Legislation Details (With Text)

File #:	Res 0749-2019	**Version:**	A	**Name:**	DOE to establish a chief compliance officer position to ensure compliance with Individualized Education Programs and other requirements for students in special education.
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Education
On agenda:	2/13/2019				
Enactment date:				**Enactment #:**	

Title: Resolution calling upon the New York City Department of Education to establish a chief compliance officer position to ensure compliance with Individualized Education Programs and other requirements for students in special education.

Sponsors: Mark Treyger, Justin L. Brannan, Helen K. Rosenthal, Stephen T. Levin, Deborah L. Rose, Brad S. Lander, Inez D. Barron, Diana I. Ayala, Farah N. Louis, Paul A. Vallone, Carlina Rivera, Ben Kallos

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Date	Ver.	Action By	Action	Result
2/13/2019	*	City Council	Introduced by Council	
2/13/2019	*	City Council	Referred to Comm by Council	
2/25/2019	*	Committee on Education	Hearing Held by Committee	
2/25/2019	*	Committee on Education	Laid Over by Committee	
12/17/2019	*	Committee on Education	Hearing Held by Committee	
12/17/2019	*	Committee on Education	Amendment Proposed by Comm	
12/17/2019	*	Committee on Education	Amended by Committee	
12/17/2019	A	Committee on Education	Approved by Committee	Pass
12/19/2019	A	City Council	Approved, by Council	Pass

Res. No. 749-A

Resolution calling upon the New York City Department of Education to establish a chief compliance officer position to ensure compliance with Individualized Education Programs and other requirements for students in special education.

By Council Members Treyger, Brannan, Rosenthal, Levin, Rose, Lander, Barron, Ayala, Louis, Vallone, Rivera and Kallos

Whereas, The Federal Individuals with Disabilities Education Act (IDEA) guarantees a free appropriate

public education to eligible children with disabilities in the U.S. and ensures special education and related services to those children; and

Whereas, The IDEA also governs how states and school districts provide early intervention, special education, and related services to eligible children and youth with disabilities; and

Whereas, As mandated by the IDEA, the New York City Department of Education (DOE) provides special education services to students with disabilities, defined as any child with an Individualized Education Program (IEP); and

Whereas, According to DOE, in the 2018-19 school year, there were more than 227,000 students with disabilities, approximately 20% of the total 1.1 million student enrollment, in City public schools; and

Whereas, However, not all students with disabilities in City public schools receive all of the services to which they are entitled under IDEA; and

Whereas, In response to concerns expressed by parents and educators that many students were not receiving all of their special education services, the Council enacted Local Law 27 of 2015, later amended by Local Law 183 of 2017 and Local Law 89 of 2018, requiring the DOE to produce an annual report comprised of data on special education services provided to students; and

Whereas, Reports received pursuant to these local laws confirm that many students with disabilities have not received all of the services to which they are entitled; and

Whereas, According to DOE's latest report, for the 2018-19 school year, only 84.3% of students with disabilities were receiving full program services; and

Whereas, Further, the four-year graduation rate of students with disabilities was just 50.4% in school year 2017-18, the latest year for which data is available; and

Whereas, While the percentages of students with disabilities receiving full program services as well as the percentages graduating in four years have increased over the past several years, the numbers are still unacceptably low; and

Whereas, Data in the DOE special education reports clearly show that students with disabilities in City public schools are not receiving all of the services to which they are entitled under IDEA; and

Whereas, Creating a special education chief compliance officer position could provide the needed focus and accountability to ensure that students with disabilities receive all of the services required in their IEPs; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to establish a chief compliance officer position to ensure compliance with IEPs and other requirements for students in special education.

LS# 9732
JA
12/10/19