

# **NYSED Topics**

from LHDs for EI Statewide Meeting

**May 19-20, 2026**

# Can the County, as a CPSE Member, offer recommendations during IEP meetings?

*In our region, a new County staff member attended a NYSED-sponsored Preschool Special Education Process training. During a slide on CPSE membership, the presenter stated that it is “not the county’s role to offer opinions” in matters related to eligibility or IEP development. This messaging directly conflicts with guidance from NYSED, which clearly states that the county representative is a participating CPSE member, including in the development of the IEP.*

# Can NYSED review the minimum level of SEIT?

- *Currently it is 2 x 60. In light of the extreme shortage of Special Education teachers in the state and a 3-4 year old attention span, more children could be seen if the minimum rate were reduced.*
- *Alternatively, would NYSED consider 45-minute sessions as 30 minutes is not enough time?*

**Can NYSED consider guidance around location of services? Generally, it is considered more productive to perform them in the classroom setting rather than in a room on their own.**

**Programs need to maintain ratios regardless of number of students enrolled in class or attendance. Some programs don't appear to be aware of this. Can NYSED clarify this requirement and ensure programs are aware?**

**Can NYSED provide guidance for parents? At numerous meetings as soon as the parent hears “half day” they want to know why they can’t attend full-time.**

**Will the August 2003 Evaluations of 3 and 4 year old children suspected of having disabilities pursuant to Section 4410 of the Education law document be updated soon?**

# Can NYSED provide clarification on Telehealth services?

- *What services can be provided via teleservices? Can formal, written guidance on these services be provided?*
- *What guidance on next steps can NYSED offer if telehealth is available and offered but the parent declines?*

**If a child attends a “program” that is not approved by NYSED, and does not have an OCFS license, and the parent is refusing to accept CPSE recommended services as they cannot be provided at this “program”, what rights does the parent have in this situation?**

*Can the attorney for such a “program” write letters on behalf of the parent or represent the family at the CPSE meeting?*

**Has NYSED considered “incentivizing” schools to transport the children from their districts that are in 4410 classrooms?**

**Can NYSED please share what training CPSE chairpersons receive regarding the EI to  
Preschool transition process?**

**Can NYSED describe the process for school districts providing families the opportunity to choose an evaluator and how the listing should be provided to families of who is available to provide evaluations?**

**In relation to a timeline for transition conferences there is conflicting information regarding whether the transition conference needs to be 90 days before the 3<sup>rd</sup> birthday or 90 days before the first eligibility date? Can NYSED please clarify this?**

**Can a 4410 program accept a child who may have services in their IEP that require disciplines they do not have?**

**Does NYSED have any guidelines as to when a double STAC is or is not appropriate?**

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