



New York State Education Department
Office of Special Education
Educational Partnership





New York State Education Department
Office of Special Education
Educational Partnership

Preschool Special Education Process



Produced by the Technical Assistance Partnership for Transition at Cornell University

Last updated on June 28, 2023



Disclaimer

The resources shown are designed to provide helpful information. Resources are provided for instructional use purposes only and do not constitute NYSED endorsement of any vendor, author, or other sources. To the best of our knowledge, the resources provided are true and complete.

Introductions

- Name
- Role
- District
- School
- Population served



Meeting Norms

- Take care of your needs (water, food, restroom, etc.)
- Speak your truth—Use “I” statements
- Ask what you need to understand and contribute
- Listen with respect
- Push your growing edge
- Participate and struggle together
- Expect a lack of closure
- Respect each other's needs

Learning Objectives



Participants will:

- Review the preschool special education process as delineated in education laws and regulations.
- Discover the role of the Committee on Preschool Special Education (CPSE) which includes the Chairperson, the preschool provider, the evaluator, the county, and the parent/guardian.
- Develop practices that encourage parental involvement and cultivate home-school partnerships.
- Review that the Committee is charged with making high-quality decisions that will result in an Individualized Education Program (IEP) that meets State requirements and will result in educational benefit to the student.

Agenda

- Regulatory foundations
- Transition from Early Intervention (EI) to CPSE
- IEP development
- reevaluation process
- Transitioning from preschool special education (CPSE) to school-age special education (Committee on Special Education [CSE])
- Effective meetings

Training Materials



- Common Acronyms
- Special Education in New York State for Preschool and School-Age Students with Disabilities – A Parent’s Guide
- NYS Law, Regulations, and Policy Not Required by Federal Law, Regulations, and Policy
- Parent Consent
- EI and CPSE Programs
- Roles and Responsibilities
- NYS Procedural Safeguards Notice
- Guide for Determining Eligibility and Special Education Programs
- All About Me
- Annotated Preschool Evaluation Summary Form
- Evaluations of 3-4-Year-Old Children Suspected of Having Disabilities (Sec. 4410) Memo
- State Performance Plan (SPP) Preschool Outcome Summary Form—Nov. 2006
- Decision Tree
- IEP Form with Preschool-Specific Descriptions
- Present Levels of Performance and The NYS Pre-Kindergarten (Pre-K) Learning Standards
- Preschool Continuum of Services

Training Materials (continued)



- Special Education Itinerant Services (SEIS) for Preschool Children with Disabilities
- Assistive Technology (AT) Consideration Checklist
- Guidelines for Determining a Student with Disabilities Need for a 1:1 Aide
- New Requirements for Special Education Specific to 1:1 Aides
- Extended School Year (ESY) Programs and Services Q&A
- Coordination of Preschool Services
- Preschool IEP Checklist
- Provision of Special Education Services to a 5-6-Year-Old Child with a Disability Not Subject to Compulsory Attendance Requirements (*if desired to further explain how the SEIS provider is the coordinator of Service*)
- Transition: CPSE to CSE
- SPP Indicator #7: Exit Assessment— Preschool Outcome Summary Form
- Additional Resources

Regulatory Foundations



Individuals with Disabilities Education Act 2004 (IDEA)

Federal law governing special education, ages 3–21, entitles students to a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).





