Group Size Variance Requests for Preschool Special Classes or Special Classes in an Integrated Setting

There is currently a shortage of preschool special education seats. Principals of schools that have preschool special classes and/or special classes in an integrated setting (SCIS) have begun to receive variance requests from Committees on Preschool Special Education (CPSEs). CPSEs make variance requests when there are no special class or SCIS seats available near the students’ homes, and schools must over-enroll their classes to accommodate students awaiting the program recommended on their Individualized Education Programs (IEPs).

When CPSEs make these requests, schools must welcome families to visit the school, and follow the procedures laid out by the CPSE for notifying the New York State Education Department (NYSED) of the over enrollment. When a class will exceed the regulatory maximum number of students with IEPs, NYSED requires that a Variance Request form be completed by the school and submitted to NYSED as soon as possible. Although it may be challenging to increase class sizes, it is important that schools work in partnership with CPSEs to ensure all students who need special education programs have access to them.

For additional information on a specific 3-K/pre-K variance request, contact the CPSE administrator named on the received variance request. For general questions, email your administrator for special education (ASE).