




OFFICE OF SPECIAL EDUCATION  
ASSISTANT COMMISSIONER

August 2019

TO: District Superintendents  
Superintendents of Public Schools  
Public School Administrators  
Charter School Administrators  
Superintendents of State-Operated and State-Supported Schools  
Executive Directors of Approved Private Schools  
Nonpublic School Administrators  
Directors of Special Education  
Directors of Pupil Personnel Services  
Chairpersons of Committees on Special Education  
Organizations, Parents, and Individuals Concerned with Special Education

FROM: Christopher Suriano 

SUBJECT: Special Education - New York State Laws and Regulations that Differ from Federal Requirements

Pursuant to 20 United States Code (U.S.C.) §1407(a)(2), each state is required to identify in writing to the Secretary of the United States Department of Education (USDOE) and local educational agencies located in the state any rule, regulation, or policy as a state-imposed requirement that is not required by the Individuals with Disabilities Education Act and federal regulations. The New York State Education Department (NYSED) has taken steps to conduct a comprehensive review of its laws, regulations, and policies that apply to the education of students with disabilities. The attached summary provides a list of the New York State laws and regulations that differ from federal requirements in effect on the date of the analysis. The analysis was posted for public review on NYSED's website for 60 days beginning on March 14, 2019. Public comment was accepted for at least 30 days.

Questions regarding this memorandum may be directed to the Special Education Policy Unit at (518) 473-2878 or to the Special Education Quality Assurance Office in your region:

Central Regional Office	(315) 428-4556
Eastern Regional Office	(518) 486-6366
Hudson Valley Regional Office	(518) 473-1185
Long Island Regional Office	(631) 952-3352
New York City Regional Office	(718) 722-4544
Western Regional Office	(585) 344-2002
Nondistrict Unit	(518) 473-1185

Attachment