

# Guidance for Operating Preschool Special Classes in New York City Department of Education (DOE) Pre-K Centers

## Introduction

Preschool special classes serve only students with Individualized Education Programs (IEPs) whose needs cannot be met within a general education class or special class in an integrated setting (SCIS). Children in a special class have similar levels of academic and learning characteristics, social development, physical development, and/or management needs. Special classes are led by a special education teacher and often have one or more paraprofessionals. There are typically 6 to 12 students in a special class.

Preschool children in special classes receive IEP recommendations and program placement from their local Committee on Preschool Special Education (CPSE). Children in special classes have considerable educational needs, which require a comprehensive special education program to meet their IEP goals. These children require more adult support, attention, direction, and supervision than is typical in general education settings to benefit from the instructional program. Children in special classes may also be recommended to receive related services, assistive technology, paraprofessional services, or other supplementary aids and services.

## Least Restrictive Environment and Special Classes

IEPs are targeted to provide the least restrictive environment (LRE) that is appropriate to meet a child's needs. This means that preschool children with disabilities receive programs and services in a setting with nondisabled peers to the greatest extent appropriate. The CPSE team will first consider if a child's needs can be met in a general education setting. Other settings, such as a SCIS or special class, are considered only if the child would not be able to make meaningful progress in a general education class, even with the help of supports and services.

In a special class, access to typically developing children can occur during different points of the school day, such as outdoor gross motor play or music and movement. Children and families must also have access to the broader pre-K center community, including family and community engagement efforts and resources available to support all children.

The Individuals with Disabilities Education Act (IDEA) mandates that all students with disabilities have access to the general education curriculum. The IEP is designed to meet the child's needs to support progress within the general education curriculum.

LRE also considers the intensity of support provided with related services and paraprofessional recommendations.

For additional information, please refer to [“School Districts’ Responsibilities to Provide Students with Disabilities with Specially-Designed Instruction and Related Services in the Least Restrictive Environment”](#) Special Education Field Advisory issued by the New York State Education Department in December 2015.

## Regulations Governing Preschool Special Classes

In New York State, preschool special education programs, including special classes, are approved by the New York State Education Department (SED) pursuant to Section 4410 of the Education Law. Preschool special classes are subject to SED regulations and guidance.

## Approval to Operate

The DOE Central Office determines where there is need for preschool special classes. If a pre-K center is identified to open a class, the DOE Central Office will gather necessary documents, submit an application to SED, and receive authorization prior to a special class opening. The DOE Central Office will work directly with pre-K centers to gather necessary documentation and offer appropriate supports. All pre-K centers will receive official notification upon approval by SED.

## Age Requirements

In accordance with SED regulations, preschool special classes must be available to children with IEPs **ages 3 and 4**; this includes students with IEPs transitioning to kindergarten (or going through the “Turning 5” process) and students who opt to transition from the Early Intervention Program (EIP) at 2 years 9 months. Because special classes receive approval from SED to operate, the age requirement set out by Chancellor's Regulation A-101 does not apply to these classrooms. Therefore, all pre-K centers must welcome all students placed in special classes with an IEP recommendation for special class, including 3 year-olds.

## Classroom Ratios and Requirements

SED guidance states:

- The chronological age range within special classes serving preschool students cannot exceed 36 months unless granted special approval.
- Pre-K centers are approved to operate special classes with either a **6:1:2** student-special education teacher-paraprofessional ratio, **8:1:2** student-special education teacher-paraprofessional ratio, or **12:1:2** student-special education teacher-paraprofessional ratio. This means up to 6, 8, or 12 special education students, one special education teacher, and two classroom paraprofessionals.
- Only preschool students who have IEPs that recommend “Special Class” should be placed in a special class.
  - An IEP recommending this setting should state “Special Class” along with the classroom ratio as the recommended program.
  - Special class is not the least restrictive environment for children whose IEPs recommend Special Education Itinerant Teacher (SEIT) and/or Related Services (in a general education setting), or SCIS.
  - Children whose IEPs recommend Residential Placement require a more restrictive setting than special class.

Special class ratios must be maintained and a special education certified teacher must be in the classroom during all instructional periods of the school day.

Questions about classroom ratios and requirements can be sent to Rebecca Burke ([RBurke11@schools.nyc.gov](mailto:RBurke11@schools.nyc.gov)).

## Placement and Enrollment

The Committee on Preschool Special Education (CPSE) is responsible for the placement of preschool students with IEPs that recommend special class. The CPSE will reach out to a pre-K center to make placement arrangements. Some families will want to visit and tour programs before finalizing placement with the CPSE. When this occurs, there is no screening process by the pre-K center, and the pre-K center should make every effort to make visiting families and children feel welcomed as a part of the pre-K center community.