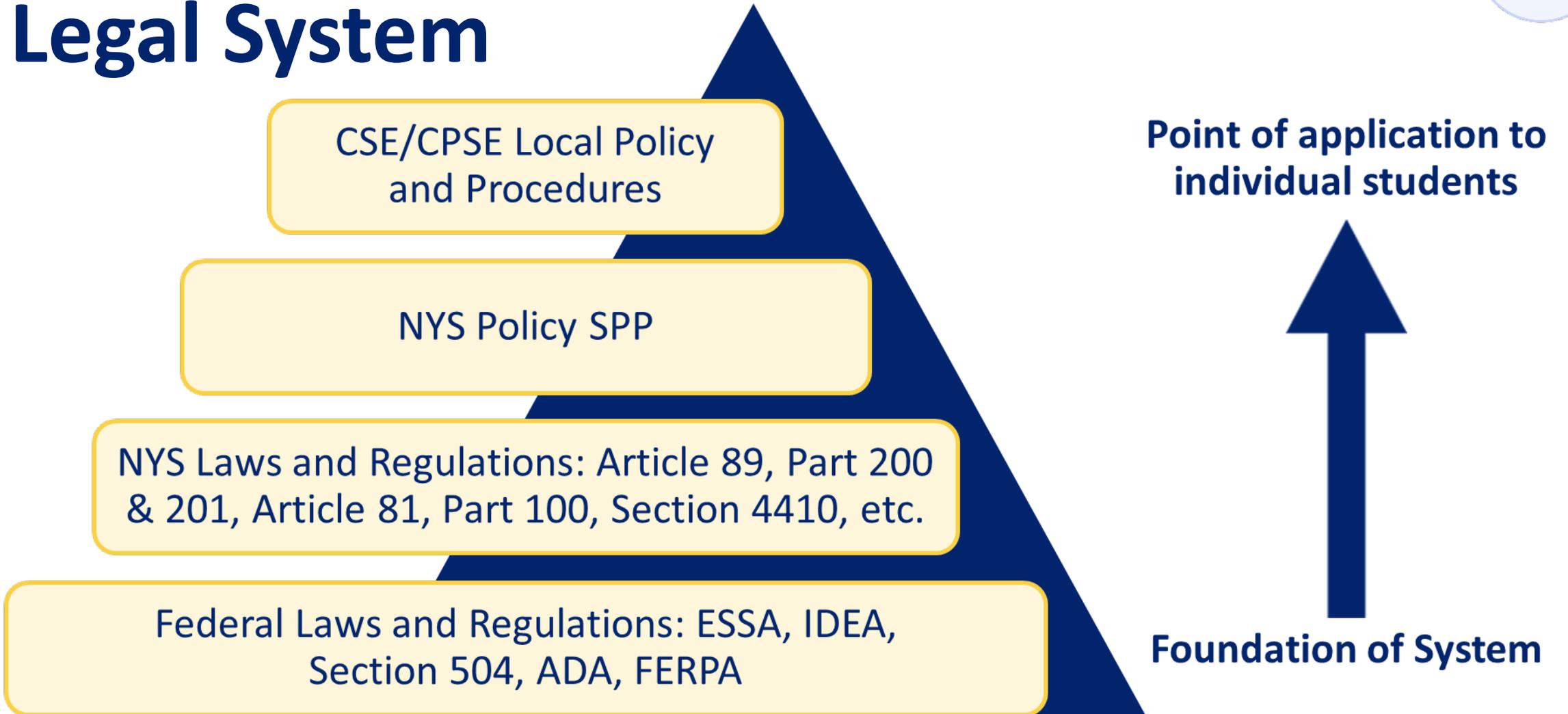
Blueprint for Improved Results for Students with Disabilities

-  **Self-Advocacy**
Students engage in self-advocacy and are involved in determining their own educational goals and plan.
-  **Family Partnership**
Parents, and other family members, are engaged as meaningful partners in the special education process and the education of their child.
-  **Specially-Designed Instruction**
Teachers design, provide, and assess the effectiveness of specially-designed instruction to provide students with disabilities with access to participate and progress in the general education curriculum.
-  **Research-Based Instruction**
Teachers provide research-based instructional teaching and learning strategies and supports for students with disabilities.
-  **Multi-tiered Support**
Schools provide multi-tiered systems of behavioral and academic support.
-  **Inclusive Activities**
Schools provide high-quality inclusive programs and activities.
-  **Transition Support**
Schools provide appropriate instruction for students with disabilities in career development and opportunities to participate in work-based learning.

IDEA 2004: SPP

- **Accountability for results** improving educational results and functional outcomes for all children with disabilities
- **Specific SPP Indicators for preschool:**
 - Indicator 6: LRE—Preschool
 - Indicator 7: Preschool Outcomes (improved social-emotional skills, knowledge and literacy skills, and behaviors)
 - Indicator 8: Parent Involvement
 - Indicator 11: Child Find
 - Indicator 12: Early Childhood Transition
- **Rigorous targets and improvement strategies**

Structure of the Special Education Legal System



Transition from EI to CPSE





This Is a Partnership

- The development of an IEP is a collaborative partnership and process between the family, provider, county, and district.
- Providers and families have the best knowledge of the child's:
 - Current levels of abilities
 - Strengths and needs
 - Supports and accommodations that work
 - Next steps

Notification of Transition From EI to CPSE



- EI coordinator provides district with notification 90 days before child is potentially eligible for preschool special education services.
- Parent must give consent for the EI coordinator to notify the district or may choose to not give consent to share information with the district.

