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THE SENATE
STATE OF NEW YORK**SIMCHA FELDER**

Senator, 17th District

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February 10, 2020

Commissioner Anastasia Coleman
The Special Commissioner of Investigation
New York City School District
80 Maiden Lane
New York, NY 10038

Dear Special Commissioner Coleman:

As you are undoubtedly aware, the New York City Department of Education (DOE) has been out of compliance with the requirements of the federal Individuals with Disabilities Education Act (IDEA) for 14 straight years. This situation has long been unacceptable, but in recent years, the situation has devolved into a full-blown crisis for the thousands of families whose children are simply trying to receive the services they desperately need and are legally entitled to.

That is why I am requesting that, as the Special Commissioner of Investigation for the New York City School District, you appoint an independent monitor to do a thorough investigation into New York City's special education system. The system has long been difficult and flawed, but recently, it has become downright harmful to students.

According to a recent report from the New York State Education Department, there are currently over 10,000 open special education complaints in New York City from families with special needs children. This number reflects actual students who are not receiving essential services because cases are not adjudicated in a timely fashion.

As of January 2020, the average case takes 251 days to be resolved. This is despite the fact that under the federal IDEA, cases are legally required to be resolved in 75 days. I hear from parents that even when their cases are finally resolved, it takes months and sometimes years for their child to actually receive the services and payment from those settled cases.

All of this persists, despite the fact that on June 24, 2014, the Mayor announced an Action Plan to help families of students with disabilities. In this plan, he committed to making administrative changes including expediting settlement decisions, not re-litigating already settled cases, reducing paperwork and expediting payments.



Despite constant efforts over the years advocating for the Mayor to fulfil his commitments, the situation is worse than ever. I have enclosed my recent testimony from the New York State Legislative Joint Budget Hearing where I outlined my history on this issue and demanded that the mayor join me in calling for this investigation.

Incompetence of this magnitude is not believable. An investigation into the special education system by an independent monitor is important and necessary to rule out corruption as a possible cause of this crisis.

Simply put, every child in this City deserves a quality education. For too long, New York City has ignored the pain, suffering and economic loss that parents of children with special needs endure each year in connection with their child's special education program.

Due to the timeliness of these issues, I respectfully request an expedited response.

Sincerely,

A handwritten signature in black ink, appearing to read "Simcha Felder". The signature is written in a cursive, flowing style.

Simcha Felder
Senator, 17th SD

Enc.

cc: New York City Mayor Bill de Blasio