



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

OFFICE OF VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES
STATEWIDE COORDINATOR FOR SPECIAL EDUCATION
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January 2009

TO: School Districts, Individuals and Organizations Interested in the Education of Students with Disabilities

FROM: James P. DeLorenzo 

SUBJECT: Revised New York State Procedural Safeguards Notice: Rights for Parents of Children with Disabilities, Ages 3-21

Attached is the **revised mandatory New York State Procedural Safeguards Notice: Rights for Parents of Children with Disabilities, Ages 3-21**. This notice includes a new section on "Revocation of Parental Consent" (page 4) as required by the amendments to Part 300 of Title 34 of the Code of Federal Regulations (CFR) that became effective December 31, 2008. The only pages from the previous Procedural Safeguards Notice affected by these changes are page i (General Information section of the Table of Contents) and pages 4-7. All school districts and other agencies responsible for the education of students with disabilities must begin to use this notice effective immediately.

The procedural safeguards notice must be provided to parents of a student with a disability, at a minimum one time per year and also upon:

- initial referral or parental request for evaluation;
- request by a parent;
- the first 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 State complaint in a school year.

School districts are encouraged to develop their own cover letter to parents to accompany the required notice. School districts may add an addendum of local district policies but may not change, alter or shorten the content of the State-mandated procedural safeguards notice.

This notice and updated versions will be available through the Department's web site at <http://www.vesid.nysed.gov/specialed/publications/policy>. If you have questions about this information, please contact the Office of Vocational and Educational Services for Individuals with Disabilities (VESID), Special Education Policy Unit, at 518-473-2878 or



your Regional Associate at one of the following VESID Special Education Quality Assurance Regional Offices:

Central Regional Office	(315) 428-3287
Eastern Regional Office	(518) 486-6366
Hudson Valley Regional Office	(518) 473-1185
Long Island Regional Office	(631) 884-8530
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