

Special Education 101

Ages 5-21

COVID-19 Edition



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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)
- General Back to School Information
- Special Education Overview
- Program Adaptation Document (PAD)
- 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
- Workshops and trainings
- Free legal services to low-income families

Resources During COVID-10

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Meals for Students on Remote Learning Days

- Take-Out Location available: <https://www.opt-osfns.org/schoolfoodny/meals/default.aspx>
- Pick-up from 9am-12pm; no ID or registration required

Free Meals for Community

- Locations: <https://dsny.maps.arcgis.com/apps/webappviewer/index.html?id=35901167a9d84fb0a2e0672d344f176f>
- Pick-up from 3pm-5pm on school days; no ID or registration required

Devices/Technology

- Request DOE iPad: <https://coronavirus.schools.nyc/RemoteLearningDevices>
- Need Tech Support: <https://www.nycenet.edu/technicalsupportforfamily>

Child Care – Learning Bridges

- 3K-8th remote learning days
- Apply here: https://prek4all.az1.qualtrics.com/jfe/form/SV_ac4kZNaIMaixbc9

Translated Supports for Remote Learning

- <https://www.schools.nyc.gov/learning/multilingual-learners/translated-support-for-remote-learning>

Changing from 100% Remote to Blended? Fill out Survey Nov 2-15!

Visit AFC's live COVID update page: <https://www.advocatesforchildren.org/covid-19-updates>



Updates



Some schools have closed for at least two weeks.

Generally, schools in **red** and **orange** zones have to close.

Schools in **yellow** zones test for COVID-19 weekly.

TO find out your school's COVID-19 zone color, go to: <http://nyc.gov/covidzone>



Special Education Laws

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- Individuals with Disabilities Education Act (IDEA)
- Section 504
- NYS Education Law and Regulations “Part 200’s”
- NYC Chancellor’s Regulations
- NYC DOE Standard Operating Procedures Manual (“SOPM”)
for Special Education





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



- 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

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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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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 and Consent

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How to request an evaluation or make a referral

- In writing to the principal or school psychologist, copy CSE
 - Via e-mail: <https://schoolsearch.schools.nyc/>
 - Or specialeducation@schools.nyc.gov
 - 311

Written consent for evaluations

- Within 10 days from referral – Watch for delays here!
- Consent must be in writing, **voluntary, and informed!**
- Evaluations within 60 days from consent



Need help?

- specialeducation@schools.nyc.gov
- 311
- ¡Tip! Include your consent to evaluate in your referral or indicate how you prefer to consent. .



Evaluations During COVID-19

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IDEA still applies

- **Free evaluations in all areas of suspected disability**
- Evaluations every 3 years, but more if requested
- Ask for evaluation at any time
- Remote evaluations? Yes!
 - In person only if necessary!

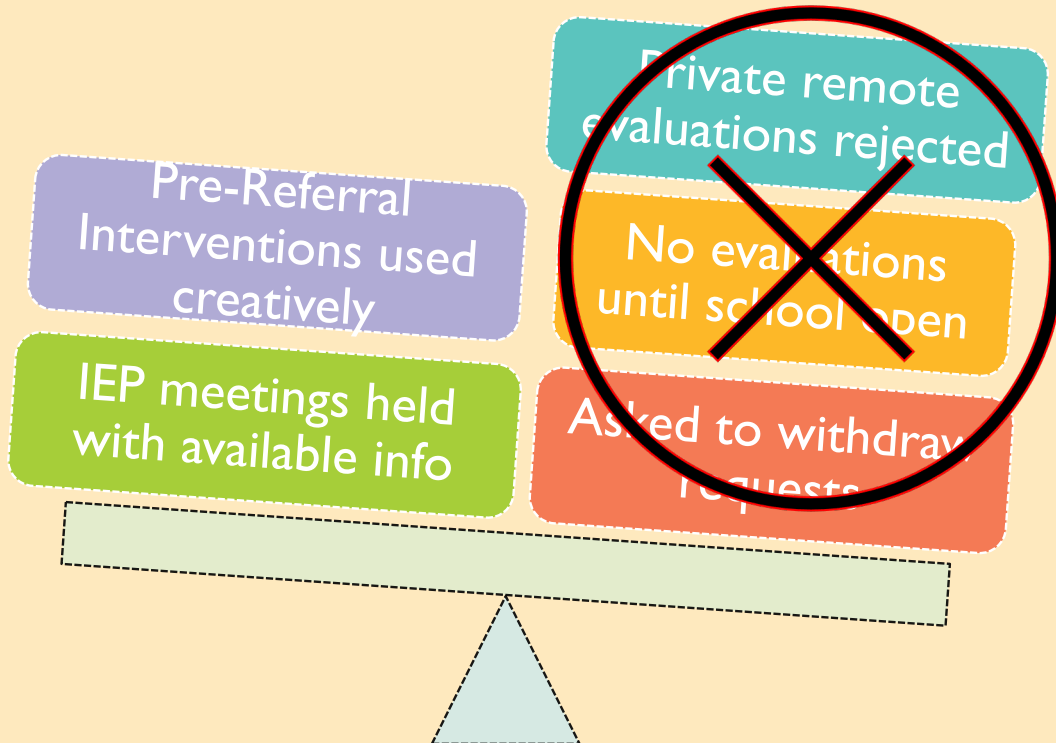
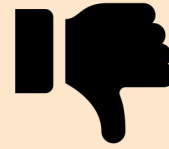
Complications

