



NEW YORK STATE SENATOR

Simcha Felder

Felder Praises Federal Judge Ruling on NYC Special Ed Services

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Judge Loretta Preska shakes hands with Department of Education Chancellor David Banks, July 19, 2023.

NYS Senator Simcha Felder, a staunch advocate for the rights of special needs children and their families, hails the ruling in Manhattan Federal Court on Wednesday ordering the New York City Department of Education (NYC DOE) into compliance with federal law. In a wholesale streamlining of the payment system, Judge Loretta Preska ordered 40 comprehensive steps to streamline and expedite the process providing NYC DOE a 3-6 month timeline to take action.

“The record is clear. For far too long, families of children with special needs have suffered bureaucratic obstacles and been hurt by massive delays in accessing the services and payments that are legally required for their child’s education. This ruling is a crucial step forward in ensuring that every child is given a fair chance to thrive. That means they receive the support services and reimbursements they are legally entitled to, in the timeframe mandated by the law,” **said Senator Felder.**

In 2003, Advocates and parents of children with disabilities sued the NYC DOE over the lengthy delays in obtaining vital services or reimbursement for services, in violation of federal law. Those services can include transportation to and from school, therapies such as physical, occupational, and speech, and tuition payments to private special education schools in cases where the NYC DOE cannot properly serve a child in a public school.

“It’s huge and very impactful for students — especially the families that don’t have the resources to put money out and essentially give the DOE a loan until the NYC DOE pays them back. Parents, families and students have been harmed because of the DOE’s failure for decades to timely implement orders,” **said Rebecca Shore, the litigation director at the group Advocates for Children, which filed the federal lawsuit.**

“I share heartfelt hope with the families who are the driving force behind this decision and I extend my gratitude to the parents who tirelessly fought this legal battle over two decades. This ruling is a bittersweet victory because it comes too late to secure justice for many of their own children. Their dedication will pave the way to a brighter future for countless other students and families who won’t have to suffer the abuses of the current system,” **said Senator Felder.** After 20 years of neglect by the NYC DOE under previous administrations, I am cautiously optimistic that the Adams administration will take the court’s ruling seriously and implement these changes immediately.”

WATCH: Senator Felder's session remarks on his 2014 bill to streamline the special ed process.

It is worth the short listen. https://www.youtube.com/watch?v=X6M_NVXoWvY