



OFFICE OF P-12 EDUCATION: Office of Special Education
SPECIAL EDUCATION QUALITY ASSURANCE/NONDISTRICT UNIT
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**STATEMENT OF ASSURANCE FOR
OUT-OF-STATE RESIDENTIAL or EMERGENCY INTERIM PLACEMENT
20__ - __ SCHOOL YEAR**

Check One:

- Out-of-State Residential Placement
 Emergency Interim Placement (EIP)

Check One:

- Initial
 Re-application

This Statement of Assurance verifies that the Committee on Special Education (CSE) has carried out its responsibilities, consistent with Article 89 of New York State (NYS) Education Law and Part 200 of the Regulations of the Commissioner of Education, regarding the placement of a student with a disability in an out-of-State residential school. The Statement of Assurance must be confirmed and acknowledged by the required signature.

IMPORTANT INSTRUCTIONS FOR STATE AID REIMBURSEMENT

In an application seeking State reimbursement for a student in an approved out-of-State residential school or emergency interim placement (EIP), the CSE must submit the following documentation to the New York State Education Department (NYSED) for review and approval against the criteria established for approval of State reimbursement pursuant to section 200.6(j)(1)(iii)(3) of the Regulations of the Commissioner of Education.

- a. CSE cover letter that describes the reasons for submitting the application.
- b. Application checklist
- c. Statement of Assurance, including documentation that no appropriate public or private facilities for instruction are available within New York State [8 NYCRR 200.6(j)(1)(iii)(e)] or for emergency interim placements, in an approved out-of-State program. The listing of approved in-State and out-of-State private schools appropriate to the student's disability can be obtained at <http://www.p12.nysed.gov/specialed/privateschools/home.html>. Include copies of all acceptance or rejection letters.
- d. Student profile
- e. Hard copy of the Office of Special Education pre-approval data (OSSES/DOSES) form. This serves as confirmation that the CSE filed an electronic Assurance of Required Evaluations for Private School Reimbursement with NYSED within six business days of the recommendation by the CSE that the student requires placement in a private school or prior to June 1 of the year preceding the school year for which funding is sought. The application for reimbursement containing the required documentation can be located and completed on the NYSED/STAC website at: <http://www.oms.nysed.gov/stac>.
- f. For an EIP, a plan that describes efforts to return the student to an approved NYS private school.
- g. Signed STAC-1 (summer, if applicable, and school year)

Upon receipt of the required documentation listed above, NYSED will notify the CSE of its determination. If approved for the purposes of State reimbursement, the CSE will receive, by fax, a signed STAC-1. It is the CSE's responsibility to forward the signed STAC to the out-of-State private school confirming funding approval.

Statement of Assurance

- For an initial application to an approved private school, the CSE has provided a current individual evaluation or reevaluation of the student. The individual evaluation and the classroom observation where applicable, and any other evaluations necessary to describe the relevant circumstances leading up to the recommendation and the basis for the recommendation for change of placement shall have been completed within six months prior to the CSE's initial recommendation for private school placement.
- The CSE has provided a current individualized education program (IEP) for the student.
- The CSE has certified that the student is of school-age and has a disability or combination of disabilities, and has further documented that the nature or severity of the student's disability is such that appropriate public facilities for instruction are not available. The documentation reviewed by the CSE, establishing the nature and severity of the disability and warranting placement of the student in an approved private school, is maintained in the student's education records and is available for review by NYSED. This documentation includes:
 - documentation of efforts to place the student in a public facility and the outcomes of those efforts, and/or of CSE findings regarding the lack of suitability of each currently available and geographically accessible public placement;
 - documentation of all efforts to enable the student to benefit from instruction in less restrictive settings using support services and supplementary aids and special education services as set forth in subdivisions (d), (e), (f), (g) and (h) of this section, and/or for those services not used, a statement of reasons why such services were not recommended;
 - less restrictive programs and placements or a statement of reasons that such evidence is not available;
 - in the case of a recommendation by the CSE for placement of a student in a residential program, documentation that residential services are necessary to meet the student's educational needs as identified in the student's IEP, including a proposed plan and timetable for enabling the student to return to a less restrictive environment or a statement of reasons why such a plan is not currently appropriate;
 - in the case of a recommendation by the CSE for placement of a student in an educational facility outside of the State, documentation that there are no appropriate public or private facilities for instruction available within this State; and
 - in the case of a reapplication for reimbursement, documentation of the continuing need for placement of the student in a private school.

The application includes a statement that the placement is for the entire school year or the balance thereof.

The signature below represents the CSE's compliance with the requirements stated above, pertaining to this student's residential special education placement.

Signature of Chairperson:

Date:
