



COMMUNITY EDUCATION DISTRICT COUNCIL 30

28-11 Queens Plaza North, Room 512
Long Island City, NY 11101
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Resolution 205

Resolution to Ensure NYCPS Addresses Systemic Failures in Preschool Special Education (CPSE) Service Delivery

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WHEREAS, under the federal Individuals with Disabilities Education Act (IDEA), children ages 3–5 with disabilities are entitled to a Free Appropriate Public Education (FAPE), including access to preschool special education services^{1 2}; and

WHEREAS, the Mamdani Administration³ and New York City Public Schools (NYCPS) have made a significant commitment to early childhood education through the expansion of 3-K and Pre-K for All, thereby increasing its responsibility to ensure that students with disabilities have equitable access to and benefit from these programs; and

WHEREAS, the continued expansion of 3-K and Pre-K access without proportional investment in Committee on Preschool Special Education (CPSE) capacity and related service infrastructure risks creating inequitable access for students with disabilities, who cannot fully participate in these programs without timely evaluation, placement, and service delivery; and

WHEREAS, CPSE is responsible for evaluating preschool students, determining eligibility, developing Individualized Education Programs (IEPs), and arranging for mandated services and placements in accordance with New York State Education Law and regulations^{4 5}; and

WHEREAS, Community Education Councils (CECs) are charged with representing community interests and advocating for the educational needs and rights of students and families within their districts, including equitable access to special education services^{6 7}; and

WHEREAS, during the CPSE presentation at the February CEC 30 Calendar Meeting⁸, families in District 30 reported that the preschool special education system is difficult to navigate, mandated services are delayed or not provided, and families lack clear information on how to advocate for their children or hold NYCPS accountable; and

WHEREAS, to attempt to address when mandated services are not provided to children during



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the school day, NYCPS launched the Weekend & Afterschool Academy to tackle significant failures in delivering mandated special education services; and

WHEREAS, two “Weekend Academies” have been established in Queens, located at 28Q040 109-20 Union Hall Street, Queens, NY 11433 located in District 28 and 30Q092 99-01 34 Avenue, Queens, NY 11368 located in District 30; and

WHEREAS, due to the location of these “Weekend Academies” families can be forced to take time off work or travel significant distances to access services through this model or with outside providers, placing an undue burden on working families, shifting responsibility from the school system to parents, and creating inequitable access to FAPE; and

WHEREAS, families report confusion regarding timelines for evaluation, IEP development, and service initiation, including what constitutes a delay and what steps can be taken when timelines are not met; and

WHEREAS, NYCPS reported that among preschool students with open cases as of June 30, 2025, 53.3% had services arranged within 60 school days of consent for evaluation, indicating that a substantial proportion of students did not have timely service arrangements⁹; and

WHEREAS, NYCPS reported that only 62% of preschool students with disabilities received all programs and services in “full compliance” with their IEPs, and acknowledged that service provision remains an area of critical need⁹; and

WHEREAS, NYCPS further reported that in District 30, 35.3% of preschool students with a disability were still awaiting arrangement of mandated services as of June 30, 2025, reflecting a significant backlog in service initiation⁹; and

WHEREAS, NYCPS reported that only 60.3% of preschool students with a disability were “Fully Placed Students Receiving Services in Full Compliance” as of June 30, 2025; and

WHEREAS, NYCPS defines receipt of services in “full compliance” as a student having a documented service start date at any point during the school year which is misleading and does not account for delays in how long students waited to begin receiving services or the amount and consistency of those services⁹; and

WHEREAS, NYCPS reports that in District 30, the percentage of preschool students receiving services in “full compliance” for related services varies significantly, including approximately 72.3% for monolingual speech therapy, 61.9% for bilingual speech therapy, 42.9% for



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monolingual counseling, 71.9% for occupational therapy, 80.3% for physical therapy, 85.1% for special transportation services, 61.9% for monolingual Special Education Itinerant Teacher (SEIT) services, and 42.9% for bilingual SEIT services, highlighting lower compliance in certain service areas, particularly counseling and bilingual services⁹; and

