



New York State Archives

**New York State Education Department Office of Vocational
and Educational Services Office of Special Education
Services Hearing Officer Decisions on Individualized
Education Plans (IEPs) 19506**

New York State Archives
222 Madison Avenue
Albany, NY 12230
archref@nysed.gov
URL: <http://www.archives.nysed.gov/>

Table of Contents

| | |
|-------------------------------|---|
| Overview of the Records | 3 |
| Arrangement | 3 |
| Administrative History | 3 |
| Scope and Contents | 4 |
| Use of Records | 5 |
| Access Terms | 5 |

Overview of the Records

| | |
|------------------------|--|
| Repository: | New York State Archives |
| Summary: | This series from the Office of Special Education Services consists of the hearing officer's findings and decision on cases regarding a special needs child's Individualized Education Plan. The findings detail the positions of the child's parents and of the school system. Pre- 1990 files also include school district name; ; nature of the child's disability; the issue(s) in dispute; and a brief summary of the decision. Most decisions are from the New York City Board of Education's Impartial Hearing Office. |
| Creator: | New York (State). Education Department. Office of Vocational and Educational Services. Office of Special Education Services |
| Title: | Hearing officer decisions on individualized education plans (IEPs) |
| Quantity: | 10 cubic feet |
| Inclusive Date: | 1978-1991 |
| Series: | 19506 |
| Sponsor: | This series' description was enhanced as part of the States' Impact on Federal Education Policy Project (SIFEPP), in June 2010. The New York Community Trust - Wallace Special Projects Fund provided funding for this project. |

[^ Return to Table of Contents](#)

Arrangement

Numerically by logbook number assigned by the Office of Special Education Services.

[^ Return to Table of Contents](#)

Administrative History

Individualized Education Plans (IEPs) are mandated by the federal Individuals with Disabilities Education Act (IDEA) for each public school child who receives special education services. This plan consists of a written statement of present educational performance, measurable annual goals, and special education services and accommodations. The development of each plan

must include the input of the child's parent, a special education teacher, a classroom teacher, a counselor, the school administrator, a professional related to the services required by the child (social worker, occupational therapist, etc), and the child herself, if she desires to advocate for her own needs.

Within the State Education Department's Office of Vocational and Educational Services to Individuals with Disabilities (VESID), the Office of Special Education Services monitors the actions of the state's school districts in meeting the needs of students with disabilities. The office's Special Education coordinators are involved in the creation of IEPs. Disagreements may arise between the schools and the parents over the IEPs in terms of what services will best meet the students' needs. When these disputes cannot be resolved through discussion or local mediation, either party may request a formal hearing before an impartial officer under the terms of 8NYCRR 200.5. At the conclusion of the hearing, the hearing officer provides a copy of his/her decision to the concerned parties. The school district maintains the full hearing record as part of its student files, including the hearing transcript, copies of exhibits, the decision and other background materials. However, under 8NYCRR 200.5(c)(11), the hearing officer also provides to the Office of Special Education Services a copy of the final decision with all personally identifiable information concerning the student deleted.

[^ Return to Table of Contents](#)

Scope and Content Note

This series consists of the Office of Special Education Services' copy of the hearing officer's finding of fact and his/her decision on cases regarding a special needs child's IEP. Although the decisions do not identify the student or parents, they do name the school district. The findings of fact detail the positions of the child's parents and of the school system . In addition, until 1990, the series also includes a summary form listing school district name; date of request for the hearing; whether the hearing was requested by the school or the parents; the date of the hearing; the nature of the child's disability; the issue(s) in dispute; and a brief summary of the decision. The findings often refer to attachments or other documents which are not filed with the decisions.

The majority of these decisions come from the New York City Board of Education's Impartial Hearing Office. Until 1990, hearings that took place in New York City were physically filed separately from those in counties outside New York City, although the decisions carry a single numerical sequence. Not all decisions noted in the logbooks are present in the series. In some cases a whole year's decisions are missing.

[^ Return to Table of Contents](#)

Use of Records

Access Restrictions

Restricted under the Freedom of Information Law (personal privacy) and FERPA. The restrictions of non-directory student information under FERPA last for 100 years unless a student or parent has signed and filed a waiver allowing disclosure of the record.

Access Terms

- Monitoring
- Recording hearings
- Reports
- Decisions
- New York (State)
- Special education--New York (State)
- Children with disabilities--Education
- Education