- Evaluations (especially cognitive) are tough to complete remotely



Evaluations: What's happening?

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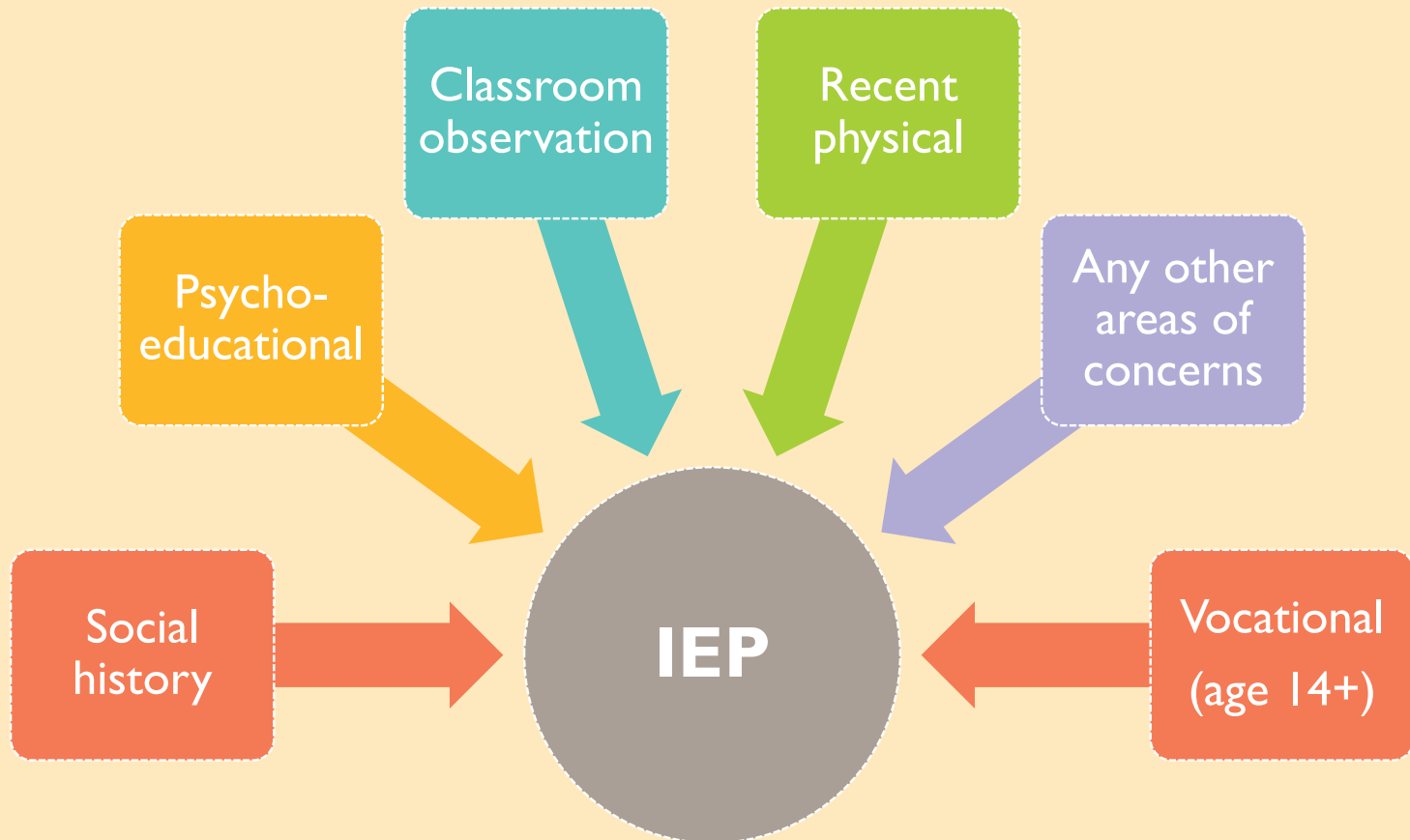




