



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

Start of School Questions & Answers for Families of Students with Disabilities

COVID-19 AND THE 2021-22 SCHOOL YEAR

Because of the coronavirus, the last year and a half have been unlike any other for students, families and school staff. This fall, as of this printing, the plan is for students and teachers to return to school full-time in NYC public schools. For up-to-date information, look at the Department of Education (DOE) website and our Advocates for Children of New York (AFC) website. We are monitoring changes closely.

My child has an Individualized Education Program (IEP), and I'm not sure where they're supposed to attend school. Who should I talk to at the Department of Education (DOE)?

IF YOUR CHILD IS A PRESCHOOLER...

If your child is a preschooler who needs related services only—such as speech, occupational, or physical therapy; counseling; or vision, hearing, and health services—and/or a Special Education Itinerant Teacher (SEIT), contact programs you are interested in directly or call the Office of Enrollment at (718) 935-2009 and esenrollment@schools.nyc.gov. You can find a list of programs with open seats at www.myschools.nyc. The Committee on Preschool Special Education (CPSE) will arrange for SEIT and/or related service providers to serve your child based on the recommendations in their IEP. The CPSE does *not* arrange placement for children in general education classes, early childhood programs, or daycare settings.

If your child is a preschooler who has a placement recommendation for a “special class” (a class where all students have disabilities) or a special class in an integrated setting (a class where some students have disabilities and others do not), contact the CPSE for the district where you live. (See the text box on the next page for contact information.) All preschool students with special education needs that require placement in a special class have a right to such a placement.

IF YOUR CHILD IS IN GRADES K-8...

If your child is in kindergarten through 8th grade and needs related services only, Special Education Teacher Support Services (SETSS), Integrated Co-Teaching (ICT) services, or a special class in a District 1-32 school (special class ratios 12:1 or 12:1:1), and you participated in the kindergarten or middle school admissions process, your child should be attending the school you received an offer to last spring. If you moved or did not participate, contact your zoned school, if you have one, to arrange for registration.

To find your zoned school, go to <https://schoolsearch.schools.nyc> or call 311. If you do not have a zoned school or would like to explore other options, contact a Family Welcome Center.

To find more information about the various special education classroom settings in District I-32 schools, see <http://bit.ly/specialedD132>.

For questions about your child's kindergarten placement reach out to T5placement@schools.nyc.gov.

IF YOUR CHILD IS IN HIGH SCHOOL...

If your child participated in the high school admissions process, your child should be attending the school where they received an offer last spring.

If your family has moved or would like to explore other options, contact a Family Welcome Center.

Note: Typically, students lose the right to stay in high school at the end of the year in which they turn 21. However, because of COVID-19, the DOE is allowing students who turned 21 *last school year* (2020-2021) to stay in or return to school this year. Contact your child's last school as soon as possible to let them know your child will return in fall.

IF YOUR CHILD NEEDS A DISTRICT 75 PROGRAM...

If your child needs a District 75 program (special class ratios 12:1:1, 8:1:1, 6:1:1, or 12:1+(3:1)), and you still haven't received a Prior Written Notice or School Location Letter, or you received a letter with a school that you don't think will be able to meet your child's needs, email D75info@schools.nyc.gov or call (212) 802-1500 and ask to be connected to the placement office for your borough.

For more information about District 75, see <http://bit.ly/specialedD75> or call (212) 802-1578.

Family Welcome Centers (FWCs)

These are the DOE offices that are meant to help families with enrollment and admissions issues.

During the pandemic they are speaking with families Monday through Friday over email, phone or video conference. To make an appointment with FWC staff, call 718-935-2828. For more about the centers, see <https://www.schools.nyc.gov/enrollment/enrollment-help/family-welcome-centers>

District Offices

<https://www.schools.nyc.gov/about-us/leadership/district-leadership>

Office of Pupil Transportation

CALL 311 or (718) 392-8855 (to report complaints) or go to

<https://www.schools.nyc.gov/school-life/transportation/contact-information> for more information

Committees on Special Education & Preschool Special Education

<http://bit.ly/DOECSEs>

DOE's Special Education Hotlines & emails

CALL (718) 935-2007 or EMAIL

specialeducation@schools.nyc.gov

(for school-aged students)

Turning5@schools.nyc.gov

(for students with disabilities entering kindergarten)

relatedservices@schools.nyc.gov

(for questions about your child's related services)

AFC's Jill Chaifetz Education Helpline

If you try everything suggested here but your child is still not in school or not receiving special education services, please call our Helpline at (866) 427-6033, Monday–Thursday, 10am–4pm.

