



New York State Education Department
Office of Special Education
Educational Partnership



Special Education for General Education Administrators


Presenter Name

Produced by the Technical Assistance Partnership (TAP) for Transition and Data at Cornell University in conjunction with TAPs for Academics and Behavior at University at Albany and TAP for Equity at New York University.

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Disclaimer

The resources shown are designed to provide helpful information. Resources are provided for instructional use purposes only and do not constitute New York State Education Department (NYSED) endorsement of any vendor, author, or other sources. To the best of our knowledge, the resources provided are true and complete.

Do Now



Sign up for the Office of Special Education (OSE) Newsletter

- The OSE Newsletters will include:
 - Timely updates on policy and programs to support students with disabilities;
 - Strategic resources to support district planning and leadership;
 - Notice of key events, training, and other opportunities; and
 - Updates on statewide education efforts that impact students with disabilities.



Regional Partnership Center (RPC)

Family and Community Engagement (FACE) Center



Today's Facilitators

Meet and Greet



Introduce
yourself (name,
school/district,
role)

What is your
role in the
Special
Education
Process?

Share out with
group

Meeting Norms

- Take care of your needs (water, food, restroom, etc.)
- Speak your truth; use “I” statements
- Ask what you need to understand and contribute
- Listen with respect
- Push your growing edge
- Participate and struggle together
- Expect a lack of closure
- Respect each other's needs



Blueprint for Improved Results for Students with Disabilities



Self-Advocacy

Students engage in self-advocacy and are involved in determining their own educational goals and plan.



Family Partnership

Parents, and other family members, are engaged as meaningful partners in the special education process and the education of their child.



Specially-Designed Instruction

Teachers design, provide, and assess the effectiveness of specially-designed instruction to provide students with disabilities with access to participate and progress in the general education curriculum.



Research-Based Instruction

Teachers provide research-based instructional teaching and learning strategies and supports for students with disabilities.



Multi-Tiered Support

Schools provide multi-tiered systems of behavioral and academic support.



Inclusive Activities

Schools provide high-quality inclusive programs and activities.



Transition Support

Schools provide appropriate instruction for students with disabilities in career development and opportunities to participate in work-based learning.

Learning Objectives

Participants will:

- Become familiar with federal and state laws, regulations, and policies establishing the special education process.
- Identify intervention frameworks and instructional supports that impact the special education eligibility process.
- Understand their responsibilities in the Committee on Preschool Special Education (CPSE)/Committee on Special Education (CSE), and Individualized Education Program (IEP) processes.
- Learn about Least Restrictive Environment (LRE), specially designed instruction (SDI), classroom observations, and diploma and credential options for students with disabilities.
- Identify specific considerations for English language learners (ELLs) with or suspected of having disabilities.
- Describe discipline considerations for students with disabilities.

Materials



- Follow-Up Plan
- Participant Packet
- Federal and State Laws Governing Special and General Education
- Special Education Timelines and Reference Diagrams
- Behavior Intervention Plan (BIP): Team Roles and Responsibilities
- School-Age Continuum of Services Synopsis
- Guidelines for Determining Student with a Disability's Need for a 1:1 Aide
- NYS Diploma/Credential Requirements, Revised May 2025
- Special Education and ELLs
- Field Memo, December 2014 Key Points
- Joint Memo, January 2024 Key Points
- Updates to Behavioral Supports and Interventions in Schools
- Procedural Safeguards Notice
- Manifestation Determination Review (MDR) Flowchart
- MDR Policy Brief

Special Education Foundations

Defining Special Education

Federal and State Laws

- Every Student Succeeds Act (ESSA)
- Individuals with Disabilities Education Act (IDEA)
- Section 504
- Americans with Disabilities Act (ADA)
- Family Educational Rights and Privacy Act (FERPA)

State Performance Plan (SPP)/Annual Performance Report (APR)



Defining Special Education



"Special education means specially designed individualized or group instruction or special services or programs, as defined in subdivision 2 of section 4401 of the Education Law, and special transportation, provided at no cost to the parent, to meet the unique needs of students with disabilities.

(1) Such instruction includes but is not limited to that conducted in classrooms, homes, hospitals, institutions and in other settings.

(2) Such instruction includes specially designed instruction in physical education, including adapted physical education."

Equality vs. Equity

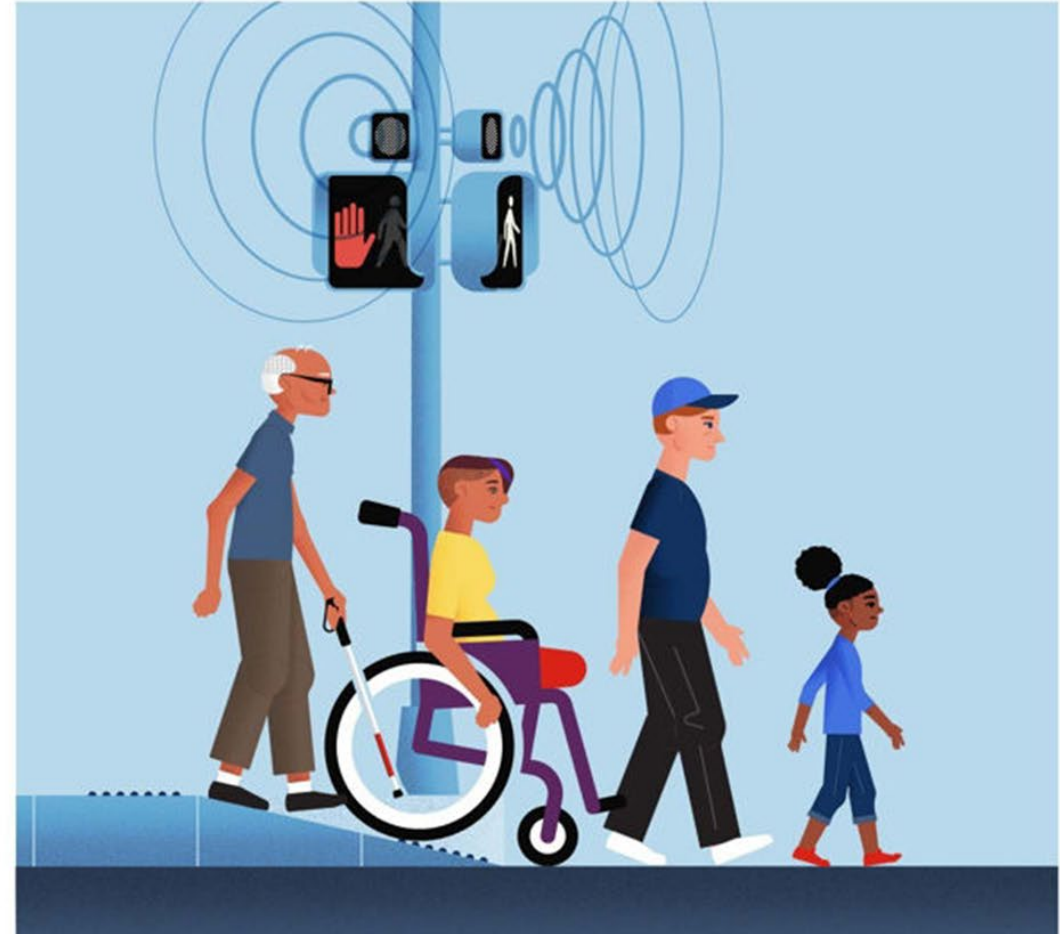
Equality:

Everyone gets the same—regardless if it's needed or right for them.