What Should an Evaluation Include?



Students must be tested in all areas of suspected disability





Questions/Poll?

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Participation in IEP meeting?



What is an IEP?

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- Individualized
- Based on in-School Needs
- 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





IEP Meetings During COVID-19



- Schools must invite Parent 7 days prior to IEP meeting
 - ✦ Invites via email
 - ✦ No email? Phone call.

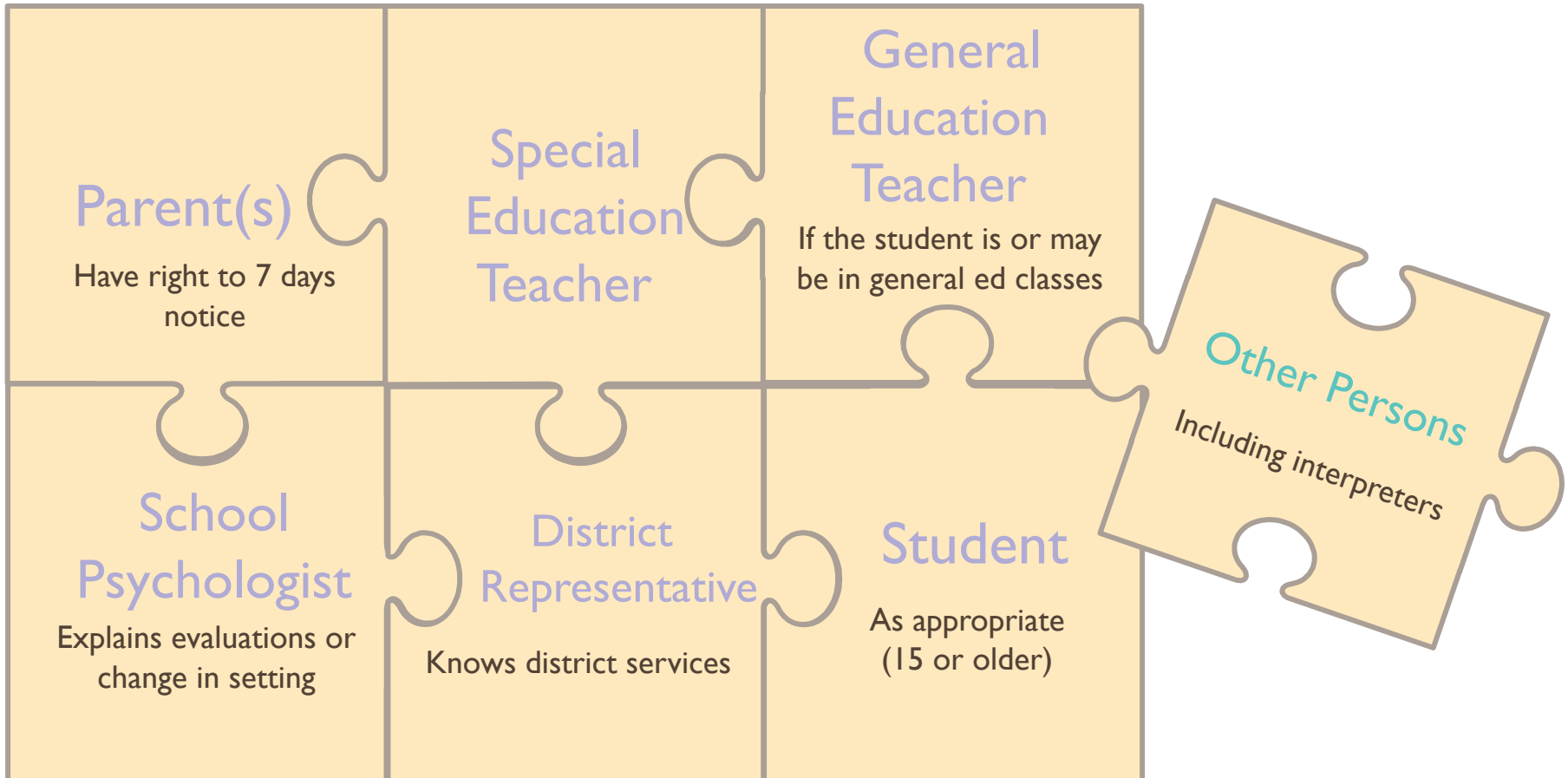
- Schools must provide Parent with documentation to participate in the meeting
 - ✦ For families without email, request documentation be mailed to Parent
 - ✦ Reminder! Documentation must be in Parent's preferred language!



