2020-memos/special-education-supplement-1-covid-qa-memo-4-27-2020.pdf>





# What Should an Evaluation Include?

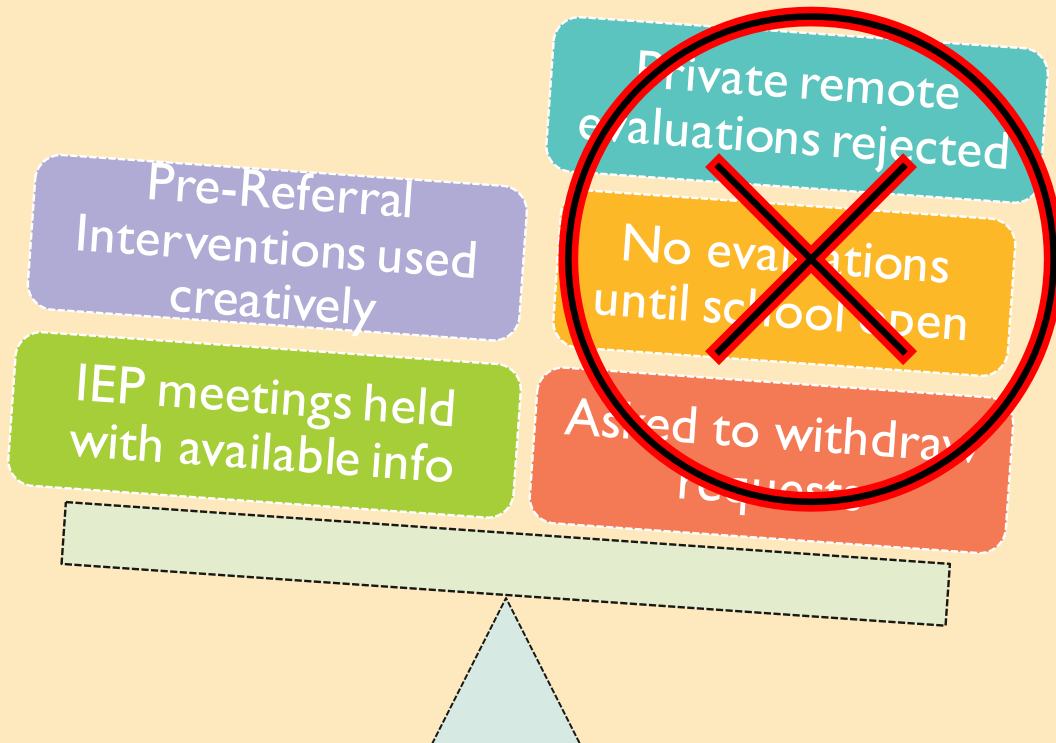
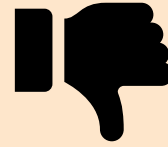
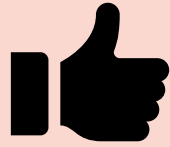
Students must be tested in all areas of suspected disability





# Evaluations: What's happening?

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# Evaluations During COVID-19

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## IDEA still applies

- Consent must be written, voluntary, and informed!
- Evaluate within 60 calendar days of consent
- Ask for evaluation at any time
- **Evaluate in all areas of suspected disability**

## Complications

- Evaluations (especially cognitive) are tough to complete remotely



# Questions/Poll?

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Participation in IEP meeting?



