

VARIANCE FROM SECTION 200.15(b), (d-h) OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Overview and Intent

The granting of a variance from section 200.15(b), (d-h) of the Regulations of the Commissioner of Education is intended where the residential component of a school governed by this section is licensed or certified by a state agency other than the State Education Department. The residential school must be in compliance with the requirements imposed by such other licensing or certifying State agency or agencies, or have procedures in place which are substantially equivalent to those required by section 200.15(b), (d-h) of the Regulations of the Commissioner of Education, regarding the protection of students in residential care from child abuse or maltreatment.

Regulatory Requirements

Pursuant to section 200.15(i) of the Regulations, the Commissioner may grant a variance from any requirement in sections 200.15(b), (d-h).

Application Procedures

The application includes the following components:

1. Cover Page (Attachment A)
2. Application Narrative
3. List of all licensing or certifying State agencies
4. Signed Assurance (Attachment B)

The program's application narrative should be a concise statement that describes how the requirements imposed by other licensing or certifying State agency or agencies, or its own procedures are substantially equivalent to those required by section 200.15(b), (d-h) of the Regulations of the Commissioner of Education, regarding the protection of students in residential care from child abuse or maltreatment. The narrative should include a list of all licensing or certifying State agencies.

Submit the application to:

New York State Education Department
VESID/SEQA
One Commerce Plaza, Room 1623
Albany, New York 12234

COVER PAGE

**APPLICATION FOR VARIANCE FROM SECTION 200.15(b), (d-h) OF THE
REGULATIONS OF THE COMMISSIONER OF EDUCATION**

Residential School _____

School Address _____

School Address _____

Name of Person Completing this Form _____

Title _____

Telephone Number _____

Effective Start Date of Variance _____

Effective End Date of Variance _____

For Department Use Only

Variance Approved: Date: _____

Variance Denied: Date: _____

Reasons for Denial: _____

Please forward the application to:

New York State Education Department
VESID/SEQA
One Commerce Plaza, Room 1623
Albany, NY 12234

STATEMENT OF ASSURANCE

**APPLICATION FOR VARIANCE FROM SECTION 200.15(b), (d-h) OF THE
REGULATIONS OF THE COMMISSIONER OF EDUCATION**

Residential School _____

School Address _____

School Address _____

Name of Person Completing this Form _____

Title _____

Telephone Number _____

Effective Start Date of Variance _____

Effective End Date of Variance _____

I understand that the _____ Residential School is in compliance with the requirements imposed by such other licensing or certifying State agency or agencies, or has procedures in place which are substantially equivalent to those required by section 200.15(b)(d-h) of the Regulations of the Commissioner of Education, regarding the protection of students in residential care from child abuse and maltreatment.

Chief Administrator's Name: _____

Chief Administrator's Signature: _____

Date: _____