Purpose of the Transition Conference



- Develop a transition plan
- Decide whether the child should be referred to CPSE
- Learn the differences/similarities between the EI and CPSE systems
- The parent/guardian becomes more familiar with the CPSE process, programs and options
- Discuss other options available for the child other than approved preschool programs and services

Age Eligibility for Preschool Special Education

- If a child's birthday falls between **January 1 and June 30**, the child is eligible for preschool services on January 2 of the year they turn three.
- If a child's birthday falls between **July 1 and December 31**, the child is eligible for preschool services on July 1 of the year they turn three.

Transition Calculator

EIP to 4410 Calculator	Date
Child's date of birth (DOB)	March 1, 2018
Date child first potentially eligible for CPSE services	January 2, 2021
Notice to CPSE of potential eligibility by	October 4, 2020
Transition conference convened by	October 4, 2020
Transition conference convened no earlier than	June 1, 2020
Last date for referral to CPSE to ensure eligibility determination before age three	December 1, 2020
Last date for a child found eligible for CPSE services to receive Early Intervention Program (EIP) services	August 31, 2021

How Long Can a Student Remain in EI?

- If a child's birthday is between **January 1 and August 31** they can remain in EI until **September 1** (e.g., through August 31st) of the year they turn three.
- If a child's birthday is between **September 1 and December 31**, they can remain in EI until **January 2** (e.g., through January 1st) of the next year.
- If eligibility for CPSE is not determined prior to the child's third birthday, EI services cease the day before their birthday.

In Order to Remain in EI

Children can continue to receive EI services beyond their third birthday **only if:**

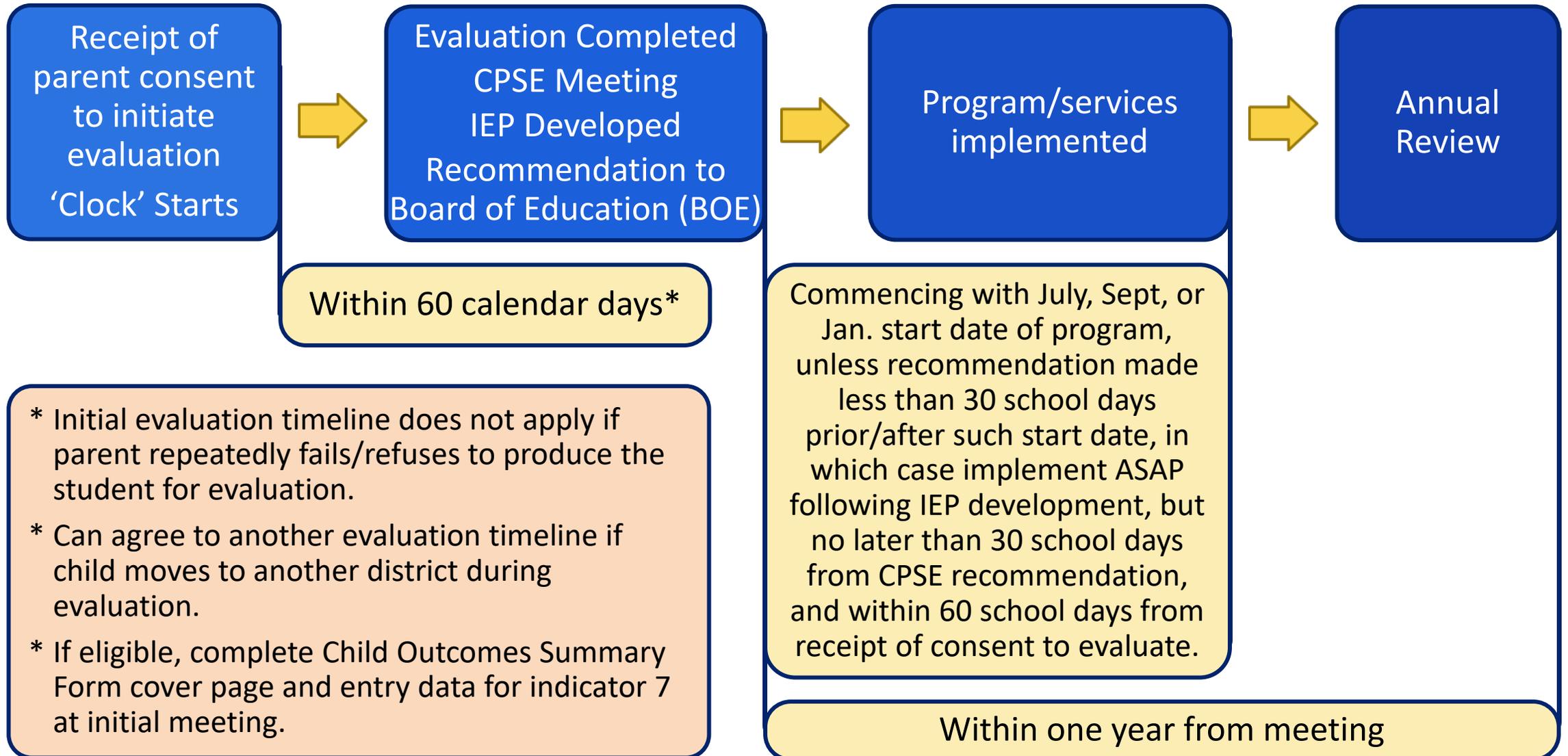
1. The child is referred to the CPSE.
2. An evaluation is conducted.
3. The child is found eligible for preschool special education.
4. An IEP is developed.

