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Maya Rozenblat (ELL Rep)	

Resolution 4  
(SY23-24)

**Resolution to Increase Access to Education for Children with Disabilities (D75) for District 20.**

**Approved by a vote of 9 yes and 1 excused on October 11, 2023**

- |                                     |                                    |
|-------------------------------------|------------------------------------|
| <b>1. Stephen Stowe - Y</b>         | <b>6. Wenming (Angie) Chen - Y</b> |
| <b>2. John Ricottone - Y</b>        | <b>7. Yanqing (Angi) Chen - Y</b>  |
| <b>3. Elizabeth Chan - Y</b>        | <b>8. Maya Rozenblat - Excused</b> |
| <b>4. Xiaoqiong (Joyce) Xie - Y</b> | <b>9. Tamara Stern - Y</b>         |
| <b>5. Meifang (Junmi) Chen - Y</b>  | <b>10. Kevin Zhao - Y</b>          |

**Sponsor(s): John Ricottone, Stephen Stowe**

**Co-sponsor(s): Xiaoqiong (Joyce) Xie, Wenming (Angie) Chen, Yanqing (Angi) Chen**

**WHEREAS**, Federal Law including The Individuals with Disabilities Education Act (IDEA)<sup>1</sup> and Section 504 of the Rehabilitation Act<sup>2</sup> set forth requirements for the provision of education services to children with disabilities, ensure accessibility, protect the rights of children with disabilities and prevent discrimination. About 7.3 million students with disabilities— 15% of total public school enrollment — qualified for IDEA services in 2021-22<sup>3</sup>.

**WHEREAS**, New York State Education Law Article 89<sup>4</sup> provides requirements for special education services in the state of New York including eligibility, evaluations, due process procedures and the rights of students with disabilities and their families.

<sup>1</sup> <https://sites.ed.gov/idea/IDEA-History/>

<sup>2</sup> <https://askearn.org/page/the-rehabilitation-act-of-1973-rehab-act>

<sup>3</sup> [Key facts about US students with disabilities, for Disability Pride Month | Pew Research Center](#)

<sup>4</sup> <https://www.lawinsider.com/dictionary/article-89>

**WHEREAS**, New York City Department of Education (NYCDOE) Chancellor's Regulations A-710<sup>5</sup> and the Department of Education Special Education Policies and Procedures Manual<sup>6</sup> provides policies, guidance and procedures relating to the provision of services for students with disabilities including eligibility, IEP development, related services and transition planning.

**WHEREAS**, services and education for District 75 students should be provided as close to home as possible, thereby minimizing the travel burden and maximizing the ability of the students to grow educationally, personally and socially.

**WHEREAS**, District 20 has 516 District 75 students from kindergarten to 8th grade. Of these, 180 students attend D75 within our District. However 336 students are going to other Districts for D75 seats. There are 8 students that are residing in District 20 who have been offered placement's outside of District 20, and they have declined these offers. At this time it is unknown where the children are going to school. The information was obtained from The Department of Education as of 09/07/2023 (Appendix 1).

**WHEREAS**, District 20 has eight schools that offer D75 education. These schools are PS/IS180, PS/IS163, PS264, PS164, IS62, PS/IS686, PS/IS30, PS/IS192. These programs offer a variety of configurations including 12:1:1, 8:1:1, 6:1:1 and SETTS (Appendix 2). At this time there are no pre-k nor Kindergarten D75 seats in District 20. With over 336 students traveling outside of District 20 there is a well needed demand for D75 seats in this District.

**WHEREAS**, There are four new schools opening in the 2024-2025 school year that will help address overcrowding and seat deficits (Appendix 2). Of the 4 new schools there will be 3 new schools that will have D75 seats. . The headline number of seats created is 300 (132 at K464, 96 at K676 and 72 at K322) though this could be less depending on the programming decisions at the classroom level (ie - 12:1:1 versus 6:1:1). Using the headline figure of 300 seats, we will have only a shortage of 36 seats for District 20 families currently traveling out of the District.

**Therefore, be it resolved**, that we, Community Education Council District 20 request the New York City Public Schools to:

- Add an additional 36 or more District 75 K-8 seats in District 20 such that the remaining seat deficit is eliminated
- For the families currently traveling out of District 20, assess the current demand for each type of special education seat (including 12:1:1, 8:1:1, 6:1:1, 12:1:4 and SETSS) and identify the gaps and provide seats for each child within District 20
- Ensure the schools have a sufficient number of qualified special education teachers, speech therapist, therapist, and support staff to implement IEPs effectively

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<sup>5</sup> <https://www.schools.nyc.gov/docs/default-source/default-document-library/a-710>

<sup>6</sup>

<https://infohub.nyced.org/docs/default-source/default-document-library/special-education-standard-operating-procedures-manual--plain-text.pdf>

**Appendix 1 - District 75 students residing in District 20**

**D75 - Students Residing in District 20**

Site District	Grade Level									Total
	0K	01	02	03	04	05	06	07	08	
02	.	.	.	.	1	1	.	.	.	2
13	1	7	3	9	6	8	11	12	6	63
14	.	.	1	2	.	.	.	1	1	5
15	1	4	11	6	.	4	20	8	14	68
16	.	5	.	2	.	2	.	.	.	9
17	2	9	1	4	6	.	1	2	1	26
18	.	.	1	.	.	.	.	.	.	1
19	.	.	.	2	.	.	1	.	1	4
20	.	31	33	25	28	38	5	9	11	180
21	.	14	13	12	12	14	22	15	7	109
22	.	8	1	4	2	4	9	1	5	34
23	.	2	1	.	1	1	1	2	.	8
26	.	.	.	1	.	.	.	.	.	1
28	.	.	.	1	.	.	.	.	.	1
30	.	.	.	1	.	.	.	.	.	1
31	.	.	1	.	1	1	.	.	.	3
32	.	.	.	.	.	1	.	.	.	1
<b>Grand Total</b>	<b>4</b>	<b>80</b>	<b>66</b>	<b>69</b>	<b>57</b>	<b>74</b>	<b>70</b>	<b>50</b>	<b>46</b>	<b>516</b>

**As Of 09/07/2023**

Of the students traveling out of District 20, the The breakdown is as follows for students that are going to a different District by grade.