# What is an IEP?

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- Individualized
- Committee
- COVID-19: By Phone!
- Legally binding (like a contract)
  - If it's on the IEP, it's mandated!
- Good for one year
- DOE special education: (718) 935-2007
  - ✦ [specialeducation@schools.nyc.gov](mailto:specialeducation@schools.nyc.gov)

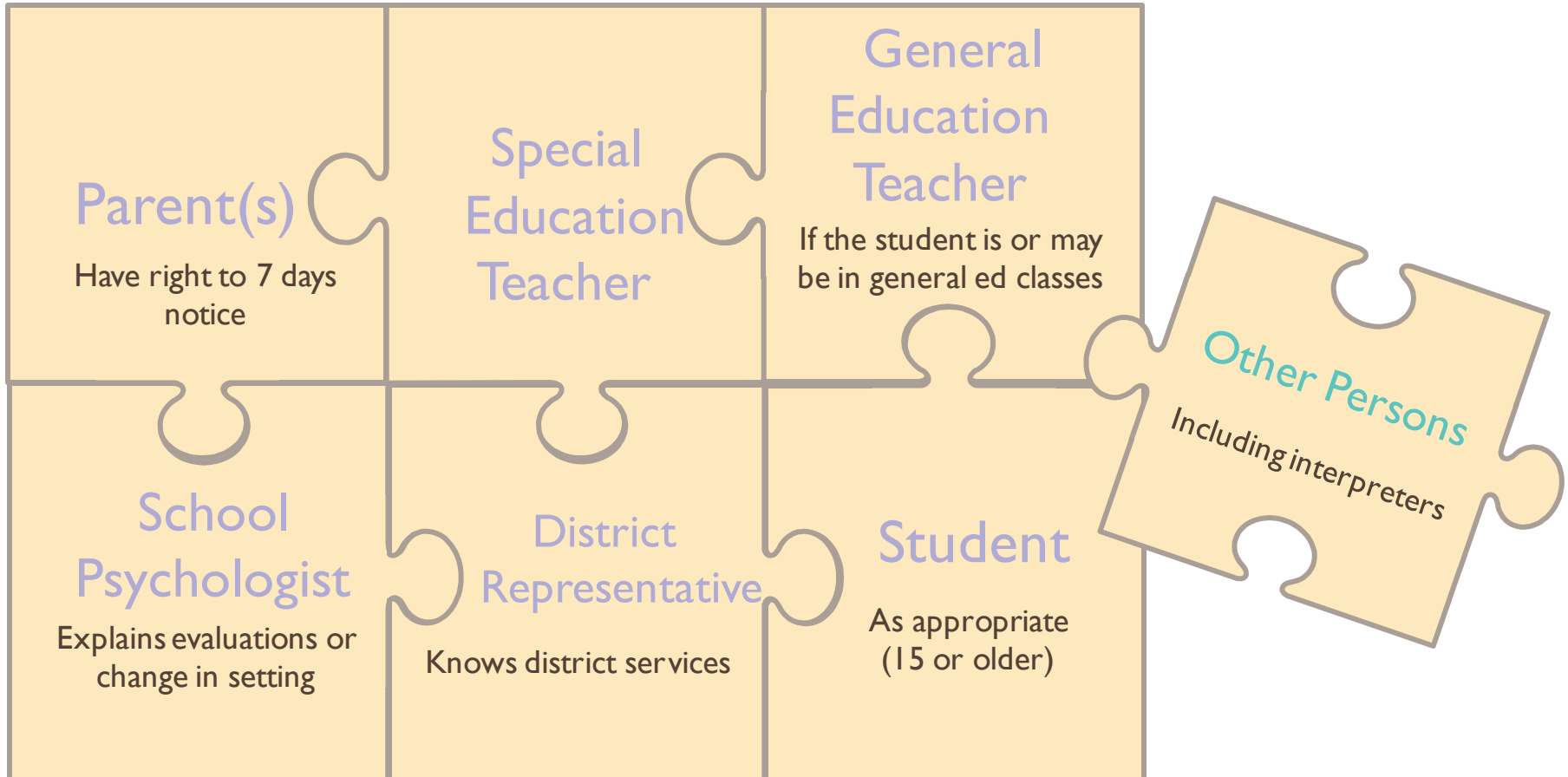




# The IEP Meeting

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## Who is at the meeting?