Child cannot receive EI and preschool special education services at the same time.

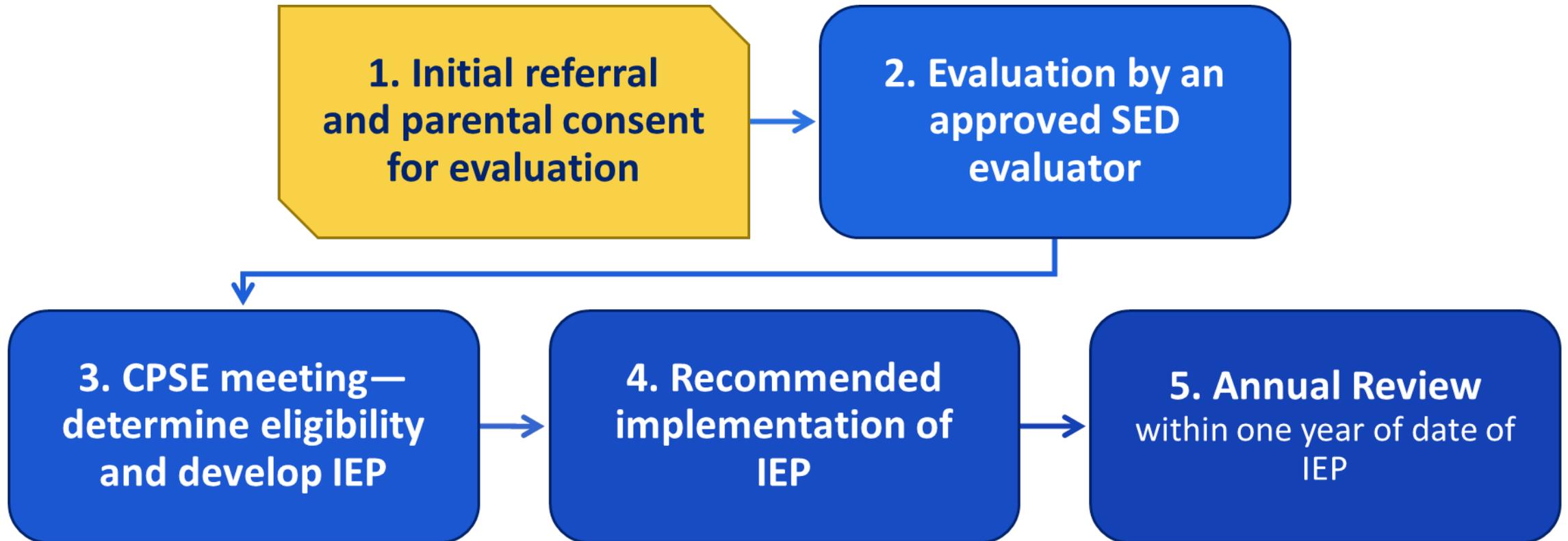
Parent Request to Remain in EI

- At the CPSE meeting, an IEP should be developed and start date discussed.
- Parent can decide to remain in EI or begin preschool services.
- If parent decides to remain in EI, the CPSE may request parent consent for transfer of current information from EI on child's current performance and progress.