Equity:

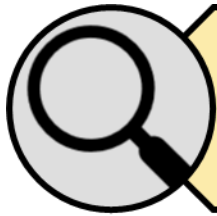
Everyone gets what they need—understanding the barriers, circumstances, and conditions.



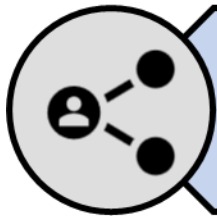
Special Education Classifications



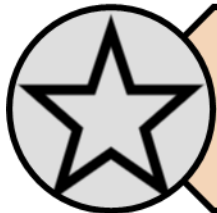
There are 13 special education disability classifications and one preschool classification.



Look at the list of terms in your Participant Packet



Circle the disability classifications and share your responses with the group



Once you are given the correct answer, highlight the classifications in your Participant Packet

Structure of the Special Education Legal System



Understanding SPP/APR



- Establishes accountability for special education
- Three priority areas:
 - Free and Appropriate Public Education (FAPE) in the LRE
 - Disproportionality in identification or placement
 - General supervision (compliance issues)
- States must report annually on their progress against the targets in their SPP/APR
- Sets rigorous targets for improvement

Interventions and Data Collection

Child Find

Building Level Interventions

Pre-Referral Considerations



Child Find

The purpose is to ensure that “all children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.”



Process/Sequence of Interventions

- The purpose of prereferral interventions are to support students who are not meeting grade level expectations.
- The gaps in learning are documented by gathering baseline data using universal screening tools.
- The interventions are intended to close the learning gaps of the students.
- The students are progress monitored while receiving the interventions to measure their learning.
- Interventions are adjusted based on the progress monitoring data.

Intervention Frameworks and Instructional Supports

- **Intervention Frameworks**

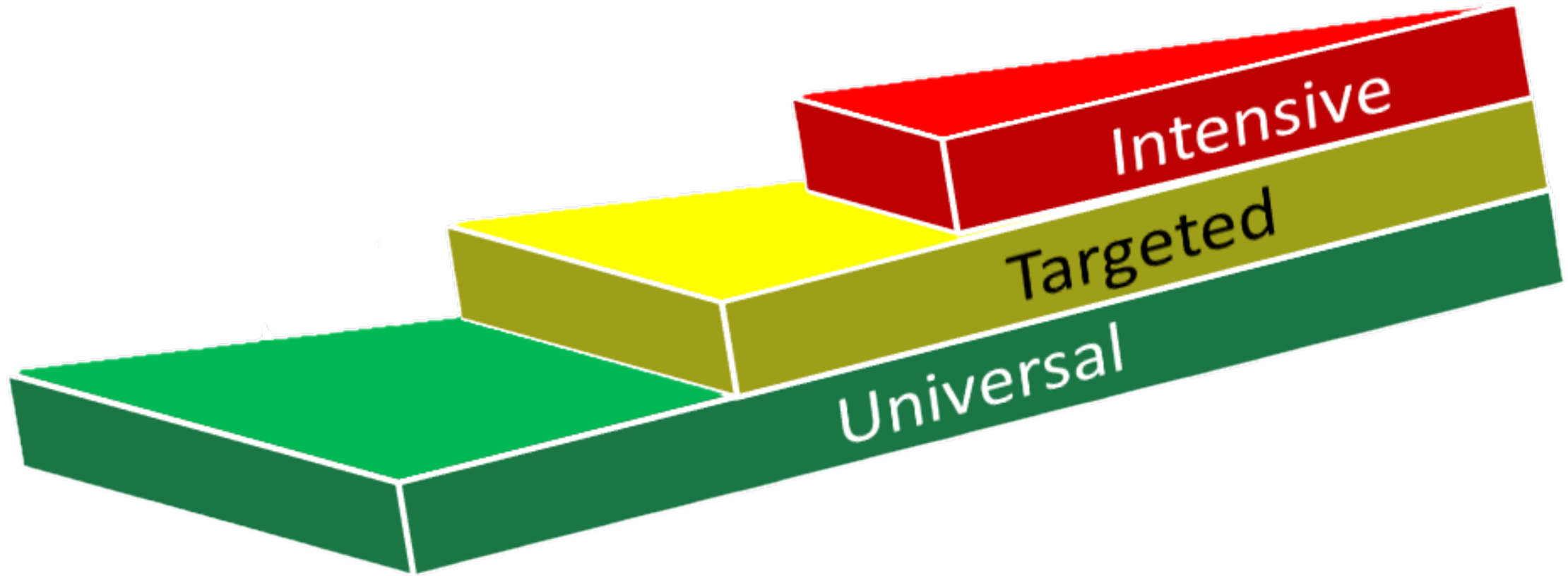
- Multi-Tiered System of Supports (MTSS)
- Positive Behavioral Interventions & Supports (PBIS)
- Response to Intervention (RtI)
- Academic Intervention Services (AIS)

- **Instructional Supports**

- Instructional Methodologies in the Classroom
- Behavioral Supports in the Classroom
- Supplementary Aids or Support Services
- Increased Parent Engagement
- English as a New Language (ENL)/Bilingual Education Programs

