

What can I do if I disagree with VESID's decisions about my case...



You may ask for:

- Administrative Review
- Mediation
- Impartial Hearing



The University of the State of New York
The State Education Department
Office of Vocational
and Educational Services
for Individuals with Disabilities
Albany, NY 12234
www.vesid.nysed.gov

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Types of Reviews

Informal Review:

You meet with your counselor and your counselor's supervisor.

Administrative Review:

You communicate your concerns to the District Office Manager or other staff person.

Mediation:

You communicate your concerns to an Impartial Mediator.

Impartial Hearing:

You state your concerns before an Impartial Hearing Officer.

What

can I do if I disagree with VESID's decisions about my case?

If at any time you do not agree with a decision by VESID, you may ask for a review of the decision through the following ways: administrative review, mediation, and/or impartial hearing.

Step 1: Try to solve the problem by talking it over with your counselor and/or your counselor's supervisor. If you have already done so and are not satisfied, you can ask for a review.

Step 2: You must ask for a review within 90 days of the action or decision with which you disagree, unless you can show good reason for asking for a review after 90 days.

When

to ask for an Administrative Review, Mediation or Impartial Hearing...

You may ask for a review, mediation or a hearing as quickly as possible when you are unhappy with an action or decision such as:

- not allowing you to apply for services, or,
- not allowing you to get the services you want, or,
- stopping or limiting your services, or,
- other reasons.

How

to ask for an Administrative Review, Mediation or Impartial Hearing...

- Ask for a review **in writing**. You can use a VESID form **VES-711** or you can write your reasons in your own words and send it to VESID.

Note: VESID policies and the Review Request form VES-711 are on the VESID web site:
<http://www.vesid.nysed.gov>

- VESID staff will tell you about the Client Assistance Program (CAP). The Client Assistance Program may represent you, or assist you in representing yourself, at any review you select. In some cases CAP can provide you with legal advice if the above reviews prove unsuccessful (List of regional CAP offices included in this brochure).
- You may bring a relative, advocate or legal counsel with you to an administrative review, mediation, or an impartial hearing. Let VESID know who you are bringing **in writing**.
- The review will be set up at a time and place that is good for everyone after your written request is received.

What

happens next...

- You may look at your case record, VESID policies, and other documents before and during the review, mediation or impartial hearing process.
- Inform VESID if you need a sign language interpreter or other reasonable accommodation. VESID will help you find the interpreter and VESID will pay for the interpreter for your review.
- VESID will pay for your transportation to come to the review, mediation and/or hearing. VESID will **not** pay for overnight lodging, legal fees or transportation for anyone you bring.
- VESID will not stop services that you are receiving at the time you ask for a review unless those services were provided by purposely giving wrong information or acting in an illegal manner to obtain those services.



you ask for an Administrative Review...

- VESID will let you know **in writing** of the day, time, reviewer and place for your review at least 7 days before the review. The reviewer will either be the VESID District Office (D.O.) Manager or another staff person.
- You and any representative you select will be able to talk about your complaint and give your points of view to the reviewer at the review meeting.
- The reviewer will mail you a written decision within 5 days after the review and ask you if you agree with or disagree with the decision.
- **Agree:** If you agree with the decision of the administrative review you should tell the D.O. Manager **in writing** and cancel any request you may have for mediation or an impartial hearing. Your counselor will begin to carry out the decision within 20 days.
- **Disagree:** If you disagree with the decision of the administrative review, you should tell the D.O. Manager **in writing**. This will allow you the choice to go ahead with the Mediation and/or Impartial Hearing.
- The D.O. Manager may decide not to hold an administrative review if it will not solve the problems (because of a law, regulation or policy.) If the D.O. Manager decides not to hold an administrative review, you and your representative will be told **in writing** and the Mediation and/or the Impartial Hearing will be setup, based on your choice.



you ask for Mediation...

- Mediation is voluntary both for you and for VESID. The Mediation Center or VESID can give you information about how mediation works and how it may solve your problem. (List of centers is included in this brochure). Once you decide you want mediation, you can begin the mediation process by asking for mediation from the VESID District Office **in writing**.
- After you have sent VESID a **written** request, you can contact the Center and ask them to set up the mediation. Or if you prefer, you can ask VESID to make these arrangements. The mediator will help you and VESID to work together and agree on how to solve the problem.
- The Mediation Center will attempt to set up the mediation within 14 days of the request at a time and place that will be good for everyone.



you ask for an Impartial Hearing...