After a student is placed by the CPSE in a special class, the pre-K center should enroll the student on the school's register in ATS using the **grade code 359**. ATS class codes for special classes should use letters that correspond to the appropriate physical location +9 +1. For example, in D21, if special classes are in building K787, the first class would be B91 and the second would be B92. Under CAP class, enter “**SG6**,” which is a general CAP code for all 359 classes across the city.

Aside from the special grade, class, and CAP codes, all other ATS functions remain the same for students in special classes. For ATS technical support, pre-K centers should open a [help desk ticket](#) and call 718-935-5100. For additional ATS or pre-K center systems support, contact Pre-K Center Support ([PKCSupport@schools.nyc.gov](mailto:PKCSupport@schools.nyc.gov)).

Pre-K centers should notify the CPSE when the ATS process is underway. In response, the CPSE will authorize the student in the CPSE system, which is needed in order for transportation to be arranged.

The preschool special education process is rolling. Children can be placed in special classes throughout the school year.

## IEP Development, Implementation, and Access

The CPSE is responsible for coordinating evaluations, determining eligibility, developing IEPs, and arranging preschool special education services that cannot be provided by pre-K centers. Pre-K centers are expected to implement IEPs,

oversee the delivery of services, notify the CPSE of any changes in a child's services or needs, and participate in CPSE (IEP) meetings. Schools should work with a child's affiliated CPSE office as needed. CPSE offices serve families in their home district, regardless of where children attend preschool. CPSE contact information is available [here](#).

In accordance with Chapter 408 of the New York State Education law, all professionals who provide services or supports to students with IEPs, are required to be duly informed of their specific roles and responsibilities prior to implementing those services. Schools should select a designee and ensure that the designee meets with each teacher and provider to discuss the teacher or provider's role in implementing the student's IEP. Here is a resource that outlines [Chapter 408 at a glance](#).

School staff who are responsible for implementing IEPs should access their students' IEPs in SESIS prior to implementation, and review the updated [pre-K IEP best practices memo](#); the memo provides information regarding the use of IEPs, including access, storage, and best practices for implementation. Schools must take these steps throughout the school year each time a new IEP is developed or amended or a new student with an IEP enrolls in the school, prior to providing program and/or services to any student with an IEP. For compliance purposes, schools must also maintain an ongoing record of the school's completed Chapter 408 implementation forms, which must be kept confidential in a secure, locked area; schools may use these [sample verification forms](#) (scroll down to the bottom of the page) for this purpose. These forms and more information about Chapter 408 requirements, including a memo to principals that describes the steps outlined above in more detail, are available on the [InfoHub](#).

Pre-K centers have **access in SESIS** to the IEPs of preschool students with disabilities registered at the pre-K center. SESIS is managed within Galaxy. A pre-K center's Galaxy T.O. administrator should assign the appropriate SESIS access roles. Email Rebecca Burke ([RBurke11@schools.nyc.gov](mailto:RBurke11@schools.nyc.gov)) to contact the SESIS team for more support with access. For step-by-step instructions in SESIS see ["How Pre-K Programs use SESIS to Access Student IEPs."](#)

Pre-K centers should ensure that all services indicated on each child's IEP, whether arranged at the Pre-K Center or by the CPSE, begin and are monitored so that each child at the pre-K center is served in accordance with his or her IEP.

### Related Services

Related services for preschool students are provided by DOE providers whenever possible. Pre-K centers are assigned physical therapy (PT), occupational therapy (OT), and speech therapy providers that are responsible for working exclusively with the special classes consistent with the funding allocated to the center for that purpose. Additional services, including counseling, orientation and mobility, hearing, vision, and nursing services, are arranged by the CPSE via DOE provider or contract. If an OT, PT, or speech provider does not have capacity to provide OT, PT, and/or speech services to fully serve all mandates for preschool students enrolled in the special classes, the pre-k center should contact the CPSE responsible for the child's case (based on the student's home district) to request that a contract provider be identified and assigned.

Questions regarding preschool related services can be emailed to [relatedservices@schools.nyc.gov](mailto:relatedservices@schools.nyc.gov). CPSE contact information is available [here](#).

### Hours of Operation and Instruction

Full-day preschool special classes in pre-K centers should operate for no less than six hours and 20 minutes per day with a minimum of five hours of instruction. For special classes, breakfast, lunch, snack, and rest/nap time are not considered instruction.