CPSE Process Timeline



The CPSE Process—Step 1—Referral



Referral for Initial Evaluation



§200.4(a)(1)

- A student suspected of having a disability shall be referred to the Committee in writing.
- CPSE immediately contacts parent/guardian to notify receipt of referral.

Responsibility of CPSE



- At the transition conference, or upon receipt of referral, CPSE establishes written contact with the parent/guardian to:
 - Verify residency and identify responsible municipality
 - Validate age eligibility
 - Determine native language or mode of communication of child and parent/guardian
 - Obtain information regarding child's development and concerns of the parent/guardian
 - Explain the CPSE process
 - Encourage parent/guardian participation
- **It is important to note that the "district registration" process cannot impede the CPSE process and FAPE.**

Prior Written Notice and Parent/ Guardian Consent



§200.5

Upon receipt of referral, the CPSE shall send the prior written notice (PWN) to:

- Notify the parent/guardian of the receipt of the referral,
- Identify the evaluations needed to determine eligibility, and
- Request parent/guardian consent to initiate the evaluation process **and select an evaluator from the list of approved preschool evaluators in the county and adjoining counties, or**
- Inform the parent/guardian that the district has determined that no evaluations are needed.

Parent Consent



§200.5(b)

- Parent consent is required prior to beginning the evaluation process.
- Chairperson should document attempts to obtain written informed parental consent and responses received.
- If the parent/guardian does not give consent for evaluation within 30 calendar days:
 - Offer informal meeting to explain/discuss.
 - For preschool, home-schooled, or student placed by parent/guardian in a private school, no further action is required.

PSN



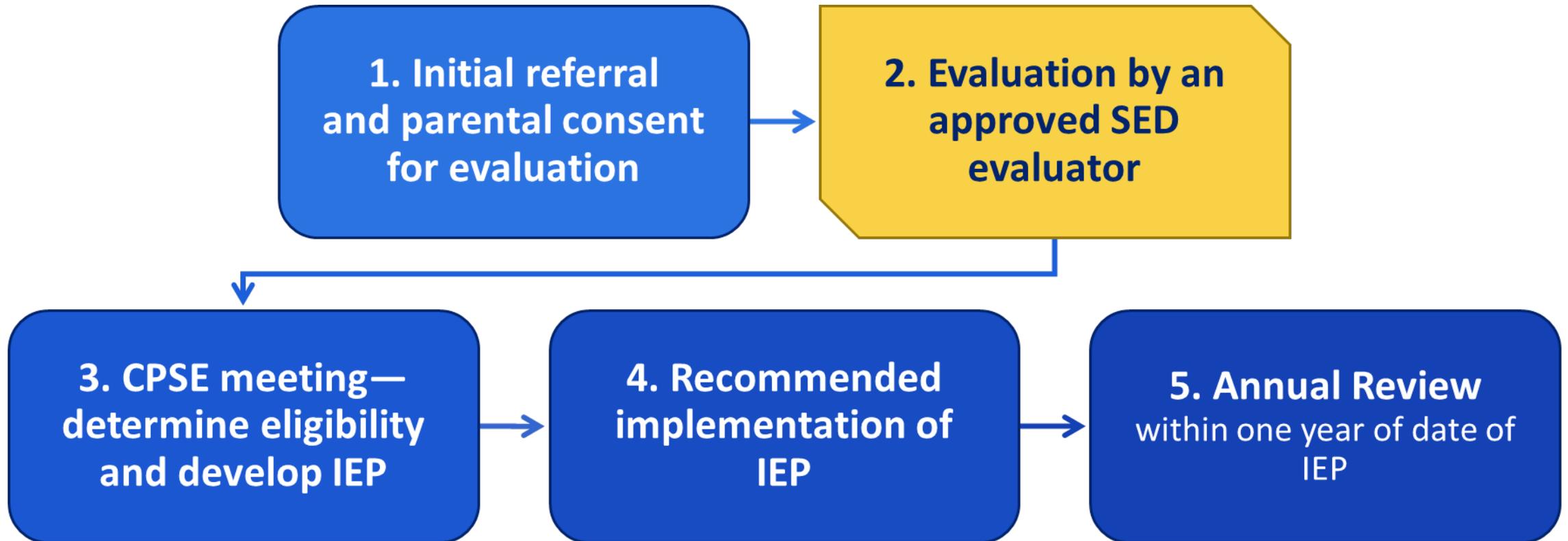
§200.5(f)

- A school district must use the PSN prescribed by the Commissioner.
- It is a document that explains due process rights to parents.
- It must be provided to parents in their native language or other mode of communication.
- It must be provided to the parents at least one time per year.

