



NEW YORK STATE SENATOR

Simcha Felder

Gounardes-Felder Special Ed Bill: End Delayed Payments, Delayed Services & Delayed Development For Children With Special Needs

SIMCHA FELDER March 11, 2022

| ISSUE: **SPECIAL EDUCATION, CHILDREN WITH DISABILITIES**

NYS Senator Simcha Felder is co-sponsoring a bill by Senator Andrew Gounardes (S7665) to create a \$200 million fund for zero-interest-loans to cover tuition costs for special needs children at New York City's private not-for-profit special education schools. Once passed, the bill ensures that parents of special needs students can afford the services and programs their children desperately need. It will also ensure that private special education schools have sufficient operating income to cover the cost of their services while they await overdue tuition payments from New York City Department of Education (NYC DOE).

"All students in New York State deserve a high-quality, accessible education, regardless of whether they are able to receive it at a public school or if their needs require education at a private, not-for-profit special education school. It is the responsibility of NYC DOE to ensure that students with special needs who require education at a private institution are able to attend the schools that they need to —it is not the responsibility of parents to pay out of pocket to finance an education that the City is required to pay for," **said Senator Gounardes**. "The City's all too frequent delays in paying the tuition of students with special needs at private schools places an inordinate burden on families, and it must end. All New Yorkers should be able to access the education they need —this bill will help make that a reality."

“I am proud to join Senator Gounardes, a consistent ally in the fight to bring DOE into compliance with the federal Individuals with Disabilities Education Act (IDEA). This bill provides long-awaited help for parents struggling to secure services for a special needs child, sustains valuable special education programs buckling under financial strain and hopefully helps NYC’s new administration fix the broken system they inherited,” **said Senator Felder.** “Post-pandemic, we are at a heightened time of need. We cannot ignore the very real plight of struggling families and schools by allowing delayed payments, delayed services, and the further delayed development of any child.”

NYC DOE is required to cover the cost of private school placements when it cannot meet federal requirements to provide a free and appropriate public education for children with special needs in a public school setting. Payment is required to be made, and the issue required to be resolved, within 75 days, but many of these cases currently go unresolved for many months.

The protracted process coupled with years of backlog leaves schools waiting up to two years for tuition payments. Operating under financial strain to cover the cost of mandated services creates a financial barrier for low-to moderate-income families seeking appropriate enrollment for their special needs child. A zero-interest, revolving loan fund removes the financial burden of partial tuition from parents, sustains essential programs and maintains the standards of quality education. As the schools involved would repay the loans with reimbursements from the NYC DOE, the program has no cost to the State.

“Special needs children should be the city’s priority right now. They lost so much due to the pandemic. Their education and emotional growth truly suffered. We, as a society, have an obligation to do all we can to help them go forward,” **said Barbara Matalon; General Director, Reach for the Stars Learning Center.**

"I am very excited about this bill because it will allow these special education programs to survive and special needs students to thrive. I am very grateful to Senators Gounardes and Felder and Assemblyman Cymbrowitz for all their work to ensure that children with special needs are not left behind," said **Leah Steinberg, Project LEARN, Agudath Israel of America.**

"When every child with a disability can access the services they need to succeed, when every parent of a special needs child has hope for the future-then we will have finally won," said **Senator Felder.**

RELATED LEGISLATION

2021-S7665

- Introduced

- ◦ In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Relates to creating the New York state private not-for-profit special education schools revolving loan fund; appropriation

January 05, 2022

In Senate Committee [Finance](#)

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Do you support this bill?