The IEP Meeting

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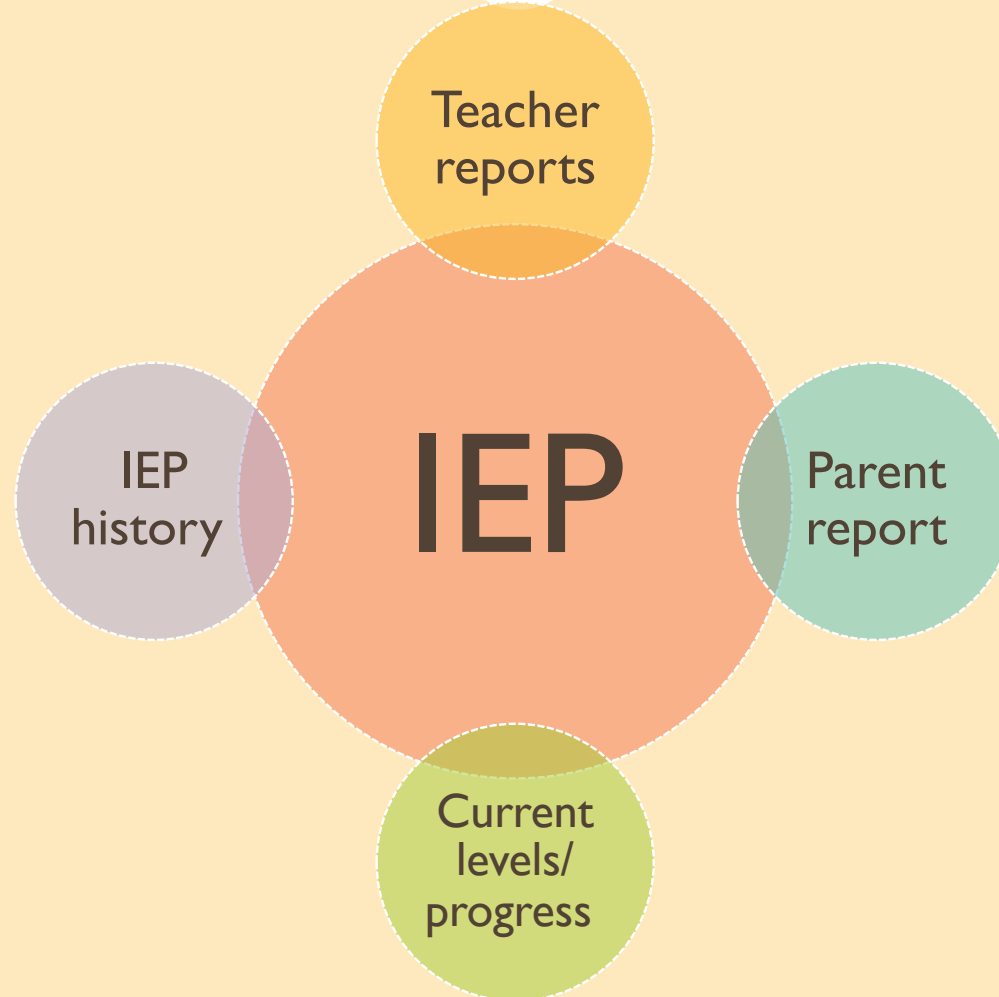
Who is at the meeting?





IEP Meetings: Recommendations

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Program Recommendation During COVID-19



- Prior Written Notice
 - Describes program, type of school and services on IEP
- School Location Letter
 - Says which school the student should attend
 - Parents have the right to visit
 - Contains school phone number
- **Tips!** Parent should contact via email for school visit.
 - ★ Email DOE staff who sent the letter and the offered school's principal and parent coordinator (<https://schoolsearch.schools.nyc/>)





Questions So Far?