A Continuum of Support for All

Layering Supports



Data and Eligibility for Special Education

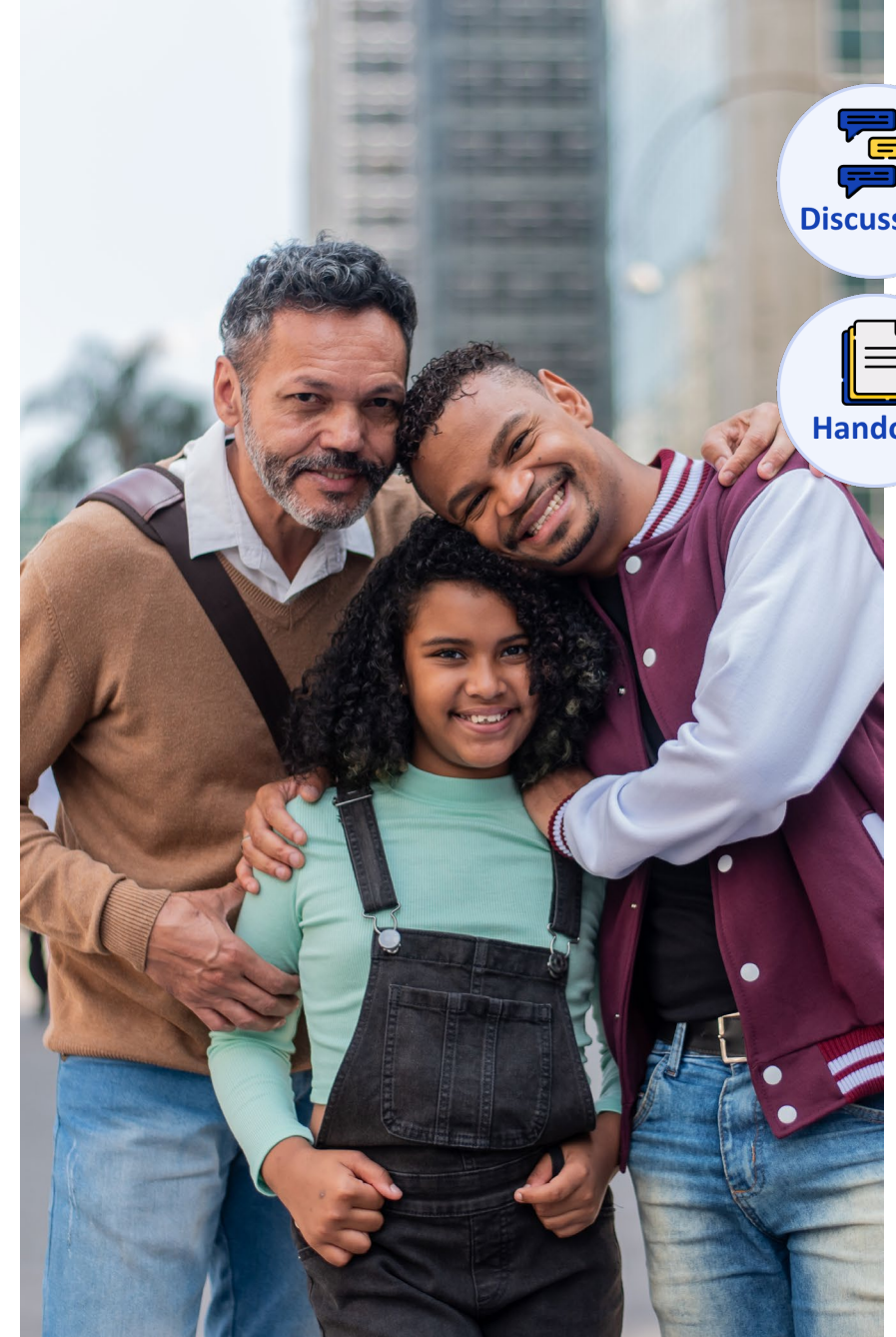


A student shall not be determined eligible for special education if the determinant factor is:

- (i) lack of appropriate instruction in reading, including explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies;
- (ii) lack of appropriate instruction in math; or
- (iii) limited English proficiency.

Family Engagement in the Intervention Process

- What steps can you take to increase family engagement in student learning?
- What two-way communication exists between schools and families?
- What steps can you take if a family does not engage with your efforts?



Discussion



Handout



What You Need to Know



- Is a team process used to support interventions, and how does it work? Who is responsible/in charge of it?
- Where does the team get data on interventions?
- How frequently is the team progress monitoring data and making adjustments?

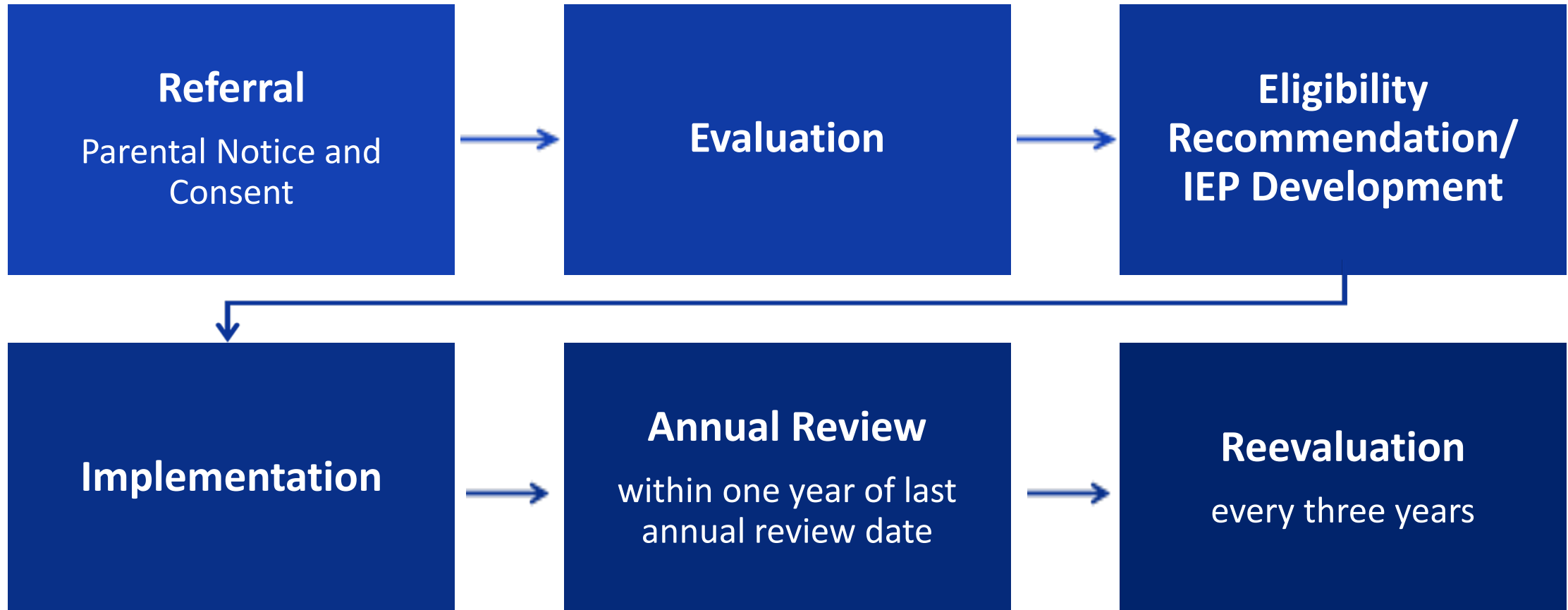
CPSE/CSE Process

Overview of CPSE/CSE Process

Importance of the CPSE/CSE Timeline



CPSE/CSE Process



Your Role in the Process



Reviewing Special Education Timelines and Reference Diagrams

Directions:

Take out the Participant Packet and the Special Education Timelines and Reference Diagrams handouts.

Break into groups.

Groups will review their assigned section and answer the questions.

Designate a spokesperson for the group.

Debrief as a whole group.

