

CHANGES TO NEW YORK STATE EDUCATION DEPARTMENT PROCEDURAL SAFEGUARDS NOTICE FOR PARENTS OF CHILDREN WITH DISABILITIES

Special Education Alert
August 9, 2017

The New York State Education Department (SED) recently issued a memorandum requiring school districts to begin using a revised “*New York State Education Department Procedural Safeguards Notice - Rights for Parents of Children with Disabilities, Ages 3-21.*” SED revised to the notice to reflect recent amendments to the Commissioner’s Regulations on appeals of impartial hearing officer determinations to a State Review Officer.

School districts must begin using the new procedural safeguards notice, which is dated July 2017 and available [here](#), **effective immediately**. Districts are required to provide a procedural safeguards notice to the parents of a student with a disability at least one time per year **and** upon:

- Initial referral or parental request for evaluation;
- A parent’s request;
- Filing of a due process complaint notice to request mediation or an impartial due process hearing;
- A decision to impose a suspension or removal that constitutes a disciplinary change in placement; and
- Receipt of a parent’s first SED complaint in a school year.

If you have any questions, please contact Ryan Everhart at (716) 848-1718 or Andrew Freedman at (716) 848-1332.

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