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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



Special Ed. Classes during COVID-19

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Program Adaptations Document (PAD)

- Summarizes Services on IEP
- Describes how services will be delivered during remote and blended instruction.
- *Does NOT replace/change IEP
- Teacher and parent develop
- Can be updated/ revised
- **RAD**: Related Services only.

Have not received PAD or want to modify it?

- Speak with teacher or principal
- Email: specialeducation@schools.nyc.gov or call: 311.

Teachers have daily "office hours."

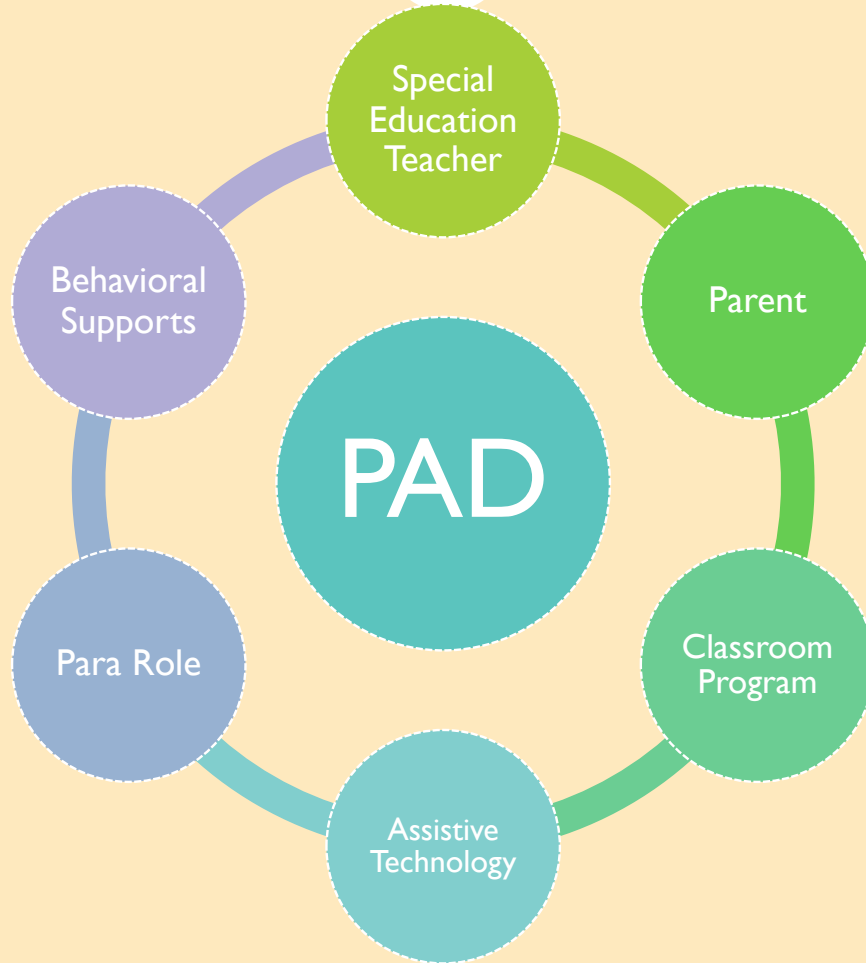
- Students and parents can ask for help.

ENL Students can still receive supports to learn English.



Program Adaptation Document (PAD)

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Program Adaptations Document v. IEPs



Special Education Program Adaptations Document (PAD) for Blended and Remote Learning

Date: 09/21/2020

Dear Parent or Guardian of [REDACTED]

As we discussed on September 18, 2020, this document summarizes the special education program recommended on [REDACTED]'s IEP, and describes how it will be adapted for the learning environments available this fall. For your information, it describes adaptations both for fully remote learning, and for a combination of in-person and remote learning ("blended learning"), even if you have already chosen between the two.

If you have any concerns or questions about this document, or if you would like to request an IEP meeting or reevaluation for [REDACTED], please contact [REDACTED] at [REDACTED], or email specialeducation@schools.nyc.gov or call 311.