The IEP

- What is an IEP?
- IEP Access
- IEP Implementation
- BIPs

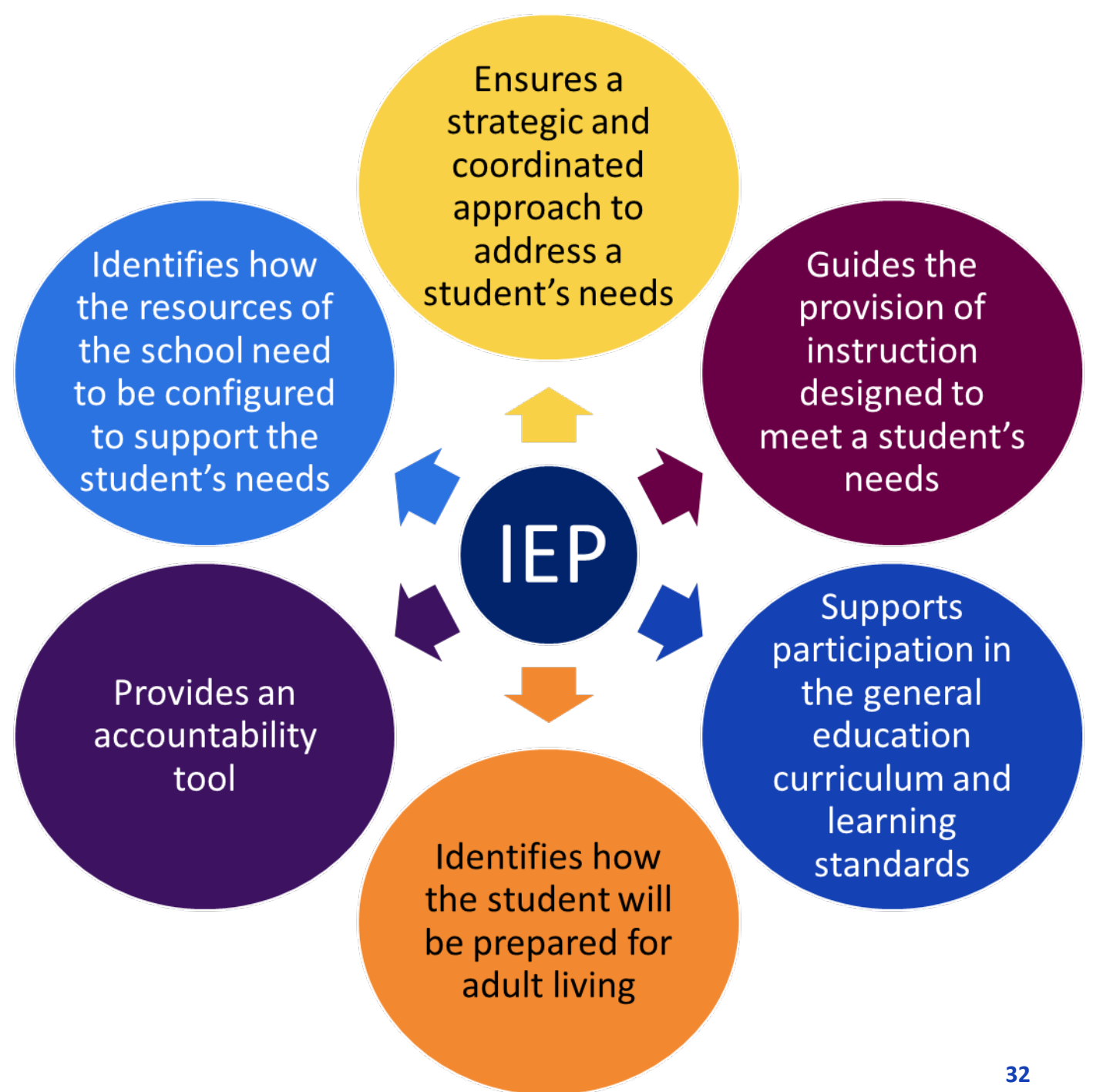


**The IEP is a
legally binding
document as
defined in IDEA.**



The IEP Is the Cornerstone of the Special Education Process

Guide to Quality IEP Development and Implementation



IEP Access Requirements

- Ensure individuals are *informed* of their responsibilities to implement the IEP
- Individuals may include:
 - Regular education teacher
 - Special education teacher
 - Related service provider
 - Supplementary school personnel
 - Other service provider