Special Education in NYS for Children Ages 3–21: A Parent’s Guide

- District must provide a copy to parents upon initial referral for evaluation
- Available on NYSED website: [A Parent’s Guide](#)
- Provides information for parents, guardians, and other family members about laws, regulations and policies affecting special education programs and services

The CPSE Process—Step 2—Evaluation



Evaluation Process



§200.16(c)

- Upon receipt of referral, parent received PWN and request for parent consent to evaluate.
- Parent gives written consent for evaluation and selects approved evaluator.
- CPSE timeline starts with receipt of consent.
- CPSE notifies approved evaluating agency of receipt of parent consent.
- CPSE provides evaluator with authorization regarding the specific components of evaluations.
- CPSE notifies evaluator of the potential date of the CPSE meeting scheduled and the deadline for evaluation reports.



Evaluations



- Formal and informal evaluations may be used to determine the necessary supports and services to address the child's needs.
- Evaluators should actively seek parent's/guardian's concerns, observations, and relevant information.

Evaluation Components

§200.4(b)



- Physical exam
- Psychological evaluation
- Social history
- Observation of the child in the natural environment (home, childcare site, etc.)
- Other appropriate assessments (e.g. Speech and Language, Functional Behavioral Assessment (FBA), etc.) and must have been included in the prior written notice to the parent

Evaluation Report

§200.16(c)



- Approved evaluator sends a copy of evaluation reports, including the Preschool Student Evaluation Summary Report, to:
 - The parents
 - The CPSE, including the municipal representative
- Full evaluation report must be provided to the parents/guardians prior to the child's scheduled CPSE meeting.

Parent Role in the Evaluation Process

- Evaluation information and the way it is presented should encourage parent/guardian engagement and participation in determining if the student is eligible for special education services.
- Evaluation information provided by the parent/guardian is given meaningful consideration by the CPSE.
- The evaluation results for each student include the strengths of the student and the concerns of the parent/guardian about their child's education needs.

What Is a Quality Evaluation?

