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Learning Disabilities Association of New York State

Statement Regarding the NYSED “Mandate Relief” regulatory proposals

**September 15, 2010
Albany, NY**

The Learning Disabilities Association of New York State (LDANYS) is a statewide 501(c) 3 membership association of parents, professionals and service organizations, now in its 52nd year of advocacy on behalf of persons with learning disabilities and their families. Since 49% of the students receiving special education services in New York State are persons with learning disabilities, LDANYS, through our Education Policy Committee and Board of Trustees, has been actively involved in following the proposed NYSED recommendations regarding mandate relief.

LDA of NYS is opposed to the proposed amendments to Part 200 that are intended to provide for mandate relief for schools in relation to special education of children with disabilities. We appreciate that were these proposals to be enacted, the CSE would still have the ability to make recommendations based on each students’ individual needs. Yet, we remain acutely aware that New York State has more than 700 diverse and disparate school districts. In many, minimum standards can serve to protect children from district decisions that are based more on fiscal concerns than educational standards, especially in our poor urban and rural districts,

We must continue to support and maintain minimum levels of service which are grounded in evidence based practices and have been proven to be effective. These minimum levels of service are critical to ensuring access and appropriate services for children, especially those with the more challenging disabilities to identify -- speech and language, learning disabilities, emotional disabilities, and autism – which are still too often misunderstood and misidentified.

While often well intentioned, some school districts become overly focused on cost and resource limitations. Too often what is available easily becomes what is appropriate. Families, especially those of younger children, are often simply not aware of what to ask for, what services are possible, and have a limited understanding of the CSE process. They also may not be fully informed regarding the specific disabilities that their children have, and the impact that their child’s disabilities will have on their school program.