IF YOUR CHILD WAS NOT IN A NEW YORK CITY PUBLIC SCHOOL LAST YEAR AND HAS AN IEP FROM SOMEWHERE ELSE...

If your child is in preschool, contact the CPSE. If your child is in grades K-8, contact your zoned school, if you have one, to register. That school will complete a Comparable Services Plan (CSP). If you do not already have a placement for the fall and do not have a zoned or assigned school, contact a Family Welcome Center for a placement. Either staff at the Family Welcome Center or the school that is assigned will complete the CSP. If you believe your child should attend a specialized public school program for students with disabilities or a non-public school, contact your home district's Committee on Special Education (CSE) which you can find at <https://www.schools.nyc.gov/learning/special-education/help/committees-on-special-education>. If possible, provide them with a copy of your child's IEP from the former school district and copies of any recent evaluations to all of the above.

What if my child hasn't been offered a placement for a self-contained class (special class with only students with disabilities in a District 75 or district school) that their IEP mandates?

First, see the steps above for information about who you can contact to ask for a placement. Additionally, you may be entitled to a P-I letter ("Nickerson" letter) that allows you to place your child in a state-approved non-public school that can provide the program on your child's IEP for one school year at DOE expense. This is complicated, so please see *Advocates for Children's Guide to Special Education* for more details: <http://bit.ly/afcspecialled>.

I'm worried about sending my child into school with the new variants. What are my options?

IN PERSON

- Ask your school how they will keep students safe. Schools should be offering open houses so you can see the school for yourself.
- All DOE employees (including teachers, staff, school safety agents, and Pre-K staff) will be required to be vaccinated this school year. All employees in public schools, including charter schools and pre-k staff who work for community organizations, must receive at least one vaccine dose by the end of September.
- Everyone in school should wear a mask. If your child can't wear a mask for health reasons (i.e. drooling, breathing issues, unable to tolerate it/sensory issues), get a letter from your doctor and provide it to the school now.
- Bus drivers and attendants must be vaccinated or provide weekly proof of negative COVID tests. School buses are supposed to keep windows open if weather permits. There is no social distancing requirement on buses. Masks are required unless your child can't wear one (see above).
- Under guidance from the Center for Disease Control and the State's Education Department, students and staff in school should be 3 feet apart, with a few exceptions. For example, during lunch when students can take their masks off, they will be expected to sit 6 feet apart.
- There will also be weekly COVID testing for 10% of those students whose families have given consent.

REMOTE

The DOE has said all public school this year will be in person. If you have concerns about that and don't want to send your child to school in person, you may have options depending on your child's needs:

- **Home Instruction:** Some children have the right to receive home instruction if they have a health issue that keeps them from being able to attend school in person. If that's the case for your child, their doctor will need to explain the specific danger to your child. Because of the pandemic, the DOE is making medically necessary home instruction available to more students than in the past. That instruction can include individual in-person instruction by a certified teacher and small group instruction by certified teachers through digital platforms. The DOE has released a list of medical conditions that will automatically qualify a student for home instruction and families whose children have one of those conditions or need home instruction for other reasons can apply. For more information on how to do so, see the DOE's Family Homecoming 2021 Health and Safety Guide at <https://www.schools.nyc.gov/docs/default-source/default-document-library/doe-homecoming-health-and-safety-guide>. Home instruction usually runs for 1 or 2 hours a day of instruction depending on the grade level of the student. Parents can request more than that if appropriate for their child. It is important to know that the Home Instructor won't be the same teacher your child would have if they were in-person in school. For details, see <https://www.homeinstructionschools.com/>.
- **Home Schooling:** Home schooling is when you withdraw your child from public school and you, or you and a group of other families, teach your children yourselves from home or some place that isn't the school building. There are state requirements for home schooling and there is no financial assistance for this. Parents must apply to be allowed to home school and explain how they will keep their child on track academically. There are private programs that sell curricula for parents to use at home.
- **Private remote school:** Some families will pay for online school. This is something the family must arrange and the family will need to pay their student's tuition. It is possible to ask for related services to be provided through an Individualized Education Services Plan (IESP), but if you're asking now, it will take a while to put in place. Those services may be provided through Related Services Authorizations (RSAs) or at schools.

What if my child is quarantined during the school year, or my child's classroom or school is shut for COVID cases?

For students in elementary school: If they have been exposed to an adult in the classroom, the whole class will have to quarantine and will receive full-time live online instruction during that time.

