Special Education

Welcoming Students with Disabilities Newly Arrived in New York City

You or your designee must ensure all staff are prepared to welcome students with disabilities newly arrived in New York City, as they enroll in your school. As a reminder, the DOE does not ask about or track student immigration status and any and all resources must be made available to all students.

As described in the Special Education Standard Operating Procedures Manual (SOPM), when a student with a disability relocates to New York City, and the family provides a non-DOE IEP (or equivalent document from their home country), a Comparable Service Plan (CSP) must be developed to provide the student with services comparable to those described in the non-DOE IEP. This plan must be implemented until a new IEP has been developed by the DOE. Note that if a non-DOE IEP and/or supporting materials are not immediately available—which is the case with most asylees—self-reported information from the family should be used to create the CSP, as appropriate. Schools should contact their supervisor of school psychologists for support in creating CSPs for students without supporting materials. If a student at your school has a CSP or IEP that recommends bilingual SETSS, ICT, or special class that does not exist at your school, email bseprograms@schools.nyc.gov for assistance in identifying the recommended program.

Additionally, note that it is possible for families seeking asylum to first go to a Family Welcome Center (FWC), the Committee on Special Education (CSE), or your school to enroll their child. Pursuant to Chancellor’s Regulation A-101, if the family goes to the FWC first, the FWC will assign school placement, and the CSP should be created at the assigned school. If the family goes to a CSE first, the CSE will assign school placement and create the CSP for the student. If families arrive at your school first to enroll their child, you should create and
implement the CSP, then initiate the referral process to evaluate them for special education services going forward.

English Language Learner (ELL) status must not be used to discourage a parent from making an initial referral or to delay a school referral for a student suspected of having a disability; all parent referrals for special education must be processed immediately, as described on page 14 of the SOPM.

For additional information on CSPs, review the Creating the Comparable Service Plan section (page 104) in the SOPM and Completing a CSP in SESIS. For guidance related to special education referral and evaluation for students in temporary housing, review Considerations for Students in Temporary Housing in the SOPM. For guidance in supporting students who have experienced trauma, review Considering Trauma in Special Education Evaluations and IEP Development. For information about determining which adult can give consent for special education evaluation and services on behalf of a student arriving without a birth or adoptive parent, consult Guidelines and Procedures for the Assignment of Surrogate Parents.

For questions regarding CSPs, contact your administrator for special education (ASE). For questions regarding initial referrals and evaluations, contact your supervisor of school psychologists. For guidance on enrollment procedures, contact your FWC.