### Budget

The School Allocation Memorandum (SAM) provides resources to support the implementation of preschool programs at pre-K centers. According to SAM No. 29, each special class receives funding for:

- One special education classroom teacher;
- Two classroom paraprofessionals;
- Absence coverage;

- Shared planning time for teachers and paras; and
- \$2,500 in additional allocation.

Each pre-K center site operating special classes also receives funding for a team of related service clinicians. The DOE's Office of Related Services Team will hire all related service clinicians for special classes in pre-K centers.

In addition to the above, each Pre-K Center site receives funding to staff additional teachers and paras to support in-classroom coverage. Funding is allocated according to the Pre-K Center teacher and para coverage model (see Table 5 in [SAM No. 29](#)). The coverage model considers both general and special education classes.

SAM No. 29 is available [here](#). Questions regarding the SAM and coverage should be directed at Pre-K Center Support ([PKCSupport@schools.nyc.gov](mailto:PKCSupport@schools.nyc.gov)).

### Transportation

All preschool students with IEPs that recommend special class and attend an SED approved preschool special education program are provided transportation to and from the program. These children will appear in the [NYC Office of Pupil Transportation \(OPT\) pre-K rider system](#) once placement at the pre-K center is confirmed in the system by the CPSE. Pre-K centers should call OPT at 718-482-3800 to obtain a username and password in the pre-K rider system. Upon access to the system, pre-K centers should immediately enter the required session time for children in the pre-K rider system so that transportation can begin. Once the session time has been entered and saved, the information is sent electronically to the appropriate transportation provider. If a pre-K center requires assistance or guidance in accessing or utilizing the pre-K rider system, they may contact the OPT pre-K customer service hotline by calling 718-482-3800.

### Toileting

Preschool programs must assist all children in their varying stages of proficiency in toileting. Children cannot be denied entry to or removed from any pre-K program if they have not yet mastered all of their developmental milestones.

The paraprofessional is responsible for changing diapers and helping children after bathroom accidents as necessary. All paraprofessionals involved in diapering and helping children after accidents must receive Occupational Safety and Health Administration (OSHA) Bloodborne Pathogen Training and the Hepatitis B vaccine free of charge.

For additional guidance, see the Division of Early Childhood Education (DECE) toileting guidance found on page 22 of the ["Pre-K for All Handbook."](#)

### Progress Reports

Pre-K centers that operate special classes must provide three (3) reports of progress per year for preschool students receiving 10 month special education services and four (4) reports of progress per year for preschool students receiving 12 month special education services as required under the terms of the Regulations of the Commissioner of Education, Part 200, section 200.4(d)(2)(iii)(c). Progress reports should be distributed to the child's parent and should contain, at a minimum:

- A review of the educational/related service(s) IEP goals and objectives and the student's current levels of performance in achieving the goals;
- A review of the educational/related service(s) to which the report pertains, including a description of the student's response to the service and/or current levels of performance;
- The extent to which progress is sufficient to enable the child to achieve the annual goals and the extent to which that progress is sufficient to enable the student to achieve the goals by the end of the IEP period; and
- Suggested modifications to the duration and frequency of educational/related service(s), if any, and recommended changes to goals and objectives, if any.

Progress reports can be used during annual reviews and requested reviews (IEP meetings) with the CPSE as well as transition to kindergarten ("turning 5") meetings with school-age IEP teams.

For support in developing preschool progress reports, see this [guidance](#) and use this [sample template](#).

## Parent Counseling and Training

Parent counseling and training can be recommended as a related service on an IEP. Parent counseling and training means assisting parents in understanding the special needs of their child, providing parents with information about child development, and helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP. Staff at the pre-K center, such as a special education teacher or related service provider, can implement parent counseling and training with the relevant parents in the pre-K center. Pre-K centers may also refer parents to parent workshops on topics such as autism, behavior, and communication.

## Best Practices

The DOE is committed to creating truly inclusive preschool classrooms that provide access, appropriate supports and services, and a solid foundation for future success. The following resources are available to deepen best practices for supporting students with IEPs in preschool classrooms:

- [Family engagement and preschool special education](#)
- [Using IEP goals in the pre-K classroom](#)
- [Collaborating with preschool special education providers](#)
- [Accommodations and modifications for preschool children](#)
- [Creating an inclusive school for principals](#)
- [Creating in inclusive classroom for teachers](#)

## Contacts

For any questions related to special education regulations and best practices, email Rebecca Burke ([RBurke11@schools.nyc.gov](mailto:RBurke11@schools.nyc.gov)). For all questions related to funding, operations, and ATS support, reach out to Pre-K Center Support ([PKCSupport@schools.nyc.gov](mailto:PKCSupport@schools.nyc.gov)).