

**PROPOSED AMENDMENT OF SECTIONS 200.4, 200.9, 200.16 and 200.20 OF THE
REGULATIONS OF THE COMMISSIONER OF EDUCATION RELATING TO PRESCHOOL
SPECIAL EDUCATION PROGRAMS AND SERVICES**

**PUBLIC COMMENT SUBMISSION COVER SHEET
MUST BE RECEIVED NO LATER THAN December 28, 2015**

MAIL TO:	New York State Education Department Office of Special Education 89 Washington Avenue, Room 309EB Albany, New York 12234 Attention: Proposed Amendment – Preschool Special Education	
FAX TO:	518-473-5387	
EMAIL TO:	SPEDPUBLICCOMMENT@NYSED.GOV	
FROM: (Please Print or Type Requested Information)	NAME	
	TITLE	
	ORGANIZATION	
	ADDRESS	
	CITY	
	ZIP	
Topic		Section(s) of Regulations
<p>The proposed amendment adds a requirement for both Committees on Special Education (CSE) and Committees on Preschool Special Education (CPSE) to consider, prior to determining that a student needs a one-to-one aide, the following:</p> <ul style="list-style-type: none"> • the student’s individual needs that require additional adult assistance; • the skills and goals the student would need to achieve that will reduce or eliminate the need for the one-to-one aide; • the specific support that the one-to-one aide would provide for the student; • other natural supports, accommodations and/or services that could support the student to meet his or her needs; • the extent or circumstances the student would need the assistance of a one-to-one aide; • the staff ratios in the setting where the student will attend school; and • the potential positive benefits and negative impact of assignment of a one-to-one aide. 		§200.4(d)(3)
<input type="checkbox"/> Support <input type="checkbox"/> Oppose <input type="checkbox"/> No Position		
Reasons/Recommendations: 		

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Topic	Section(s) of Regulations
The proposed amendment clarifies that special class programs must provide all related services specified in students' Individualized Education Programs during the school day.	§200.16(i)(3)(iii)
<input type="checkbox"/> Support <input type="checkbox"/> Oppose <input type="checkbox"/> No Position	
Reasons/Recommendations:	
Topic	Section(s) of Regulations
<p>The proposed amendment adds requirements that each approved preschool program must:</p> <ul style="list-style-type: none"> • have an appropriately qualified educational director, if hired on or after September 1, 2016; • have a plan and staffing to ensure make up of missed services; • provide instruction in the Prekindergarten Foundation for the Common Core and early literacy and emergent reading programs by no later than September 1, 2016; • provide instruction based on the ages, interests, strengths and needs of the children; • ensure the active engagement of parents and/or guardians in the education of their children; • establish and implement a program-wide system of positive, evidence-based practices to support social-emotional competence and teach social-emotional skills to preschool students by no later than September 1, 2016; • prohibit the suspension, expulsion or removal of a preschool child because of behavior, until the appropriate transfer of the child can be arranged by the CPSE, except when maintaining the current placement of the student is likely to result in injury to the student or 	§200.20(b)

