



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

OFFICE OF VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES  
STATEWIDE COORDINATOR FOR SPECIAL EDUCATION  
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**TO:** District Superintendents  
Superintendents of Schools  
Presidents of Boards of Education  
New York City Board of Education  
Principals of Public Schools  
Directors of Pupil Personnel Services  
Administrators of Nonpublic Elementary and Secondary Schools  
Organizations, Parents and Individuals Concerned with Special Education  
Impartial Hearing Officers  
Commissioner's Advisory Panel for Special Education Services  
SETRC Professional Development Specialists  
Regional School Support Centers

**FROM:** James P. DeLorenzo *James P. DeLorenzo*

**SUBJECT: CONTINUUM OF SPECIAL EDUCATION SERVICES FOR SCHOOL-AGE STUDENTS WITH DISABILITIES**

The purpose of this memorandum is to provide guidance on the continuum of special education services for school-age students with disabilities. Effective July 1, 2007, the Board of Regents approved amendments to section 200.6 of the Regulations of the Commissioner of Education relating to the continuum of special education services. These amendments have raised questions from the field as to the definitions and related requirements for each of the special education services options. Please note that this field memorandum does not describe the continuum of special education services options for preschool students with disabilities.

To support research based instructional practices and special education services provided to the maximum extent possible in classrooms with their non-disabled peers, in July 2007 the Board of Regents approved amendments to section 200.6 of the Regulations of the Commissioner of Education relating to consultant teacher, resource room and integrated co-teaching services as follows (underlined language is new):



**Section 200.6 (d) Consultant teacher services.** Consultant teacher services, as defined in section 200.1(m) of this Part, shall be for the purpose of providing direct and/or indirect services to students with disabilities who attend regular education classes, including career and technical education classes, and/or to such students' regular education teachers. Such services shall be recommended by the committee on special education to meet specific needs of such students and the student's individualized education program (IEP) shall indicate the regular education classes in which the student will receive consultant teacher services. Consultant teacher services shall be provided in accordance with the following provisions:

- (1) . . .
- (2) Each student with a disability requiring consultant teacher services shall receive direct and/or indirect services consistent with the student's IEP for a minimum of two hours each week, except that the committee on special education may recommend that a student with a disability who also needs resource room services in addition to consultant teacher services, may receive a combination of such services consistent with the student's IEP for not less than three hours each week.

**Section 200.6(f) Resource room programs.** Resource room programs shall be for the purpose of supplementing the regular or special classroom instruction of students with disabilities who are in need of such supplemental programs.

- (1) Each student with a disability requiring a resource room program shall receive not less than three hours of instruction per week in such program except that the committee on special education may recommend that for a student with a disability who also needs consultant teacher services in addition to resource room services may receive a combination of such services consistent with the student's IEP for not less than three hours per week

The change in regulation to the minimum level of service requirements for students receiving both consultant teacher services and resource room programs authorizes Committees on Special Education (CSEs) to recommend, consistent with the individual needs of the student, a combination of these services that total a minimum of three hours per week. Prior to this regulatory amendment, resource room programs recommended for a student needed to be provided for a minimum of three hours per week, and consultant teacher services two hours per week. The combination of these two services is expected to result in increased student time in the general education classrooms for many students. Questions and answers relating to consultant teacher services and resource room programs are also addressed in pages 6 - 11 of the attachment to this memorandum.

**Section 200.6(g) A school district may include integrated co-teaching services in its continuum of services. Integrated co-teaching services means the provision of specially designed instruction and academic instruction provided to a group of students with disabilities and non-disabled students.**

- (1) The maximum number of students with disabilities receiving integrated co-teaching services in a class shall be determined in accordance with the students' individual needs as recommended on their IEPs, provided that

effective July 1, 2008, the number of students with disabilities in such classes shall not exceed 12 students.

(2) School personnel assigned to each class shall minimally include a special education teacher and a general education teacher.

(3) Additional personnel, including supplementary school personnel, assigned to such classes by the district, may not serve as the special education teacher pursuant to paragraph (2) of this subdivision.

One of the fastest growing practices nationally is the provision of co-teaching. "Integrated co-teaching services" as used in the Regulations of the Commissioner of Education means a general education teacher and a special education teacher jointly providing instruction to a class that includes both students with and students without disabilities to meet the diverse learning needs of all students in a class. While this option, unlike other continuum options, is not required to be available for all students with disabilities, school districts are strongly encouraged to phase this practice into its schools. Questions and answers regarding integrated co-teaching services can be found on pages 11 - 13 of the attachment to this memorandum. For further information on co-teaching, see [www.k8accesscenter.org/index.php](http://www.k8accesscenter.org/index.php).

The attached question and answer document should assist school personnel to understand the regulatory requirements under which each service must be provided and to assist in the determination of which of these special education services might be most appropriate for an individual student. Questions regarding this memorandum may be directed to the Special Education Policy Unit at 518-473-2878 or to the local Special Education Quality Assurance (SEQA) Office at:

Central Regional Office	(315) 428-3287
Eastern Regional Office	(518) 486-6366
Hudson Valley Regional Office	(518) 473-1185 or (914) 245-0010
Long Island Regional Office	(631) 884-8530
New York City Regional Office	(718) 722-4544
Western Regional Office	(585) 344-2002
Nondistrict Unit	(518) 473-1185

Attachment