# POLL!

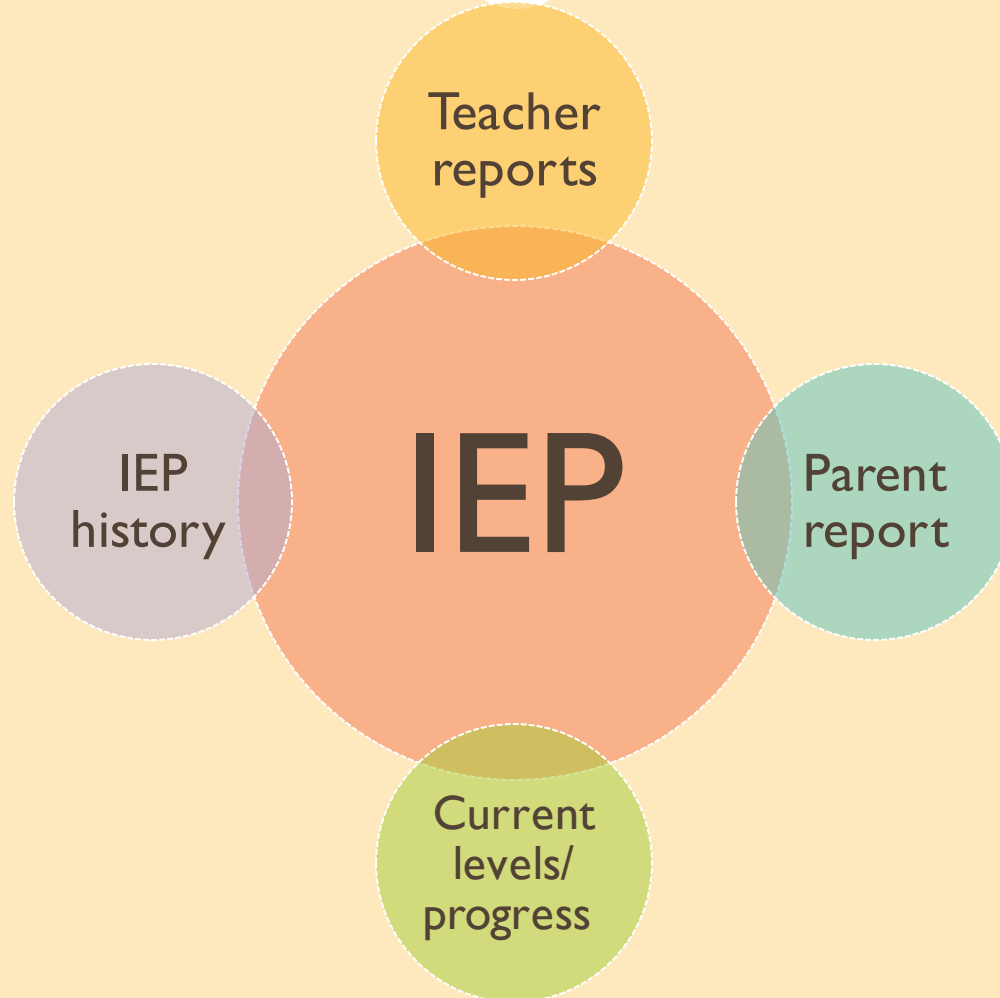
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- True or False?



# IEP Meetings: Recommendations

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## IEP Meetings: Advocacy Tips!

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Call  
AFC's  
helpline:

School refuses to conduct an IEP meeting


School will not recommend any services until schools reopen and/or evaluations are conducted

School says it cannot consider any changes to an IEP until schools reopen and/or evaluations are conducted



# Remote Learning Plans\* v. IEPs

4/3/2020 Special Education Remote Learning Plan for [REDACTED]



Special Education Remote Learning Plan

Date: \_\_/\_\_/\_\_

Dear Parent or Guardian of [REDACTED]

Now that your child's school has moved towards a new Remote Learning Model, this Special Education Remote Learning Plan sets out the special education supports that are being provided during the COVID-19 school closure. If you have any questions regarding this plan, you can contact your child's school administration.

