



Advocates for Children of New York
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News Release

For Immediate Release

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New Data Show Thousands of Preschoolers with Disabilities Did Not Receive Needed Services

March 21, 2023 (NEW YORK CITY) — Advocates for Children of New York (AFC) released the following statement in response to the release of the New York City Department of Education (DOE)'s [preschool special education data report](#) for the 2021–22 school year:

Today, the DOE posted new data showing that 37% of preschoolers with disabilities—a total 9,800 children—did not receive all their mandated special education services during the 2021–22 school year, a notable increase from the prior year, when 30% of preschoolers were not fully served. For example:

- More than 6,500 preschoolers who needed speech therapy did not have a single session of this service before the end of the year, including 33% of all children needing bilingual speech therapy.
- 26% of preschoolers recommended for physical therapy, and 28% of those needing occupational therapy, never received it.
- Almost 1,300 children never received their mandated part-time special education teacher (SEIT) services, representing 19% of all preschoolers with this recommendation.

Importantly, these numbers only reflect those children who had an Individualized Education Program (IEP) in place by the end of the school year—and the data show that many preschoolers who were referred for evaluation due to concerns about their development had to wait months to get an IEP or never even made it that far into the process, with notable disparities by race. For example:

- 13% of Black preschoolers and 12% of Latinx preschoolers who were referred for the first time in 2021–22 had their cases closed without an IEP meeting ever taking place, compared to 7% of White preschoolers.
- 20% of Black children and 21% of Latinx children who were found eligible for preschool special education for the first time waited more than 60 days (the legal deadline) after consenting to evaluations for an IEP meeting to be held to determine what services would be appropriate, while 11% of White preschoolers did not have an IEP meeting in a timely manner.

While data for the current school year are not publicly available, we know from our work with families that long delays and legal violations remain common during this critical period in children's development. Failing to provide these services has long-term ramifications for both individual students and for the City as a whole; when preschoolers with disabilities do not receive the help they need early in life, many will require more intensive—and expensive—interventions once they reach elementary school.

“This winter, AFC has heard the same story from parent after parent: months into the school year, their preschooler is still waiting for mandated services to start, because the DOE has been unable to find a provider,” said Betty Baez Melo, Director of AFC’s Early Childhood Education Project. “In some cases, families are unable to even start the process of getting support in place for their child, because they cannot get an appointment for an evaluation.”

Advocates for Children is urging New York City to invest \$50 million in the upcoming budget to increase access to timely preschool special education evaluations and related services. The City should take steps such as launching more DOE evaluation teams; hiring more DOE service providers and teachers, rather than relying on outside agencies; and increasing payment rates for contracted providers to ensure children, including those who need bilingual services and those in underserved communities, receive their services where they go to preschool.

“As policymakers consider next steps for early childhood education in New York City, they can’t forget that truly including children with disabilities in 3-K and pre-K programs means providing them with the support they need to be successful in these programs,” said Kim Sweet, AFC’s Executive Director. “This year’s budget should make the necessary investments to ensure preschoolers are not left waiting for the evaluations and services they have a right to receive.”

“It’s unconscionable that almost 10,000 preschoolers did not receive all of their special education services last year,” said Council Member Rita Joseph, Chair of the New York City Council Committee on Education. “We know this failure to support our youngest learners will only increase costs for the City in the long run, and we must act now. I look forward to partnering with the Administration to make sure there are enough service providers to meet the needs of every student with a disability.”

About Advocates for Children of New York (AFC)

Since 1971, Advocates for Children of New York has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds who are at greatest risk for failure or discrimination in school because of their poverty, disability, race, ethnicity, immigrant or English Language Learner status, sexual orientation, gender identity, homelessness, or involvement in the foster care or juvenile justice systems. AFC uses four integrated strategies: free advice and legal representation for families of students; free trainings and workshops for parents, communities, and educators and other professionals to equip them to advocate on behalf of students; policy advocacy to effect change in the education system and improve education outcomes; and impact litigation to protect the right to quality education and compel needed reform.