- Kindergarten-4
- 1st Grade -49
- 2nd Grade-33
- 3rd Grade-44
- 4th Grade-29

- 5th Grade-36
- 6th Grade-65
- 7th Grade-41
- 8th Grade-35

**Appendix 2 - D 75 Programs in District 20 by program and definitions**

D75 Sites - District 20													
school_d bn	Site	Bldg Code	OPT CODE	Principal	Name	Address	City	Zip	Telephon e	D75/agen cy/csd	School Level	Programs	GradeRa ng
75K036	20K192	K192	20.470	Kevin, Lenahan	P036K @ P192K	47-15 18th Avenue	Brooklyn	11204	7.19E+09	CSD	K-12 all grades	12:1:1/8:1: 1/HES	01-06
75K077	20K164	K164	20.485	Ebony, Russell	P077K @ P164K	4211 14th Ave	Brooklyn	11219	7.19E+09	CSD	K-12 all grades	12:1:1/6:1: 1/8:1:1	0K-05
75K231	20K180 (Main)	K180	20.488	Elizabeth, Rueda- Mattock	P231K @ P180K	5601 16th Avenue	Brooklyn	11204	7.19E+09	CSD	K-8	12:1:1/6:1: 1/8:1:1/E /SETSS	01-08
75K231	20K264	K264	20.448	Elizabeth, Rueda- Mattock	P231K@ P264	371 89th Street	Brooklyn	11209	7.18E+09	CSD	K-8	12:1:1/6:1: 1/8:1:1/SE TSS	02-05
75K231	20K331	K331	20.442	Elizabeth, Rueda- Mattock	P231K @P331K	7002 4th Avenue	Brooklyn	11209	7.18E+09	CSD	K-8	6:1:1	01-05
75K370	20K062	K062	20.070	Susan, Miller	P062M@ M062	700 Cortelyou Road	Brooklyn	11218				SETSS	06-06
75K370	20K163	K807	20.446	Susan, Miller	P370K@ P163K	109 Bay 14th Street	Brooklyn	11214	7.18E+09	CSD	K-12 all grades	6:1:1/8:1:1	01-08
75K370	20K445	K445	20.461	Susan, Miller	P370K @ New Utrecht High School	1601 80 Street	Brooklyn	11214	7.18E+09	CSD	K-12 all grades	SETSS	09-12
75K370	20KB70	K237	20.462	Susan, Miller	P370K@ PB70K	50 Avenue P	Brooklyn	11204	7.19E+09	CSD	K-12 all grades	12:1:1/6:1: 1/8:1:1	02-08
75K371	20K485	K485	20.415	Heather, Miller/A	P371K @ Telecomm unications	350 67th Street	Brooklyn	11220	7.18E+09	CSD	High school	12:1:1/SE TSS	09-12
75K403	20KH37			Mary, Maher	P403K @ Maimonid es Hospital	Gellman Bldg. Room 632	Brooklyn	11219	7.18E+09	AG			

District 75 Seats within Geographic District 20							
	12:1:1	8:1:1	6:1:1	Inclusion	HES	School Phobic Program	D75 Supported AIMS
Students on register as of 10/04/2023	99	74	189	38	16	8	18
Seat Capacity	120	80	198	50	24	24	18

District 75 provides special classes with ratios of 12:1:1, 8:1:1, 6:1:1, and 12:1:4 as well as other ratios for students in full inclusion.

12:1:1

For students with academic and/or behavioral management needs that interfere with the instructional process and require additional adult support and specialized instruction.

12 students

One special education teacher

One paraprofessional

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8:1:1

For students whose needs are severe and chronic and require constant, intensive supervision, a significant degree of individualized attention, intervention and behavior management.

8 students

One special education teacher

One paraprofessional

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6:1:1

For students with very high needs in most or all areas including academic, social and/or interpersonal development, physical development, and management. Classes provide highly intensive individual programming, continual adult supervision, a specialized behavior management program to engage in all tasks, and a program of speech/language therapy (which may include augmentative/alternative communication).

6 students

One special education teacher

One paraprofessional

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12:1:4

For students with severe and multiple disabilities with a variety of obstacles that include: limited language, academic, and independent functioning skills. Classes provide a program that follows an adapted curriculum with alternative access to instruction, training in daily living skills, development of communication skills, sensory stimulation, and therapeutic interventions.

12 students

One special education teacher

One paraprofessional for every three students

SETTS

Direct SETSS

A special education teacher provides specially designed instruction part-time to a group of up to eight children. This may be in the general education classroom or somewhere else in the school.

Indirect SETSS

A special education teacher works with the general education classroom teacher to:

Adjust the learning environment

Modify instruction to meet students' needs

### **Appendix 3 - New Schools in District 20**

## **New Schools**

- There are four new school buildings opening in the 2024-2025 school year planned to serve new schools, that will help address overcrowding and seat deficits in D20:

<b>Building</b>	<b>Address</b>	<b>Design</b>	<b>Capacity</b>
K053	6740 3rd Ave	New ES	307 Total Seats
K676	6312 13th Ave	New ES + D75	547 Total Seats Includes 96 D75 Seats
K322	650 86th Street	New MS + D75	475 Total Seats Includes 72 D75 Seats
K464	1514 72nd Street	D75	132 D75 Seats