- Send VESID your **written** request for an impartial hearing. You may do this **without** first having an administrative review or mediation.
- VESID will appoint a hearing officer after receiving your request.
- The hearing officer is someone who knows vocational rehabilitation laws, policies, and the vocational rehabilitation service system. The hearing officer does not work for VESID or an agency that is involved with your case.
- The hearing officer will choose a convenient date, time and place for the hearing within 60 days from the time VESID receives your request for a hearing **in writing**.
- You will be told **in writing** of the hearing at least 14 days before the hearing.
- A hearing can only be postponed by the Hearing Officer **if everyone agrees** or if the hearing officer decides that either party has a good reason.
- You and your representative will be able to give your points of view and any evidence about the disagreement to the hearing officer.
- After the impartial hearing is over, the hearing officer will send a **written** decision to you, your representative, and to VESID no later than 21 days after he or she receives the transcript of the hearing.
- The hearing officer's decision is final and your VESID counselor will begin to do what the hearing officer decides within 20 days of receiving the decision.

After

you have been through all VESID reviews...

- If you disagree with the impartial hearing decision, you may go to the court system and continue to try to have the decision changed. The Client Assistance Program may be able to help you with a legal appeal.

ALBANY OFFICE

80 Wolf Road
Suite 200
Albany, NY 12205-2644
(518) 473-8097
(800) 272-5448
(518) 457-2318 (TTY/TDD)

BRONX OFFICE

1215 Zerega Avenue
Bronx, NY 10462
(718) 931-3500
(718) 828-4003 (TTY/TDD)

BROOKLYN OFFICE

55 Hanson Place, 2nd Floor
Brooklyn, NY 11217-1578
(718) 722-6700
(718) 722-6736 (TTY/TDD)

BUFFALO OFFICE

508 Main Street
Buffalo, NY 14202
(716) 848-8001
(888) 652-7062
(716) 848-8105 (TTY/TDD)

HAUPPAUGE OFFICE

NYS Office Building
Veterans Highway
Hauppauge, NY 11788
(631) 952-6357
(800) 441-0320
(631) 952-6370 (TTY/TDD)

GARDEN CITY OFFICE

711 Stewart Avenue, Suite 4
Garden City, NY 11530
(516) 227-6800
(516) 542-2012 (TTY/TDD)

MALONE OFFICE

209 West Main Street, Suite 3
Malone, NY 12953-9501
(518) 483-3530
(800) 882-2803
(518) 483-6070 (TTY/TDD)

MANHATTAN OFFICE

116 West 32nd Street
6th Floor
New York, NY 10001
(212) 630-2300
(212) 630-2302 (TTY/TDD)

MID-HUDSON OFFICE

Manchester Mill Centre, Suite 200
301 Manchester Road
Poughkeepsie, NY 12603
(845) 452-5325
(877) 862-7342
(845) 452-2910 (TTY/TDD)

QUEENS OFFICE

1 LeFrak City Plaza
59-17 Junction Blvd., 20th Fl.
Corona, NY 11368
(347) 510-3100
(718) 760-8835 (TTY/TDD)

ROCHESTER OFFICE

109 South Union Street, 2nd Fl.
Rochester, NY 14607
(585) 238-2900
(800) 462-0178
(585) 325-6278 (TTY/TDD)

SOUTHERN TIER OFFICES

BINGHAMTON OFFICE

44 Hawley Street
Binghamton, NY 13901-4470
(607) 721-8400
(800) 888-5010
(607) 721-8408 (TTY/TDD)

ELMIRA OFFICE

609 East Church Street
Elmira, NY 14901
(607) 734-5294
(800) 888-5020
(607) 734-4676 (TTY/TDD)

SYRACUSE OFFICE

State Office Building, Room 230
333 East Washington Street
Syracuse, NY 13202
(315) 428-4179
(800) 782-6164
(315) 428-4659 (TTY/TDD)

UTICA OFFICE

State Office Building
207 Genesee Street
Utica, NY 13501
(315) 793-2536
(800) 624-6206
(315) 793-2667 (TTY/TDD)

WHITE PLAINS OFFICE

75 South Broadway, First Floor
White Plains, NY 10601
(914) 946-1313
(800) 258-3743
(914) 946-1520 (TTY/TDD)

or call: 1-800-222-JOBS

Client Assistance Program (CAP) Regional Offices

CENTRAL NEW YORK

RESOURCE CENTER FOR INDEPENDENT LIVING. INC.

