

## Special ed delays leave NY kids waiting for help

### Audit shows widespread gaps in resources and oversight

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Nancy Cutler

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**Mandy Kaufman, a Rockland BOCES pre-K special education teacher, works with Noah Hernandez-Garcia, 4, at the BOCES West Nyack campus on Wednesday. The program, launched last year with support from local school districts, addresses a shortage of pre-K special education opportunities for Rockland families. PHOTOS BY SETH HARRISON/THE JOURNAL NEWS**

Preschool-age kids entitled to special education services often wait longer than they should for services and some start kindergarten without ever having gotten the services they need, according to an audit by the New York State Comptroller's Office.

- Meanwhile, the state Department of Education, which is responsible for making sure kids get the services they are entitled to, has fallen short, the audit says. The department has failed to: track how many kids are on school districts' waitlists; determine how districts identify which kids gets what services and when; and track service deficits in each district.

Kids can receive preschool special ed services in a district program, a private preschool or another program. Many districts lack the room and resources to provide all services directly.

While SED has put forth plans to better monitor programs and services, Di-Napoli makes clear that kids pay the cost.

“Providing timely, quality early education services to preschool children with special needs can make a world of difference in their development, and delays can have long term consequences for their academic futures,” Comptroller Thomas DiNapoli said in a statement.

Christine Ditrano, executive director of student services at Rockland BOCES, agreed. The earlier children get the supports they need, the better the outcome – for the child, the family and society. “The money you spend on early special ed, you’re saving money because it’s less time to remediate.”

According to state Education Department data, 40,846 New York children were participating in preschool special ed services and programs in October 2022.

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Some 83% of school districts surveyed in the audit reported having waitlists for children ages 3-5 who are in need of preschool special education services. It is not uncommon for a child to start kindergarten before any services have been provided.

While the comptroller’s audit synthesizes the challenges, Ditrano said waitlists are a function of limited resources.

“Everyone’s trying to meet the need,” Ditrano said. “It’s not for a lack of trying.”

### What’s behind NY’s preschool special education delays

Preschool special education services can include: speech pathology and language therapy, occupational therapy, physical therapy, specialized instruction, parent training, and counseling.

Most regions in New York don’t have enough providers with the right skills to support all the kids who need the help.

Some children may need help in just one area, for example, speech therapy, and they could receive extra help in a pre-K program. Other children may need more supports.



**Justine Raineri, a special education teacher at Rockland BOCES, watches as children play in class on Wednesday.**

Children, including those with more complex needs and behavioral challenges, too often end up sitting at home if they can’t get the therapies needed.

## Rockland BOCES starts program as schools need help with IEPs

Rockland BOCES last year developed a special ed pre-K program to help address a shortage of community-based programs. School districts in the county had asked for help meeting kids' Individualized Education Programs or IEPs, which outline services for kids with disabilities.

Ditrano said it has made a great difference. "The earlier they get their services, the more likely they are to make gains," she said of the children running to and fro one recent morning in their classroom at BOCES' West Nyack facility.

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Noah Hernandez-Garcia, 4, sat with his teacher, Mandy Kaufman, reviewing colors. He then scooted off with his favorite book, "My Many Colored Days," by Dr. Seuss. When he flipped to the purple page, he roared like a dinosaur.

For Ditrano, it was a moment illustrative of all Noah has accomplished in his year in the program. When he came, he didn't use language at all. Now he can name colors and use expressive language.

Ditrano said class interaction helps kids reach another key milestone: readiness to learn. Kids learn how to interact with a teacher, in a group, with a peer. "This is really important for growth," she said.

Still, there's a need for more slots, Ditrano said. She hopes to add capacity in future years to the BOCES pre-school program.

## How NY's preschool special education is supposed to work



**Heather Boyle, a special education teacher at Rockland BOCES, works with Jesus Aguirre at the BOCES West Nyack campus on Wednesday. The program, launched last year with support from local school districts, addresses a shortage of pre-K special education opportunities for Rockland families.**  
SETH HARRISON/THE JOURNAL NEWS

If a child, age 3-5, is believed to have a need for special ed services, a parent or caregiver, or a childcare or other program, can send a request in writing to the local school district. Under state law, a child must be given an IEP and start receiving needed services within 60 days of a parent or guardian agreeing to an evaluation.

The state Education Department has a Special Education Quality Assurance office, or SEQA, in every region that's supposed to make sure the 60-day timetable is met. SEQA is also supposed to make sure babies who have received Early Intervention services are looped into preschool special ed services.

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While SEQA retroactively reviews compliance, it only looks at about a sixth of all districts each year.

So problems like children not getting their required services can go undetected for long periods.

“Without information about service availability issue,” the comptroller’s audit states, “SED is unable to determine what kinds of services are needed in which districts and what student needs are not being met because of provider shortages.”

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