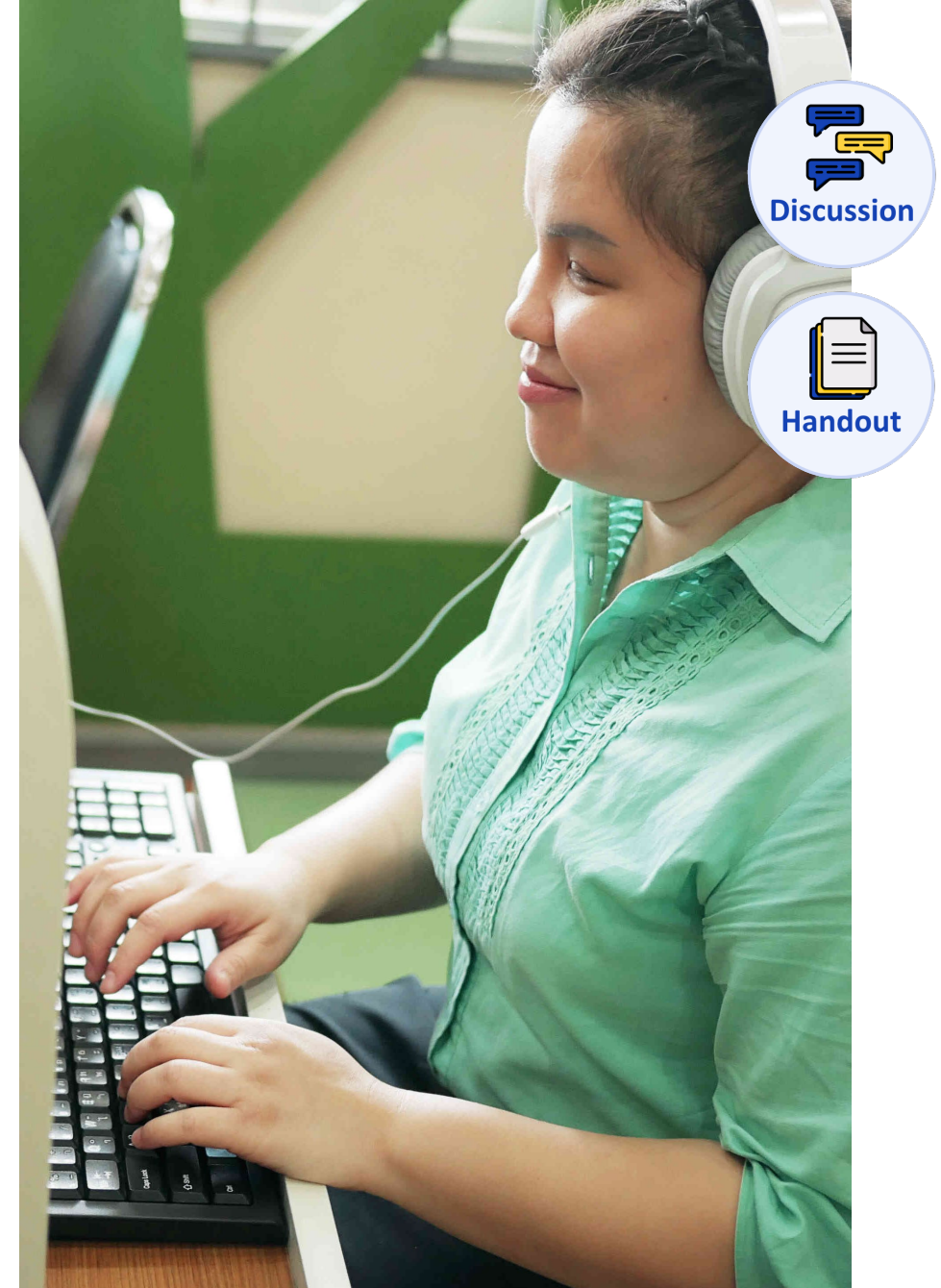
IEP Implementation

Building administrators support the following areas of IEP implementation:

- Scheduling of classes and services
- Scheduling for testing accommodations during Regents and statewide testing
- Following the plan outlined in the BIP during student interactions

Testing Planning and Preparation

- Scheduling of tests and qualified individuals (proctors)
- Preparing testing materials—changes in test formats
- Consideration of state assessments—request for specific changes to state assessments
- Computer-based testing platforms



Students Who Incur Disabilities Shortly Before Testing

Principal's Responsibility

- Onset of a short-term or long-term disability
- Does not apply to a student in process of evaluation for special education
- Limited accommodations:
 - Extended time
 - Separate location
 - Answers recorded in any manner
 - Test read—vision impairment

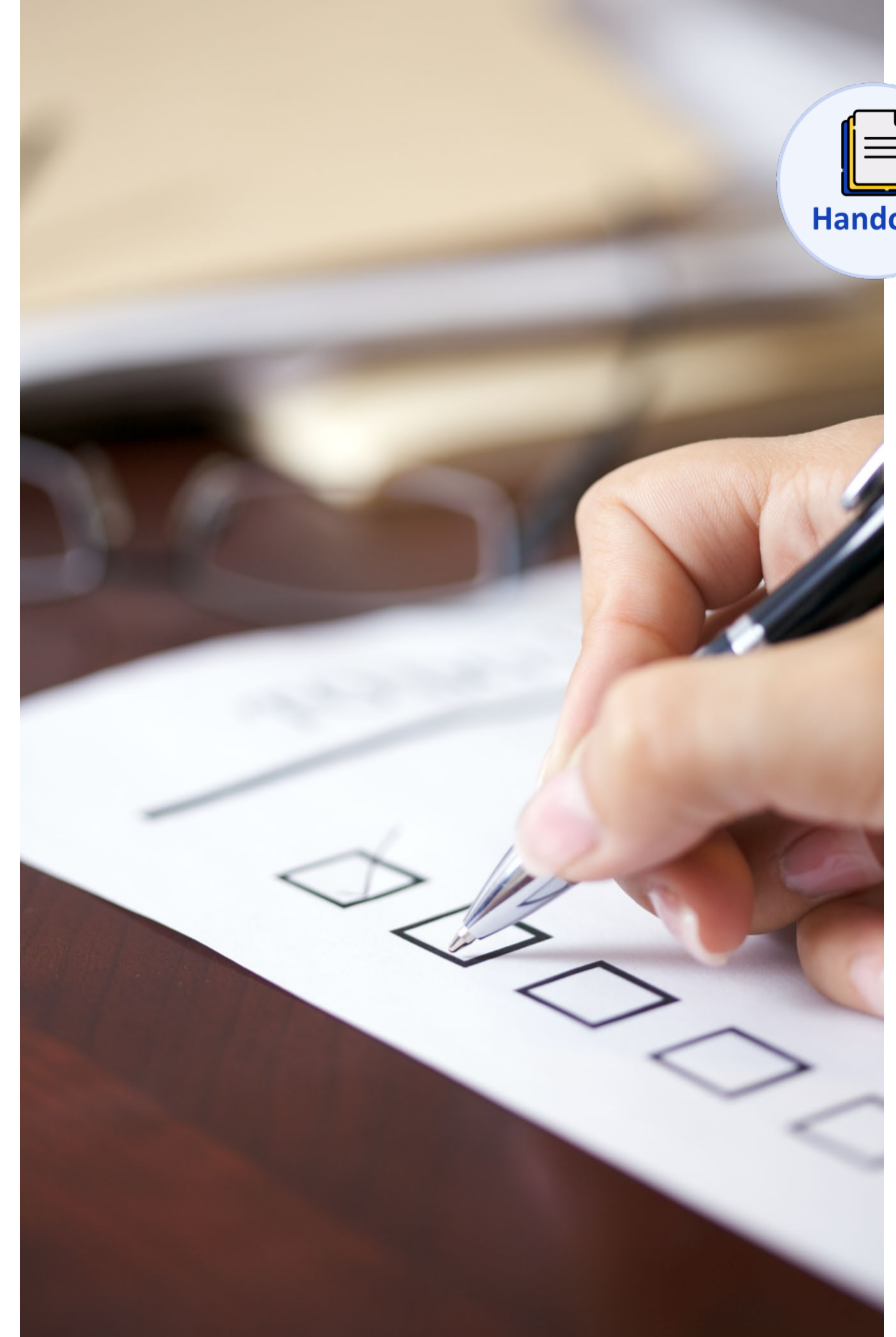
Understanding BIPs



- A BIP is based on an evaluation called a functional behavioral assessment (FBA) and includes a definition of the interfering behavior and the interventions to address the interfering behavior.
- Progress monitoring is required, so educators know if the interventions are having the intended effects on the student's behavior.
- Building administrators must be aware of who has a BIP because it connects to suspension/discipline process.
- The purpose is to support the student's behavior so they can remain in the LRE.

What's Going on Your Follow-Up Plan?

- “I” time—reflect on the topics we covered.
- Note any specific items on your follow-up plan.



LRE

LRE Definition Continuum of Services





LRE Placement



The placement of an individual student with a disability in the LRE must:

- Provide the special education needed by the student;
- Provide for education of the student to the maximum extent appropriate to the needs of the student with other students who do not have disabilities; and
- Be as close as possible to the student's home.