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STUDENT INFORMATION

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Student Name: [REDACTED] NYC Student ID#: [REDACTED] Student's DOB: [REDACTED]

English Language Learner Status: No

Disability Classification: Orthopedic Impairment

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STUDENT NEEDS

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Does this student use Assistive Technology?: Yes  
 Please specify: Two touch screen, software, headmouse, case, desk mount, headphones, switch, 2 chargers, floor mount.

Does the student require this technology at home? Yes

Does the student have the technology at home now? Yes

Does the student require additional classroom tools to supplement learning at home (e.g., enlarged text, rules pages, graphic organizers)? Yes  
 Please specify: Enlarged text

Does the student have these tools at home now? Yes

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REMOTE SPECIAL EDUCATION AND RELATED SERVICES

PROGRAM / SERVICE	LANGUAGE	MINUTES PER SESSION	SESSIONS PER WEEK
one-on-one video conferencing - English	English	45	3
one-on-one video conferencing - Math	English	45	3
one-on-one video conferencing - Occupational Therapy	English	45	4
one-on-one video conferencing - Speech Therapy	English	60	3
one-on-one video conferencing - Forensics	English	45	2
ICT Office Hours - Forensics, Alg. 2, ELA	English	45	3 when needed
Google classroom available in every subject with video conferencing, e-books, audio and video materials	English	ongoing	ongoing

**\*May Have a New Name!**

**Ask for what you want early, if you know.**

**Take your time if you don't know.**

**Ask Questions Now.**

**DOE issuing guidance, don't just accept what you hear!**



# Remote Learning Plan: Student Info & Needs

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## STUDENT INFORMATION

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NYC Student ID#: [REDACTED]

Student's DOB: [REDACTED]

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# Remote Learning Plan: Program

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## REMOTE SPECIAL EDUCATION AND RELATED SERVICES

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ICT Office Hours - Forensics, Alg. 2, ELA	English	45	3 when needed
Google classroom available in every subject with video conferencing, e-books, audio, and video materials	English	ongoing	ongoing



## Implementation During COVID-19 Related Services

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Services will be  
remote

Provider must  
reach out to make  
a remote plan

You must have the  
chance to provide  
input about that  
plan



## Implementation During COVID-19: New Placements

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New placements are still an option

If switching schools, the DOE will send a school location letter

The new school will reach out with a contact number

You can't visit the new school now, but you can talk to staff there and ask questions



## Implementation: Timeline

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DOE has still  
has **60**  
**calendar**  
**days** from  
your consent  
to:

- Evaluate
- Hold the IEP meeting



## Implementation During COVID-19

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You **STILL**  
have the  
right to:

- A placement before the start of school
- If you need a placement now, the DOE should find one as soon as possible





## Implementation: Know Your Rights

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If no provider is available for services -> related services authorization (RSA)

If no specialized classroom is available -> PI letter may be appropriate



# 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](mailto: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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State/  
OCR  
Complaint

Facilitated  
IEP  
Meeting

Impartial  
Hearing

Mediation



# 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



# Advocacy Tips During COVID-19

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Pay attention to timelines

Keep a list of contacts you've spoken with

Keep/ask for copies of your IEP and your RLP

Track the services your child actually gets

Reach out to the DOE for help



# Wrapping up: Reminders!

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- If you need help, ask! We are Open!
- Things change, check for updates: <https://www.advocatesforchildren.org/covid-19-updates>
- Call Our Helpline: 866-427-6033
  - Toll free
  - Monday-Thursday
  - 10am-4pm
- Email Us: [Info@advocatesforchildren.org](mailto:Info@advocatesforchildren.org)



# POLL! WEBINAR SURVEY

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Advocates for Children of New York

Protecting every child's right to learn

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**THANK YOU!**

**PLEASE STAY SAFE!**

**TEXT AFCALERTS TO 22828  
TO OPT-IN FOR WEEKLY UPDATES!!**