WHEREAS, NYCPS has identified workforce shortages in related service providers and SEITs as a key barrier to service delivery; and

WHEREAS, delays in evaluation, placement, and service delivery undermine access to FAPE and have long-term impacts on developmental outcomes, school readiness, and equitable access to education¹⁰;

BE IT RESOLVED, that Community Education Council 30 calls upon the Chancellor Kamar A. Samuels and Christina Foti, Deputy Chancellor of the Division of Inclusive and Accessible Learning, to ensure that all preschool students with disabilities receive a FAPE through timely evaluation, placement, and delivery of all mandated IEP services; and

BE IT FURTHER RESOLVED, that CEC 30 urges NYCPS to establish, communicate, and make publicly available guidance that establishes clear evaluation timelines for special education services, IEP development, and service initiation, and ensure that families are informed of corrective actions available to them when those timelines are not met; and

BE IT FURTHER RESOLVED, that CEC 30 urges NYCPS to provide clear documentation informing parents and guardians of their rights, procedural safeguards, and clear guidance on advocacy and dispute resolution at the time of referral and reinforce this information throughout the CPSE process; and

BE IT FURTHER RESOLVED, that CEC 30 urges NYCPS to develop and implement a comprehensive, systemwide strategy to address preschool special education workforce shortages, including expanding provider pipelines, strengthening recruitment and retention efforts, and improving coordination of service delivery; and

BE IT FURTHER RESOLVED, that CEC 30 calls upon the New York City and New York State legislators to ensure that the NYCPS budget shall provide appropriate funding to enable District 30 3-K and Pre-K centers to have related service providers on staff consistent with district elementary schools, ensuring services are delivered consistently during the school day and reducing reliance on delayed or fragmented service delivery models; and

BE IT FURTHER RESOLVED, that CEC 30 calls upon NYCPS to enhance the clarity and accessibility of publicly reported preschool special education data, including clear summaries of



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compliance by service type, duration of delays before services begin, and district-level disparities; and

BE IT FURTHER RESOLVED, that CEC 30 calls upon NYCPS to revise the definition of “full compliance” to reflect timely and continuous service delivery, ensuring that reported metrics accurately represent whether students are receiving services without delay; and

BE IT FURTHER RESOLVED, that CEC 30 urges NYCPS to engage in ongoing partnership with families, providers, and Community Education Councils to improve navigation of the CPSE process and ensure accountability for service delivery; and

BE IT FURTHER RESOLVED, that CEC30 calls upon the New York State Legislature and Governor Kathy Hochul to increase and appropriately adjust reimbursement rates for preschool special education services to reflect the higher cost of delivering services in New York City, recognizing that current rates, while differentiated, remain insufficient to support an adequate provider workforce and timely service delivery; and

BE IT FURTHER RESOLVED, that CEC 30, on behalf of the students and families of Community School District 30, will send the approved version of this resolution to the Chancellor, the Mayor, members of the New York City Council, the Governor, members of the New York State Legislature, and all relevant stakeholders, who are urged to take coordinated action to ensure accountability and the fulfillment of students’ rights to FAPE.

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1. Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.
 2. 34 C.F.R. § 300.101.
 3. <https://www.chalkbeat.org/newyork/2026/01/30/nyc-3k-prek-application-surge-as-mamdani-expands-outreach-effort/>
 4. New York State Education Law § 4410.
 5. New York Codes, Rules and Regulations, Title 8, § 200.16.
 6. New York State Education Law § 2590-e.
 7. New York City Department of Education. Chancellor’s Regulation D
 8. <https://www.cec30.org/docs/minutes/2025-2026/Meeting%20Minutes%20-%20February%209,%202026.pdf>
 9. New York City Public Schools. Annual Preschool Special Education Data Report: School Year 2024–2025. Nov. 1, 2025.
 10. <https://pubmed.ncbi.nlm.nih.gov/25077268/>



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