Preschool Programs and Services



Related Services §200.16(i)(3)(i)

Special Education Itinerant Services (SEIS) §200.16(i)(3)(ii)

Related Services and SEIS §200.16(i)(3)(ii)(d)

Special Classes in an Integrated Setting (SCIS) §200.9(f)(2)(x)

Special Classes §200.16(i)(3)(iii)

Half-day/Full-day

12-month Special Services/Programs

School-Age Programs and Services



Consultant Teacher §200.6(d)

Resource Room §200.6(f)

Related Services §200.1 (qq)

Integrated Co-teaching §200.6(g)

Special Classes §200.6(h)

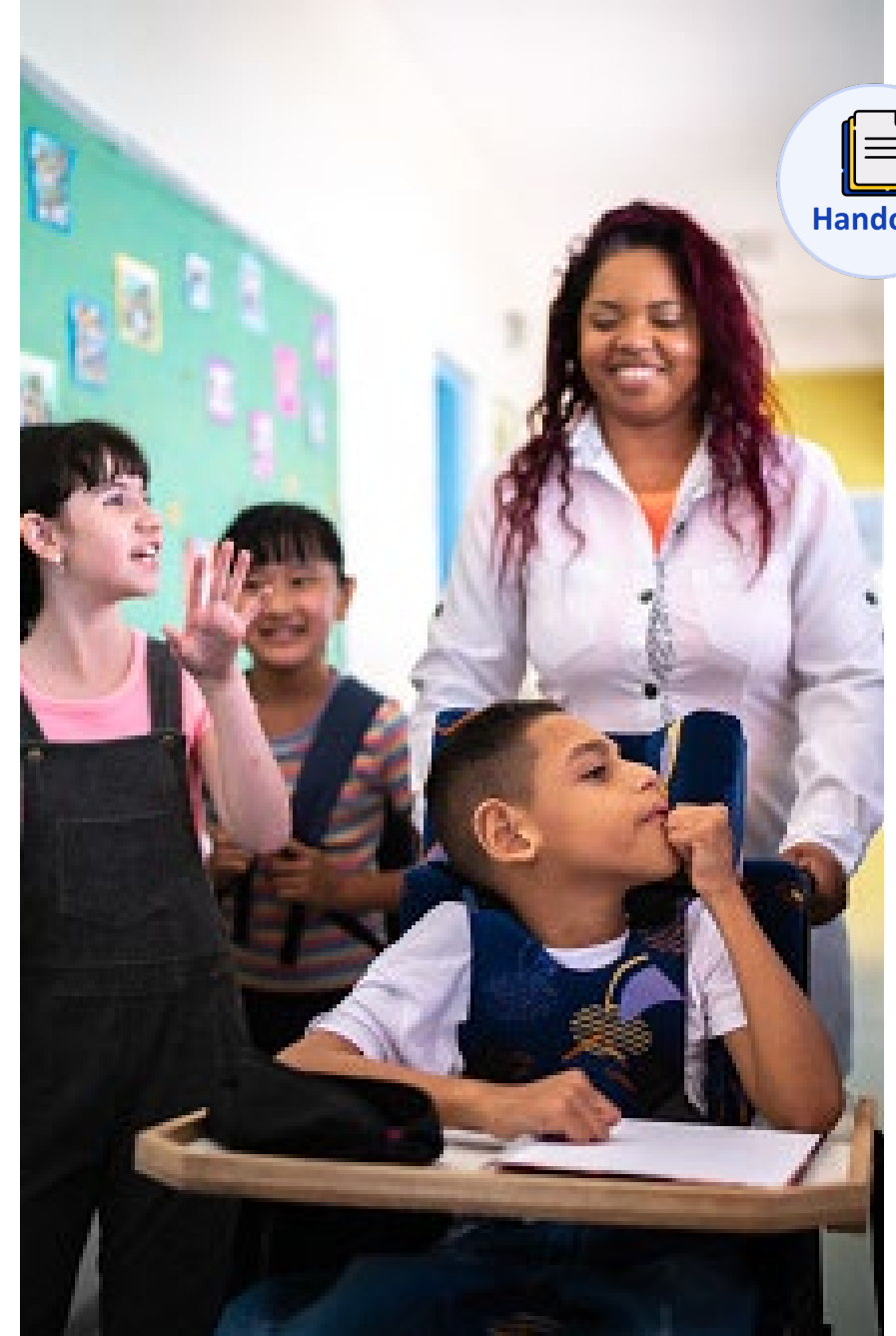
In-state or Out-of-State Private Day and Residential Schools §200.6(j)

Home—Hospital Instruction §200.6(i)

Scaffolding Independence

One-to-One Aide Considerations

- The student's individual needs require additional adult assistance.
- The IEP includes skills and goals the student needs that will reduce or eliminate the need for the one-to-one aide.
- Determination of a one-to-one aide is a CSE decision.



SDI

Defining SDI

Observing SDI



Defining SDI



- Allows students with disabilities to participate in general education curriculum with peers both with and without disabilities.
- It is a broad category used to describe types of instruction for students with disabilities that:
 - address adaptations to content,
 - methodology, or
 - delivery of instruction.
- Individualized to address identified, unique needs of each student with a disability, not a one-size-fits all instructional practice.
- Specified in each student's IEP.

Observing SDI

In all classrooms, including general education

- Pre-observation discussion points:
 - Who are the students with disabilities, including ELLs, in the classroom?
 - How is SDI provided to these students during this lesson?
- During observations:
 - Make notes of how SDI was provided to students with disabilities in the classroom.
- Post-observation discussion points:
 - Make sure to refer to how the teacher provided SDI during the lesson.

Graduation

Graduation Options

- Pathways
- Credentials

Scheduling Considerations



Credit Requirements and World Languages Exemption



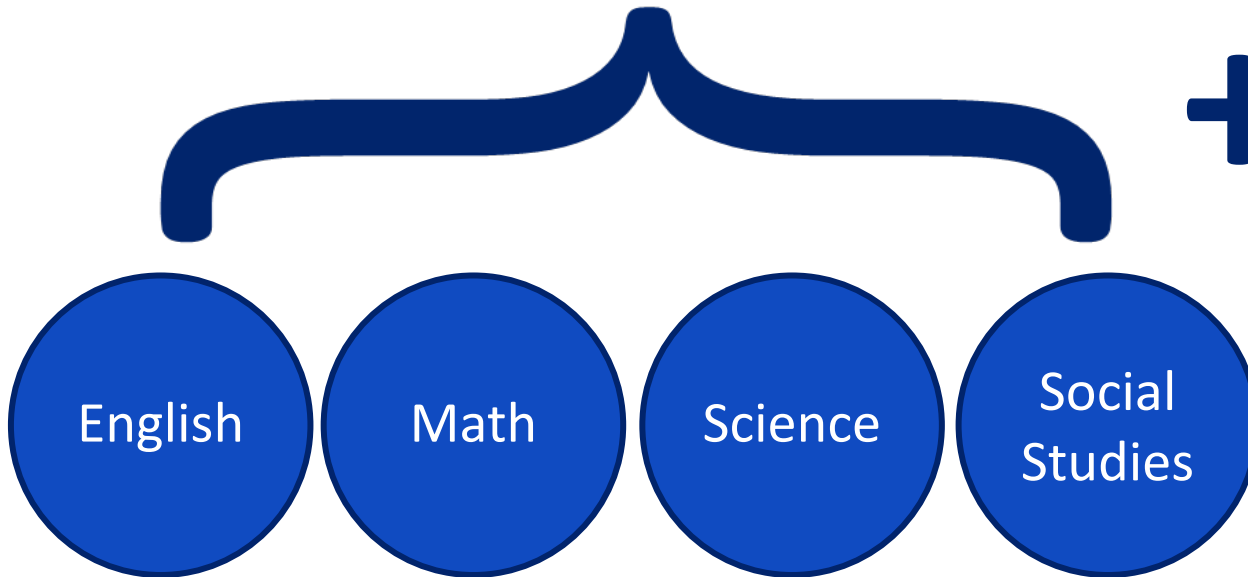
Subject	Minimum Credits
English	4
Social Studies: U.S. History (1), Global History and Geography (2), Participation in Government (1/2), Economics (1/2)	4
Science: Life Science (1), Physical Science (1), Life Science or Physical Science (1)	3
Mathematics	3
World Languages	1
Visual Art, Music, Dance, Theater, and/or Media Arts	1
Physical Education (participation each semester)	2
Health	0.5
Electives	3.5
Total	22