For students in middle and high school: Schools will no longer close an entire classroom when there is a positive case. If your child is vaccinated and not showing symptoms, they can stay in school even after an exposure. If your child is not vaccinated, but they have been masked and keeping a distance of 3 feet from other infected students, they will still be allowed in school. Regardless of distance and masks, if the infected person is an adult from the classroom, all unvaccinated students will have to learn from home during a quarantine period. Middle and high school students will have access to remote learning through "Office Hours," when they can join 1:1 or small groups online, ask questions about their academics, and get more intensive instruction. More information is available in the [DOE's Health and Safety Guide](#).

What if my child's zoned elementary or middle school tells us that they don't have room for my child?

Your zoned school should let your child attend classes there while the DOE finds another school that does have a seat. If another school has already been found, the zoned school should give you a letter with that information. If the school turns you away without giving you another option, contact:

- The Family Support Coordinator at your District Superintendent's Office; and/or
- The DOE's Office of Student Enrollment.

When I tried to get help for my child who is entering preschool or kindergarten, the school told me that neither is required.

Although you don't *have* to send your child to preschool or kindergarten, you have the *right* to send your child to a 3-K program that made your child an offer the year they turn three, a pre-K program the year they turn four and to kindergarten the year they turn five. If you want your child to attend preschool or kindergarten, the DOE must provide an appropriate class and all the services on your child's IEP. In fact, if your child qualifies, they can start receiving special education services in the year they turn three. Your child has a right to receive special education services even if they are not enrolled in a preschool program or public school kindergarten class.

WHEN YOU ENROLL YOUR CHILD...

Provide proof of immunization, proof of NYC residence, and the IEP (if new to NYC). If you are enrolling in the NYC school system for the first time, bring proof of age.

For the list of documents that the school will accept, visit www.schools.nyc.gov/NewStudents or call (718) 935-2009. Even without proof of immunization or age, your child should still be enrolled while the school helps get these documents. You do NOT need to show proof of immigration status.

What if the school year starts and the school doesn't have the type of program on my child's IEP?

NYC public schools are expected to support the special education needs of most students from their community, so begin by working with your school. If that doesn't work, reach out to the DOE's Special Education Hotline or contact the Family Support Coordinator at your Superintendent's office.

If your child's IEP needs changes, the school is supposed to hold an IEP meeting to discuss and agree on appropriate supports and services. It may also be possible to amend the IEP without a meeting if you and the school agree in writing to the changes.

My child is supposed to receive assistive technology (AT) or related services (OT, PT, counseling, etc.). Who do I contact if that's not happening?

Your child has a right to receive all the services on their IEP regardless of where they are learning. All schools should be able to provide related services and AT and AT should be made available when your child is in the school building and when they are learning from home or another location. Check with your school to make sure things are in place and work with the school if they're not. You can also reach out to the Family Support Coordinator in the Superintendent's office. If you are still having trouble, call or email the DOE's Special Education Hotline or email RelatedServices@schools.nyc.gov.

If the school cannot provide a service, school staff should work with their Borough Citywide Office (B/CO) to identify a provider at a contract agency. If that doesn't work, the B/CO will issue a Related

Services Authorization (RSA). The RSA is a voucher that allows you to go to an independent provider for related services.

If your child is not receiving the related services on their preschool IEP, contact your Committee on Preschool Special Education (CPSE) administrator. If the CPSE can't help, call the DOE's Special Education Hotline or email RelatedServices@schools.nyc.gov.

If a school building closes down or my child is out because of exposure to Covid how will the DOE continue to provide my student the related services they require?

Your child continues to have a right to receive all the supports and services required in their IEP even during the pandemic and upon their return to school this fall.

My child is supposed to get specialized (door-to-door) transportation, but arrangements are still not in place or we have concerns about the busing services that my child is getting. What should I do?

If your child needs specialized transportation to get to school, the IEP must make that clear. Some students may need a mini-bus, special equipment, air conditioning, or a shorter ride. If so, make sure that's all on the IEP. Ask for an IEP meeting to add that language. Bring copies of your evaluations and a doctor's note thoroughly identifying and explaining the need for the additional services to the meeting. Depending on your child's medical condition, the DOE may require extra forms to be filled out by your child's doctor before the meeting. Those forms can be found on the DOE website along with all other medical forms at www.schools.nyc.gov/school-life/health-and-wellness/health-services. If you don't see what you need, contact the DOE's Special Education Hotline.

If your child requires specialized busing, it should have been in place before the start of the school year on September 13. That is true whether your child attends a public school, a charter school, or a non-public special education program – as long as their IEP calls for specialized busing to and from school.

If your child's IEP includes specialized transportation, information about their bus route and confirmation of any medical accommodations and special equipment needs (if any) listed on your child's IEP should be available through your child's NYC Schools Account (NYCSA). If you don't have an NYCSA, which gives parents and guardians access to all sorts of information about their children, please reach out to your child's school or a Family Welcome Center to register for one or visit <https://mystudent.nyc/>.

