

# 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 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.

## **Attorneys**

Ryan Everhart

Andrew Freedman

## **Practices & Industries**

Special Education