- A student with a disability may be excused from the required credit in World Languages but must still earn 22 credits to graduate.
- The World Languages exemption must be noted on the student's IEP.
- A student who is exempt from the diploma credit in World Languages is also exempt from the sequence required for advanced designation (World Languages, the Arts, or Career and Technical Education [CTE]).

Multiple (+1) Pathways

4

All students must pass 4 required assessments (one in each discipline)



+1

Pathways



Appeals, Safety Nets, and Superintendent Determination

Appeals

- Special Appeals
- Traditional Appeals

Safety Net Options

- Low Pass
- Compensatory

Superintendent Determination

- Eligibility Conditions

Commencement Credential Options

CDOS

- Cannot be earned by students who participate in the NYS Alternate Assessment (NYSAA) testing program in all subject areas
- Can help a student earn a diploma, supplement a diploma, or serve as a standalone credential for students who attempt but do not earn a Regents or Local diploma
- Is a Board of Regents endorsed credential that recognizes the student's readiness for entry-level employment

Skills and Achievement

- Available to students who are assessed using the NYSAA
- Must document student's skills and strengths and levels of independence in academic, career development, and foundational skills
- Additional instruction in the CDOS Learning Standards
- Provides learning experiences both in school and in the community
- Not a high school diploma by State and federal standards

Scheduling for Students with Disabilities

Important Factors for Scheduling:

- Schedule students with disabilities first in the master schedule to ensure individual needs, programs, and services are met
- Groupings based on the similarity of individual needs
- Age range in special class
- Maximum group size
- Teacher caseload
- Common planning time

Special Education and ELLs

Special Education and ELLs
Factors Impacting ELLs
Placement and Scheduling



Special Education and ELLs

What Do General Education Administrators Need to Know?



- State and Federal Regulations
 - ESSA and IDEA, NYSED CR Part 154, State guidance
- Second Language Development (SLD)
 - Development versus acquisition, stages of SLD, social and academic language, receptive and expressive language, language interference, cultural influences, language proficiency
- Disproportionality
 - Over-identification, under-identification, Classification of ELLs with disabilities, ELLs in NYS
- Distinguishing SLD from Disability
 - Factors impacting ELL achievement, comparing SLD and signs of possible disability
- Special Education Evaluations for ELLs
- IEPs for ELLs
 - The IEP, placement and scheduling

Factors Impacting Struggling ELLs



Educators Must Determine if Difficulties Are Due to:

A learning disability

A learning difference resulting from **cultural and linguistic factors**

A learning difference that is a normal part of SLD for a student **from a particular language group**

A learning difference that is a normal part of the language acquisition process for a student **at a certain level of proficiency**

A learning difference that is a result of a lack of opportunity, access to quality instruction, and/or adequate time to learn (**interrupted formal schooling**)

or A combination of these factors

Placement and Scheduling



"ELLs with disabilities who are enrolled in public or charter schools are **entitled to the same programs and services** or alternative language instruction educational programs that these schools provide to students without disabilities."

Guidance: Commissioner's Regulations subparts 154-2 and 154-3, p. 15

- It is essential that each dually-identified student fully receives services under each classification—it is not one over the other!
- LRE applies, so we must consider how the student will receive both services and remain with non-disabled peers as much as possible—this means that the master schedule should allow for overlapping services.
- SDI should be considered to support disability needs but does not replace ENL/Bilingual Education programs.
- All placement decisions, along with specifics about how both services will be received, should be in the IEP.

Discipline

Applying the Code of Conduct for Students with Disabilities

Disciplinary Change in Placement (DCIP)



Your Role and Responsibilities



Disciplinary Procedures in Your Building

- Have clear communication procedures with your special education administrator.
- Know all timelines and parent notifications related to disciplinary procedures and students with disabilities.
- Have clear guidelines and expectations for all teachers to complete office discipline referrals.
- Use your data collection system or student information system to track the number of suspensions/removals for each student, as well as office discipline referrals by subgroup.
- Stay up-to-date on proposed and approved changes to regulations.

Applying the Code of Conduct

Administrator Considerations

- Your code of conduct applies to all students, and there are additional protections for students with disabilities.
- Consider the following questions when reviewing an office discipline referral:
 - Is the behavior outlined in your Code of Conduct?
 - Does the student have an IEP?
 - Does the student have a BIP?
 - Is the student receiving social-emotional or behavioral support services?

Requirements When Proposing Suspension



Short Term (five days or less):

- Send written notification to the parents
- Telephone call to the parent, if possible
- Conduct an informal conference, upon request
- Arrange immediately for alternative instruction

Long Term (more than five days):

- Send a Hearing Notice to the parent
- Conduct a Superintendent's Hearing
- Send notice of hearing results to the parents
- Arrange immediately for alternative instruction

What Is DCIP?

A suspension or removal from a student's current educational placement that is either:

- For more than 10 consecutive days;

OR

- For a period of 10 consecutive days or less if the student is subjected to a series of suspensions/removals that constitute a pattern because:
 - they cumulate to more than 10 school days in a school year;
 - because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; **and**
 - because of such additional factors as:
 - length of each suspensions or removal;
 - the total amount of time the student has been removed; and
 - the proximity of the suspensions or removals to one another.

Defining Removal



1. a removal of a student with a disability for disciplinary reasons from that student's current educational placement, other than a suspension;

and...

2. the change in placement of a student with a disability to an Interim Alternative Educational Setting (IAES) by an Impartial Hearing Officer (IHO) for dangerous behavior or by a superintendent for serious bodily injury, illegal drugs, controlled substances or weapons.

A Removal Is When a Student:

- Does not participate in general education curriculum;
- Does not receive the services specified on their IEP; and
- Does not participate with non-disabled peers to the extent they would have in their current placement.



Timeout Is...