STUDENT INFORMATION

Student Name: [REDACTED]

NYC Student ID#: [REDACTED]

Student's DOB: [REDACTED]

English Language Learner Status: [REDACTED]

Disability Classification: [REDACTED]

SPECIAL EDUCATION PROGRAM

Special Class Math	12:1+1 Language of Service: English	10 time(s) per week
Special Class ELA	12:1+1 Language of Service: English	15 time(s) per week
Special Class Social Studies	12:1+1 Language of Service: English	4 time(s) per week



PADs & RADs

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RELATED SERVICES

RELATED SERVICE	SERVICE DELIVERY RECOMMENDATION	FREQUENCY HOW OFTEN PROVIDED	DURATION LENGTH OF SESSION
Counseling Services	Group of 4 Language of Service: English	1 time(s) per week	30 minutes
Parent Counseling and Training	Group	1 day/wk for 5 wks	60 minutes session
Speech-Language Therapy	Group of 3 Language of Service: English	2 time(s) per week	30 minutes



Related services during COVID-19

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Live, remote or blended.

Providers should contact parents about the schedule, how services are provided, and any changes.

Talk to providers about your preferences.

Need help? Talk to the principal, write to relatedservices@schools.nyc.gov, or call 311.



Blended Learning

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District 1-32 Schools

- In-person instruction between 1 and 3 days per week

District 75 schools

- In-person instruction between 1 and 3 days per week, or
- In-person instruction 5 days a week, every 2 weeks, or
- In-person instruction every day for those who need

Each school chooses its own model.



Special Education During Blended Learning



- **Integrated Co-Teaching (ICT)**
 - In-person: live instruction with two teachers (special education, general education)
 - Remote: “blended remote teacher” co-plans with the in-person teachers to provide a combination of synchronous and asynchronous instruction
 - ✦ **Tip!** Ask for the qualifications of the blended teacher
 - ✦ **Tip!** Keep track of the amount of live instruction on remote days
- **Special Education Teacher Support Services (SETSS)**
 - Schedule will combine both remote and in-person SETSS
 - SETSS provider arranges the schedule



Special Education During Blended Learning



- Special Education Classroom (12:1+1, 12:1, 15:1)
 - Special Education Teacher in-person and remotely
 - Classroom size aligns with IEP in-person and remotely
 - ✦ **Tip!** Notice how many students are in the remote “classroom.” If more than 12/15, this is a violation of their child’s IEP!
 - Remote:
 - ✦ Synchronous and asynchronous activities
 - ✦ Classroom paraprofessional can support remotely as “directed by teacher”
 - **Tip!** Notice if the paraprofessional is the only person “teaching” on remote days



Special Education During Blended Learning



- **Paraprofessionals (1:1 student aides)**
 - Remote Days: Paraprofessionals role should be discussed when creating PAD
 - ✦ Assisting parent and child with accessing remote learning
 - ✦ Consulting with parent on how to support student at home
 - ✦ Assisting parent in reinforcing behavior plan
 - ✦ Support child during delivery of instruction/related services



Special Education During All Remote Learning



- **ICT**
 - “Co-teaching pair”
 - Synchronous/asynchronous learning activities
 - **Tip!** At least one of the teachers is a special education teacher
- **Special Education Classroom**
 - Synchronous/asynchronous learning
 - Classroom paraprofessional may teach individual/small group as directed by teacher
 - **Tip!** Parent should track live instruction by special education teacher



