



**Comments by the Learning Disabilities Association of  
New York State In Response to the  
Proposed Amendments to New York State  
Education Regulations Implementing IDEA 2004**

**Learning Disabilities Association  
of New York State, Inc.**

1190 Troy-Schenectady Rd.,  
Latham, NY 12110  
518/608-8992  
Fax: 518/608-8993  
[statelda@ldanys.org](mailto:statelda@ldanys.org)  
[www.ldanys.org](http://www.ldanys.org)

**May 4, 2007**

**LDA Regional Affiliates:**

**LDA of the Capital District  
(aka Wildwood Programs)**  
2995 Curry Road Extension  
Schenectady, NY 12303

**LDA of Central New York**  
722 West Manlius Street  
East Syracuse, NY 13057

**LDA of the Life & Learning  
Services**  
339 East Avenue, 4<sup>th</sup> Floor  
Rochester, NY 14604

**LDA of the Mohawk Valley**  
401 Columbia Street  
Utica, NY 13502

**LDA of New York City, Inc.**  
27 West 20<sup>th</sup> Street,  
Room 303  
New York, NY 10011

**LDA of the Southern Tier**  
112 Nanticoke Avenue  
Endicott, NY 13760

**LDA of Western New York**  
2555 Elmwood Avenue  
Kenmore, NY 14217

**Chartered by the Board of  
Regents of the University of the  
State of New York as a Non-  
Profit Corporation for  
Education, Medical, Social and  
Research Needs.**

**An affiliate of LDA of America,  
Inc.**

Chartered by the Board of Regents in 1958, the Learning Disabilities Association of New York State (LDANYS) is the only statewide parent driven organization, specifically representing and advocating for individuals who have learning disabilities; their families and professionals who support them. A learning disability is a neurobiological disorder, which is developmental in nature. A learning disability manifests itself as a chronic condition in many aspects of learning and behavior across the lifespan and its impact upon an individual's ability to function can be significant.

LDANYS' overall reaction to NYSED's proposed regulations is that they are not "parent friendly", extremely complex, and written in such a manner that very few parents or professionals can understand let alone provide comment on. There are several sections of the regulations that are interrelated yet written in a way that conflict with one another. It appears that NYSED's proposed regulations are trying to adhere as closely as possible to the federal regulations and only enact the bare minimum standards NYSED believes is required by the federal law. We are concerned that the belief that exceeding federal statute would jeopardize federal funding has compromised our state that has consistently sought to exceed federal regulations in order to protect parent and student rights. Parent and student rights under IDEA stand to be significantly diminished if the proposed regulations are passed as they are currently written.

We strongly urge that NYSED make significant language and structural revisions to ensure a more streamlined, organized and understandable product. Once completed, a parent handbook on the regulations should be written in layman's terms and made readily available to every parent who needs it and disseminated to all parent and family advocacy organizations. Parent involvement and understanding of how these new regulations impact on their children with disabilities will be crucial to the success of our system of providing special education services in New York State.

LDANYS does support the following aspects of the proposed regulations:

- Efforts to create consistency across the state through the utilization of uniform forms such as IEPs, Notice of Recommendation, IEP Meeting Notice, Notice of Procedural Safeguards, and Statewide Complaint Forms.
- Improvements in data collection that examines disproportionality and overrepresentation.