- Implemented for the purpose of de-escalating, regaining control, and preparing the student to meet expectations to return to their education program.
- Used in a situation that poses an immediate concern for the physical safety of the student or others or when used consistent with a student with a disability's IEP and BIP that is designed to teach and reinforce alternative appropriate behaviors.

Timeout is not a removal when used in situations explained above and as defined in regulations.

DCIP Next Steps

Is it a Disciplinary Change in Placement?

If NO—then the school personnel, in consultation with the student’s teachers determine:

- Services necessary to allow the student to participate in the gen ed curriculum (as applicable) and to progress towards the goals in the IEP; and
- Receive, as appropriate, a FBA and behavioral intervention services and modifications to address behavior and try to prevent it from recurring.

If YES—CSE must provide prior written notice and a copy of the Notice of Procedural Safeguards, AND:

- CSE must conduct an MDR, and
- Recommend/determine an IAES.

Any proposed suspension that results in a disciplinary change in placement must NOT occur until an MDR is completed—which is to ensure that the process is completed before the long-term suspension occurs, not after the student’s removal for extended period of time.

Manifestation Determinations



Highlight the definition of MDR.



Star your responsibilities within this brief and flowchart.



Mark the times that parents need to be informed of disciplinary procedure with an exclamation point.



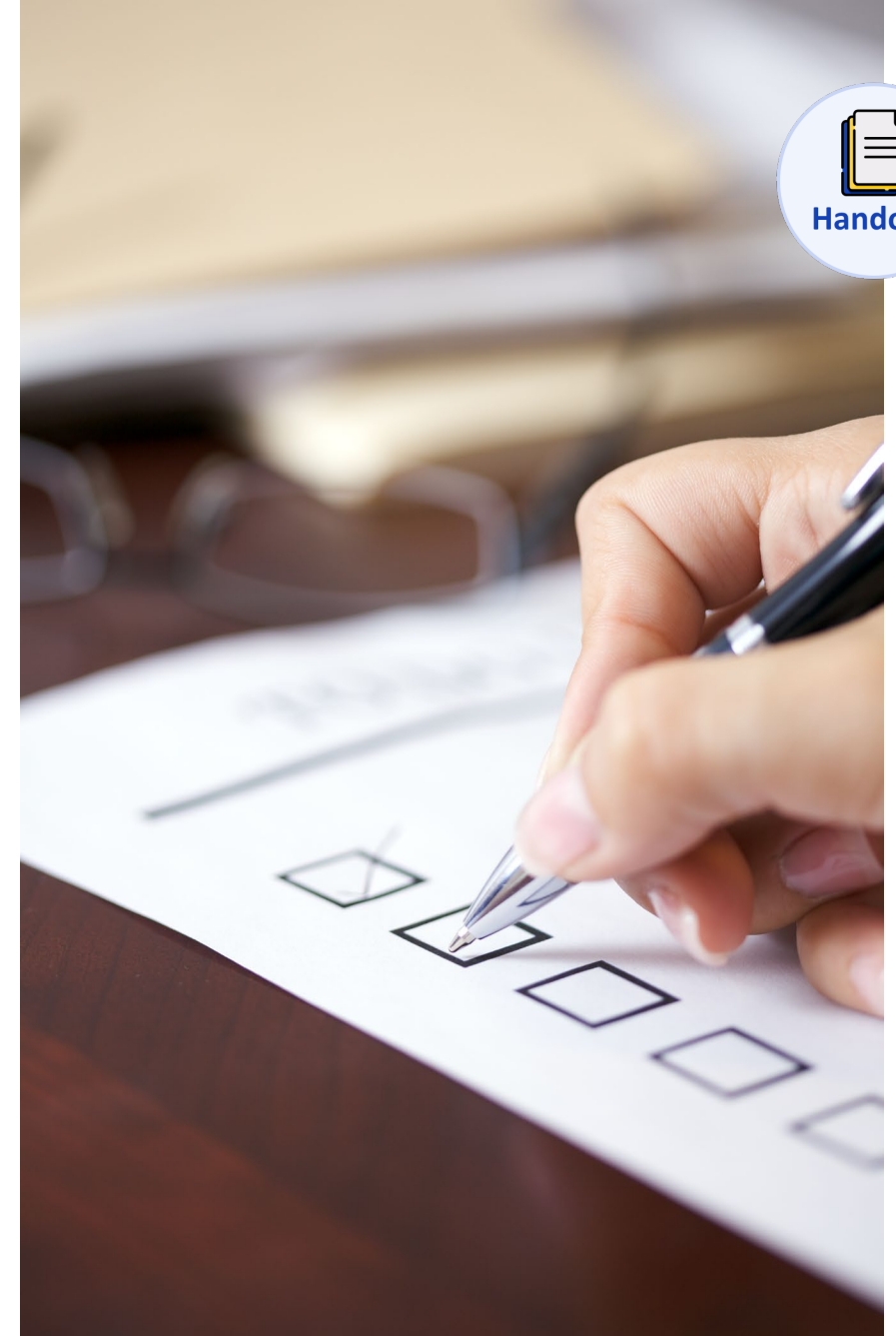
Add question mark next to anything you have a question about.



Debrief answers.

Adding to Your Follow-Up Plan

- “I” time—reflect on the topics we covered.
- Note any specific items on your follow-up plan.



Questions?



Resources (1)

- [Appeals, Safety Nets, and Superintendent Determinations](#)
- [Continuum of Special Education Services for School-Age Students with Disabilities](#)
- [CEC DEC Position Statement on MTSS Framework in Early Childhood](#)
- [Frequently Asked Questions about NYS Graduation Requirements](#)
- [Guidelines for One-to-One Aide](#)
- [Instructional Units of Study for ENL or Bilingual Education Programs](#)
- [NYC Graduation Requirements](#)
- [NYSED Graduation Measures](#)

Resources (2)

- [NYS Graduation Requirements](#)
- [NYS's IDEA Determinations](#)
- [NYS Test Manuals](#)
- [NYSED Approved Regents Examination Alternatives](#)
- [NYSED Laws and Regulations for Special Education](#)
- [NYSED OSE Educational Partnership](#)
- [Office of Bilingual Education and ENL Topic Briefs](#)
- [Office of Standards and Instruction Resources and Supports](#)
- [Office of Standards and Instruction Mathematics Guidance and Resources](#)

Resources (3)

- [Procedural Safeguards Notice—Multiple Languages](#)
- [School Districts' Responsibilities to Provide Students with Disabilities with SDI and Related Services in the LRE](#)
- [Special Education SPP/APR](#)
- [Testing Accommodations for Students with Disabilities](#)

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Riccomini, Paul & Morano, Stephanie & Hughes, Charles. (2017). Big ideas in special education: Specially designed instruction, high-leverage practices, explicit Instruction, and intensive instruction. *Teaching Exceptional Children*, 50(1), 20-27.

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New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity



New York State Education Department
Office of Special Education

Educational Partnership

This training was provided by the Technical Assistance Partnership for Transition at Cornell University. The OSE Educational Partnership is funded by the New York State Education Department Office of Special Education.