409 Columbia Street
Utica, NY 13502
(315) 797-4642
(315) 797-5837 (TTY)

HUDSON VALLEY

CAPITAL DISTRICT CENTER FOR INDEPENDENCE, INC.

875 Central Avenue, South 4
Albany NY 12206
(518) 459-6422 (Voice and TTY)

WESTCHESTER INDEPENDENT LIVING CENTER

200 Hamilton Avenue
White Plains, NY 10601
(914) 682-3926
(914) 682-0926 (TTY)

LONG ISLAND

LONG ISLAND ADVOCACY CENTER, INC.

Herricks Community Center
999 Herricks Road
New Hyde Park, NY 11040
(516) 248-2222
(516) 877-2627 (TTY)

LONG ISLAND ADVOCACY CENTER

490 Wheeler Road, Suite 165C
Hauppauge, NY 11788
(631) 234-0467

NEW YORK CITY

CENTER FOR INDEPEND- ENCE OF THE DISABLED IN NEW YORK, INC.

841 Broadway, Suite 301
New York, NY 10003
(212) 674-2300 (Voice and TTY)

BROOKLYN CENTER FOR THE INDEPENDENCE OF THE DISABLED, INC.

2044 Ocean Avenue – Suite B-3
Brooklyn, NY 11230
(718) 998-3000
(718) 998-7406 (TTY)

WESTERN NEW YORK

REGIONAL CENTER FOR INDEPENDENT LIVING, INC.

497 State Street
Rochester, NY 14608
(585) 442-6470 (Voice and TTY)

WESTERN NY INDEPENDENT LIVING PROJECT, INC.

3108 Main Street
Buffalo, NY 14214
(716) 836-0822 (Voice and TTY)

Dispute Resolution Association Referral Centers

ALBANY COUNTY

Mediation Matters - Main Office
10 Russell Road
Albany, NY 12206
(518) 446-0356
(518) 446-0379 (Fax)

BRONX

IMCR Dispute Resolution Center
384 East 149th Street, Suite 330
Bronx, NY 10455
(718) 585-1190
(718) 585-1962 (Fax)

BROOME COUNTY

ACCORD, Inc.
30 West State Street, 2nd floor
Binghamton, NY 13901
(607) 724-5153
(607) 724-0059 (Fax)

DUTCHESS COUNTY

The Mediation Center of
Dutchess County
Family Partnership Building
29 North Hamilton Street
Poughkeepsie, NY 12601
(845) 471-7213
(845) 471-7264 (Fax)

ERIE COUNTY

Child & Family Services
625 Delaware Avenue, Suite 300
Buffalo, NY 14202
(716) 362-2323
(716) 362-2324 (Fax)

MONROE COUNTY

Center for Dispute Settlement,
Inc.
Reynolds Arcade Bldg.,
Suite 800
16 East Main Street
Rochester, NY 14614
(585) 546-5110
(585) 546-4391 (Fax)

NASSAU COUNTY

EAC, Inc.-Mediation Alternative
Project
175 Fulton Avenue, Suite 400
Hempstead, NY 11550
(516) 489-7733
(516) 489-7532 (Fax)

NEW YORK COUNTY

Safe Horizons Manhattan
Mediation Program
346 Broadway, Suite 400W
New York, NY 10013
(212) 577-1740
(212) 577-1748 (Fax)

ONONDAGA COUNTY

New Justice Conflict Resolution
Services, Inc.
West Fayette Commons
1153 West Fayette Street
Syracuse, NY 13204
(315) 471-4676
(315) 475-0769 (Fax)

QUEENS COUNTY

Community Med. Services. -
Queens Med. Network
89-64 163rd Street
Jamaica, NY 11432
(718) 523-6868
(718) 523-8204 (Fax)

ROCKLAND COUNTY

VCS Center for Conflict
Resolution
77 South Main Street
New City, NY 10956
(845) 634-5729
(845) 634-7839 (Fax)

ST. LAWRENCE COUNTY

Rural Law Center of NY
North Country Conflict
Resolution Services
72 Main Street
Massena, NY 13662
(315) 769-2500
(315) 769-2525 (Fax)

SUFFOLK

E.A.C., Inc. - Community
Mediation Center
22 Lawrence Ave., Suite 200
Smithtown, NY 11787
(631) 265-0490
(631) 265-0831

WESTCHESTER COUNTY

Westchester Mediation Center of
CLUSTER, Inc.
20 South Broadway, Suite 501,
Box 1248
Yonkers, NY 10702
(914) 963-6500
(914) 963-4566 (Fax)

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