



ATTORNEY'S CORNER

By Jack Feldman

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A Synopsis of Salient Updates and Cases in Special Education

In this installment of the Attorney's Corner, we review a decision from the State Education Department's Chief Privacy Officer analyzing whether parental consent is required for the Committee on Special Education ("CSE") to send packets out of district to seek to obtain an appropriate placement. Next, we review Governor Hochul's executive budget proposal to expand funding for universal prekindergarten across New York State. Third, we analyze a federal court decision denying a district's motion to dismiss allegations of repeated bullying and harassment against a student classified with a disability. Finally, we review a decision from the SED's Office of State Review ("SRO") finding that the district provided FAPE in a 15:1 special class.

For purposes of clarity:

- In New York State, the Supreme Court is the lowest level trial court of general jurisdiction. An appeal from the Supreme Court may be taken to the Appellate Division, and then to the Court of Appeals. The Appellate Division, Second Department' has jurisdiction over cases in Brooklyn, Queens, and Long Island.

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