Special Education During All Remote Learning



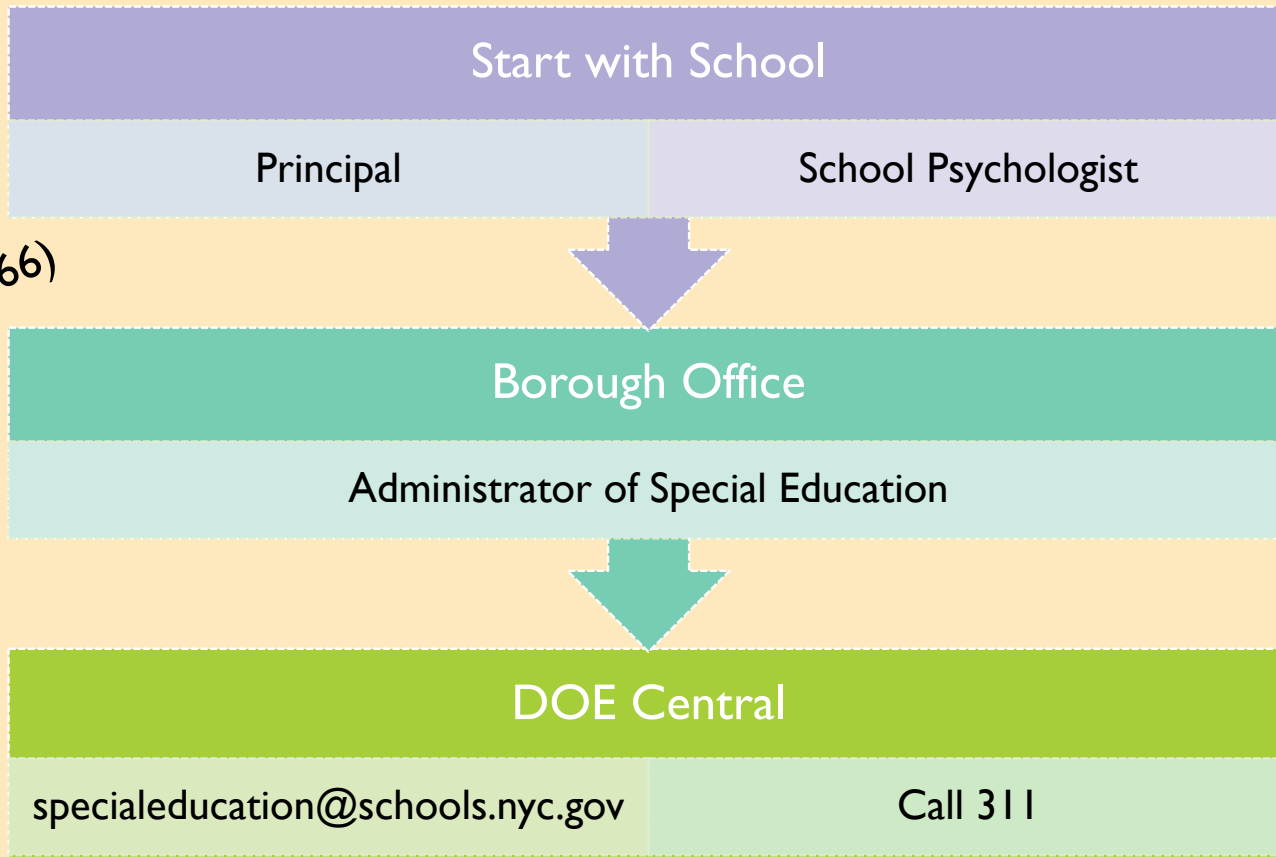
- **Paraprofessional**
 - Similar to remote days for blended learning
 - Role described in PAD
- **Related Services/SETSS**
 - Provider contacts family to determine delivery of service (ie. live, videos, activity packets etc.)
 - **Tip!** Parent should tell provider if live service delivery is necessary. Parent should track live services by related service provider.



Parental Rights: Who to Contact



Concerns with special education during remote learning and blended learning



Call AFC's Helpline! (866) 427-6033

Find Principal and ASE emails: <https://sites.google.com/a/strongschools.nyc/contacts/>



Parental Rights: Who to Contact



Contact DOE's Special Education Office via
specialeducation@schools.nyc.gov

- No response to referral
- Evaluations not conducted
- Evaluations not appropriate for student
- IEP meeting not scheduled
- Parent did not receive documents to participate in IEP meeting
- IEP and/or PAD not implemented
- Have not received copy of PAD and/or IEP

*Call AFC's
Helpline! (866)
427-6033*



Parental Rights: Who to Contact



Issues with related services

- Email: relatedservices@schools.nyc.gov

Issues with transition to kindergarten

- Email: turning5@schools.nyc.gov

Issues with special education services at charter schools

- Email CSE Chairperson: <https://www.schools.nyc.gov/learning/special-education/help/committees-on-special-education>

Call AFC's
Helpline! (866)
427-6033



Language Access Rights: Translation & Interpretation



Arabic, Bengali, Chinese, French, Haitian-Creole, Korean, Russian, Spanish, Urdu

Translation:

- letters
- forms
- meeting notices
- report cards
- special education documents

Interpretation:

- parent-teacher conferences
- parent association meetings
- suspension hearings
- meetings with school staff
- special education meetings

DOE language access complaints: (718) 935-2013 or [Hello@schools.nyc.gov](mailto>Hello@schools.nyc.gov)

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



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



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



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!!**



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/>