**Preschool Variance by Notification/Prior Approval Request Form**

Legal Name of Preschool Agency:

Program Site Name: Program Site Address: NY

Street City State Zip Code

Mailing Address for approval/acknowledgement letter (if different than Site Address):

NY

Street City State Zip Code

Contact Person for this Notification:

Name Title

Phone: Ext.: Email:

This student is the:

first over enrollment for this classroom (notification)

If a first over enrollment notification was previously submitted for this classroom this school year, indicate the date on which the classroom returned to its originally approved ratio:

second over enrollment for this classroom (prior approval must be received before student is enrolled in class)

Type of Class: Special Class Special Class in an Integrated Setting

|  |  |  |
| --- | --- | --- |
| Classroom number or teacher’s name for the classroom in which the additional student is/will be enrolled: | | Full Day (more than 2 ½ hours)  a.m. session p.m. session  OR  Half Day (2 ½ hours per day)  a.m. session p.m. session |
| For special class: | Student/staff ratio as listed on NYSED approval letter:  : +  # of students # of teachers # of supplementary school personnel | |
| For special class in an integrated setting: | **Overall** student/staff ratio as listed on NYSED approval letter (total number of students):  : +  # of students # of teachers # of supplementary school personnel  **Special education** student/staff ratio as listed on NYSED approval letter (number of students with a disability):  : +  # of students # of teachers # of supplementary school personnel  Number of **general education students** currently enrolled in class: . | |
| *If the number of preschool students with disabilities will exceed the number of general education students by more than one student, explain the reason for this imbalance and include documentation of the program’s recruitment efforts for general education students*: | | |

|  |
| --- |
| The addition of this preschool student with a disability will result in a class with 13 preschool students with disabilities.  Yes No |
| If yes, specify how the preschool program will ensure that an additional staff person is assigned to the class when attendance during instructional time exceeds 12 preschool students:  ***Note: When an increase in temporary enrollment results in a class of 13 preschool students, an***  ***additional staff member must be assigned to the class if the attendance during the instructional time exceeds 12 students.*** |

**Note:** When operating a SCIS, section 200.9(f)(2)(x) of the Regulations of the Commissioner of Education must be followed. Integrated special class programs are defined as those programs employing a special education teacher and one or more supplementary school personnel in a classroom made up of no more than 12 preschool students with and without disabilities, or a classroom that is made up of no more than 12 preschool students with disabilities staffed by a special education teacher and one or more supplementary school personnel that is housed in the same physical space as a preschool class of students without disabilities taught by a nonspecial education teacher.

**Preschool Student Information**

Name of the one additional student enrolled: DOB: Date the one additional student entered/is expected to enter this class:

**OR**

Name of the second additional student enrolled: DOB: Date the second additional student entered/is expected to enter this class:

Student’s school district of residence:

The undersigned assures that:

* The program has the resources to implement the IEP of the additional preschool student, as well as all other students in the program;
* The temporary increase in class size will not result in noncompliance with any New York State and municipality requirement for preschool and program approval, including fire, safety, facility (e.g., Certificate of Occupancy) and day care requirements;
* The parents of the other preschool students enrolled in the class will be notified of the temporary increase in class size upon submission of notification/prior approval request to NYSED;
* The teacher whose classroom will receive the additional student will be notified prior to the student's attendance in that class;
* The class size will return to its approved student-to-staff ratio no later than the end of the school year (i.e., June 30th or August 31st) in which the preschool student is enrolled;
* Whenever the total number of preschool students exceeds 12, an additional staff member will be assigned to the class if the attendance during the instructional time exceeds 12 students. Staff members may include related service providers and/or supplementary school personnel;
* When the approved variance requires staffing changes, the program will adhere to relevant regulations and ensure that all staff are appropriately credentialed for the position;
* If the number of preschool students with disabilities will exceed the number of nondisabled students, an explanation for the imbalance and history of recruitment efforts for nondisabled students is included with the application;
* The temporary increase in class size will not result in an enrollment of more than 13 preschool students with disabilities; and
* The number of children in a room must conform with relevant programs’ or authorizing agencies’ maximum number of students per room (e.g., day care, Head Start).

Name of Chief Executive Officer Title

(please type or print)

Signature Date

Submit the signed form by **ONE** of the following methods:

* Mail to New York State Education Department, Office of Special Education, 89 Washington Avenue, Room 309 EB, Albany, NY 12234, Attention: Preschool Notifications; **OR**
* Fax to (518) 402-3583 **OR**
* Email. *Please consult with your information technology staff, and if your email server allows for transmitting electronic messages securely via Transport Layer Security (TLS) protocols, you can submit applications via email to* [*preschoolvariance@nysed.gov.*](mailto:preschoolvariance@nysed.gov) *If you cannot send an email securely via TLS, in order to protect student confidential information, you must mail or fax the application. Select one method for submission (email or mail or fax).*