You can also call your school, and speak to the Transportation Coordinator there, for more information.

I would like my child to be able to take advantage of the DOE's announced Recovery Plan where opportunities to get extra supports will be offered to students with disabilities afterschool and on weekends. How do I make those arrangements?

The DOE has announced that these services will be available, but we're still waiting for details. You can read the DOE's announcement made in July at on the [DOE's website](#).

Will there be busing to and from those activities?

We are still awaiting information about this question. We will update this factsheet once the DOE provides it.

My child has medical needs and requires nursing supports to benefit from their education. What should I do?

If your child needs nursing services at school or at home to support them during remote learning, make sure to get all medical forms, including the medication authorization form (MAF), the Medical Accommodations Request Form (MARF), and/or request for provision of medically prescribed treatment (non-medication), filled out by their doctor and submitted to the DOE as soon as possible. If your child requires a one-on-one nurse at school or on the bus, please make sure that the doctor states your child's need for a 1:1 nurse on every form, *even when the form does not ask for this information*. We also recommend that your child's doctor submit a separate letter or report detailing your child's medical and nursing needs. If your child is receiving blended learning and has an IEP that recommends a 1:1 nurse, the DOE should contact you to offer your child a nurse on the days your child is in school as well as a nurse in your home for the days that your child may be learning remotely.

You must submit new forms each school year; they are available at www.schools.nyc.gov/school-life/health-and-wellness/health-services.

My child uses a wheelchair, and their classroom isn't accessible. Who should I contact for help?

Call the school's principal or parent coordinator to discuss. If that doesn't help, you should reach out to the DOE's Special Education Hotline or write to accessibility@schools.nyc.gov.

You can find a list of accessible sites at www.schools.nyc.gov/school-life/buildings/building-accessibility. There you can find Building Accessibility Profiles (BAPs) for schools at every level. Those profiles have a lot of detail about what in the school building is and is not accessible. The BAPs may be helpful in your conversations about your current school's accessibility.

What are the DOE's specialized programs?

All schools are expected to serve and meet the needs of most students with disabilities from their neighborhood. There are some highly specialized programs that are not offered in every school. These include programs for some students with autism or intellectual disabilities, programs for students needing additional reading supports, and programs for students who need bilingual special education services. For more information on these specialized programs, see www.schools.nyc.gov/special-education/school-settings/specialized-programs.

If your child has already been evaluated for one of the specialized programs, but doesn't yet have an offer to one, or you are interested in learning more about specialized programs, contact the DOE's specialized programs team at specializedprograms@schools.nyc.gov. If your child hasn't yet been evaluated, but you'd like them to be, speak to the IEP team at your school to arrange.

My child has been accepted at a charter school. When school staff found out they have an IEP, staff said we could stay only if we agreed to go without our special education services or change the services, or they turned us away altogether. What should I do?

Call the Office of School Design and Charter Partnerships at (212) 374-5419 or go to www.schools.nyc.gov/school-life/school-environment/get-help-at-your-charter-school and click on “file a complaint.”

My child hasn’t made sufficient progress since the start of the pandemic and/or hasn’t received all that they were entitled to receive under their IEP? What will be available to help them make up for that?

The DOE has announced that they will be offering afterschool and Saturday programming where students with IEPs will be able to get extra support and instruction. These should be rolled out sometime this fall, but not at the start of the school year. As of this printing, we are awaiting more information on what those programs will look like. We’ll share more as soon as possible.

In addition, students with disabilities who don’t make sufficient progress in school or who don’t receive all the services their IEPs call for have a right to make-up or compensatory services. As of this printing, we are waiting to learn more about how this will work this year to make up for what students went without during the pandemic.

For more information about compensatory services, see AFC’s Guide to Special Education at www.advocatesforchildren.org/sites/default/files/library/special_ed_guide.pdf.

FOR MORE INFORMATION...

We urge families to look at the DOE’s website, specifically:

www.schools.nyc.gov/enrollment/enrollment-help/meeting-student-needs/students-with-disabilities
(for specific information on enrollment and students with disabilities)

www.schools.nyc.gov/enrollment/enrollment-help/meeting-student-needs
(for enrollment information for all students)

www.schools.nyc.gov/special-education/preschool-to-age-21/special-education-in-nyc
(for information about special education supports and services in New York City)

Advocates for Children’s guides for parents are available at <http://bit.ly/afcguides>.

This fact sheet does not constitute legal advice. If you have a legal problem, please contact an attorney or advocate.

Copyright © September 2021 Advocates for Children of New York, Inc.