PROCEDURES TO TEMPORARILY EXCEED THE MAXIMUM OF 12 STUDENTS WITH DISABILITIES IN AN INTEGRATED CO-TEACHING SERVICES CLASS

- Use this form for either:

  (1) Submission of a variance by notification, **or**

  (2) Submission of request for a variance with Commissioner approval.

- Submit **one form per student for each integrated co-teaching services class** for which a variance is needed.

- **All sections of the form must be completed or it will be returned unprocessed.** Any returned forms must be revised and resubmitted within five days.

- A "Child-Specific Variance by Notification" must be submitted **within 10 business days of the student's placement** in an integrated co-teaching class with a copy kept for your files.

- A request for a "Child-Specific Variance with Commissioner Approval" must be submitted to the New York State Education Department (NYSED) and NYSED approval must be received **before** the student with a disability is placed in the integrated co-teaching services class for which the variance is being requested.

Submit the form:
- By mail to NYSED, Office of Special Education, 89 Washington Avenue, Room 309 EB, Albany, NY 12234, Attention: Integrated Co-teaching Variance
- By facsimile to the attention of "Integrated Co-Teaching Variance" at 518-402-3583; or
- By e-mail to SEQA@nysed.gov.

Name of School District: _____

Address: _____

Contact Person for this Notification: _____

Phone: _____ Fax: _____ Email: _____

Date submitted: _____

Complete <u>one</u> box below to indicate the type of request:

☐ Child-Specific Variance by Notification (enrolling one additional student with a disability in an integrated co-teaching services class beyond the 12-student regulatory maximum).

OR

☐ Child-Specific Variance with Commissioner Approval (seeking approval to add a second student with a disability to an integrated co-teaching services class beyond the 12-student regulatory maximum). The school district must have already submitted notification to NYSED of enrollment of one additional student with a disability to the same class.

Integrated Co-Teaching Services Class Information	Student Information	
Building: _____ Grade: _____ Subject: _____ Teacher: _____	*For Notification* Name of the <u>one</u> additional student with a disability enrolled: _____ *Last name, first name* Student's DOB: ____ /____/ ____ Date the <u>one</u> additional student entered the integrated co-teaching services class: ____ /____/ ____	*For Commissioner Approval* Name of the <u>second</u> student with a disability requested to be enrolled: _____ *Last name, first name* Student's DOB: ____ /____/ ____ Date the <u>second</u> student is proposed to enroll in the integrated co-teaching services class: ____ /____/ ____

Provide the <u>educational justification</u> for the placement of the additional student with a disability in the integrated co-teaching services class.

Describe the <u>age range and functional levels</u> of the students with disabilities in the current integrated co-teaching services class and how the additional student with a disability would affect the grouping of students with disabilities according to <u>similarity of individual needs</u> in the areas of academic achievement, functional performance and learning characteristics, social development, physical development and management needs for the purpose of special education.

The undersigned assures that the:
- Committee on Special Education (CSE) has determined that for a "Child-Specific Variance by Notification," no other appropriate placement is available in an integrated co-teaching class that has less than 12 students with disabilities; or, for a "Child-Specific Variance with Commissioner Approval," no other appropriate placement is available in an integrated co-teaching class that has not increased the number of students with disabilities to 13 through the notification process;
- request to enroll the additional student with a disability in the integrated co-teaching services class has been made in accordance with the procedures herein; and
- maximum number of students with disabilities enrolled in the integrated co-teaching services class shall not exceed 12 students with disabilities at the start of classes the following September.

_____ _____ _____
Name of School Superintendent   Signature   Date
or Designee