




OFFICE OF SPECIAL EDUCATION  
ASSISTANT COMMISSIONER

July 2023

TO: BOCES District Superintendents  
School District Superintendents  
Superintendents of Special Act School Districts  
Superintendents of State-Operated Schools  
Superintendents of State-Supported Schools  
School Principals  
Charter School Leaders  
Administrators of Nonpublic Schools with Approved Special Education Programs  
Preschool Providers of Special Education Programs and Services  
Special Education Directors  
Directors of Pupil Personnel Services  
School District Business Officers  
Chairpersons of Committees on Special Education  
Chairpersons of Committees on Preschool 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 (USDE) 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 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 the NYSED website for 60 days beginning on March 24, 2023. Comments were 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 Unit in your region:

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

Attachment