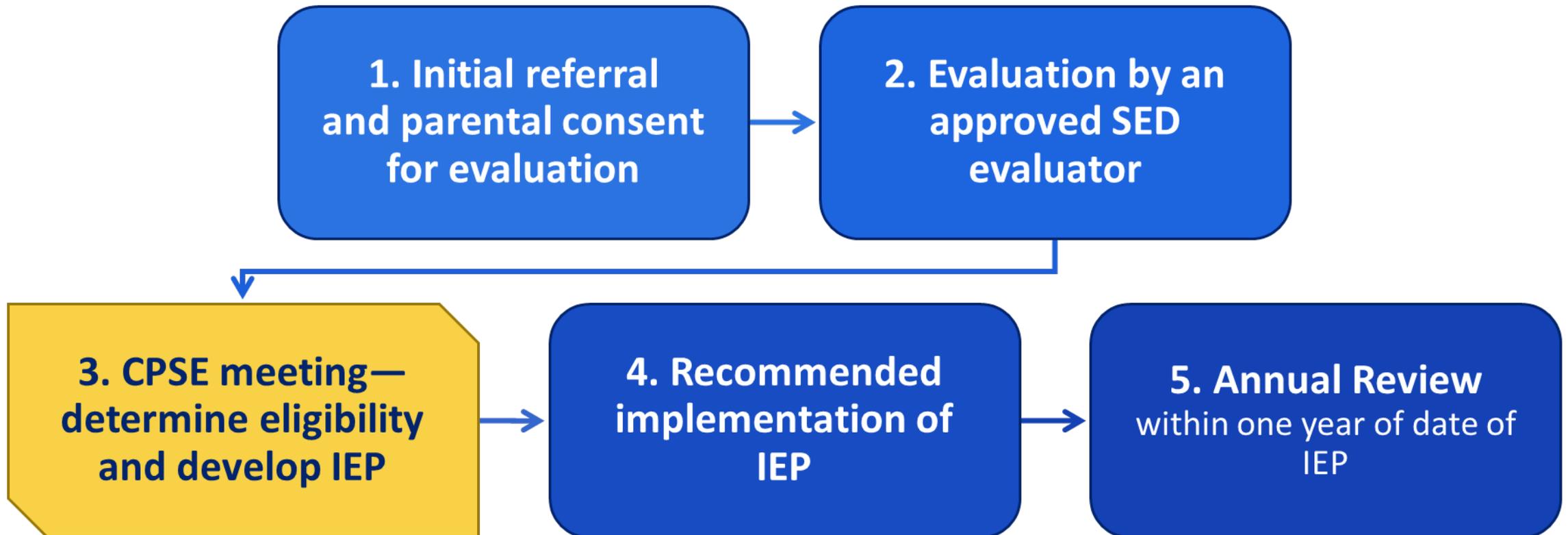


Identify the key elements of a quality evaluation.

- Abilities, strengths, and interests
- Needs and skill delays
- Ability to participate in age-appropriate activities
- Impact of the disability on overall educational performance
- Family input
- Other?



The CPSE Process—Step 3—Eligibility and IEP Development



Meeting Notice

§200.5(c)

- Provided whenever a committee proposes to conduct a meeting related to the development or review of a student's IEP or provision of FAPE.
- Parent must receive Meeting Notice in writing, at least five calendar days prior to the meeting.



CPSE Membership in NYS

Member Title	CPSE (3–5)
Parents/Individual in parental role, Guardian	Required
Not < 1 General Education Teacher (If child is or may be in general education)	Required
Not < 1 Special Education Teacher/Provider	Required
School Psychologist	Not Required
District Representative (CPSE/CSE Chairperson)	Required
Others with Knowledge/Expertise	Required
Individual to Interpret Evaluations (may serve dual role with any of the professional roles listed above, but not the parent)	Required
School Physician	Not Required
Additional Parent Member	If requested (72 hrs.)
Agency Representative (for transition planning)	Not Required
Student (if appropriate)	Not Required
Representative from Municipality	Invited
Representative from EI	By parent request for transition to CPSE

Preschool Eligibility



§200.16(a), §200.16(d)(1), §200.1(mm), §200.1(zz)

Upon the completion of the administration of tests and other evaluation materials, the committee must determine whether the student is a preschool student with a disability, as defined in section 200.1(mm) of this Part.

Significant delay when compared to accepted developmental milestones in one or more functional areas:

- Cognitive
- Language and communication
- Adaptive
- Socio-emotional
- Motor

CPSE—Determine Eligibility



Section 200.1(mm)

Preschool Student with a Disability:

- Evidence of a significant delay or a disorder in one or more functional areas indicating:
 - 12-month delay in one or more functional area(s); or
 - 33% delay in one functional area or 25% delay in each of two functional area(s); or
 - 2.0 standard deviations below mean in one functional area, or 1.5 standard deviations below mean in two functional area(s); or
- Meet criteria for student with a disability who, because of mental, physical, or emotional reasons, is identified as having one of the following disabilities as defined in §200.1(zz):
 - Autism; Deafness; Deaf-Blindness; Hearing Impairment; Orthopedic Impairment; Other Health Impairment; Traumatic Brain Injury; Visual Impairment.

Recommendation for Students Determined Eligible



§200.4(d)

- CPSE provides a recommendation to the BOE to arrange for the appropriate special education programs/services.
- Copy of this recommendation shall be provided to the parent, with PWN, and the evaluation report upon which the decision was made.

Students Determined Ineligible



§200.16(e)(2)

- Give recommendation to BOE.
- Give PWN to the parent that indicates the reasons the student was found ineligible.
- Copy of the report used to determine eligibility shall be provided to the parent.
- Provide resources for community programs or services to address child's needs.

SPP #7: Entry Assessment Preschool Outcome Summary Form



- Must include assessments to determine entry levels of functioning in:
 - Positive social-emotional skills (including social relationships),
 - Acquisition and use of knowledge and skills (including early language/communication and early literacy) and,
 - Use of appropriate behaviors to meet their needs.
- Required for all preschool children who were initially evaluated and found eligible for preschool special education programs and/or services.

SPP #7: Entry Assessment Preschool Outcome Summary Form (continued)



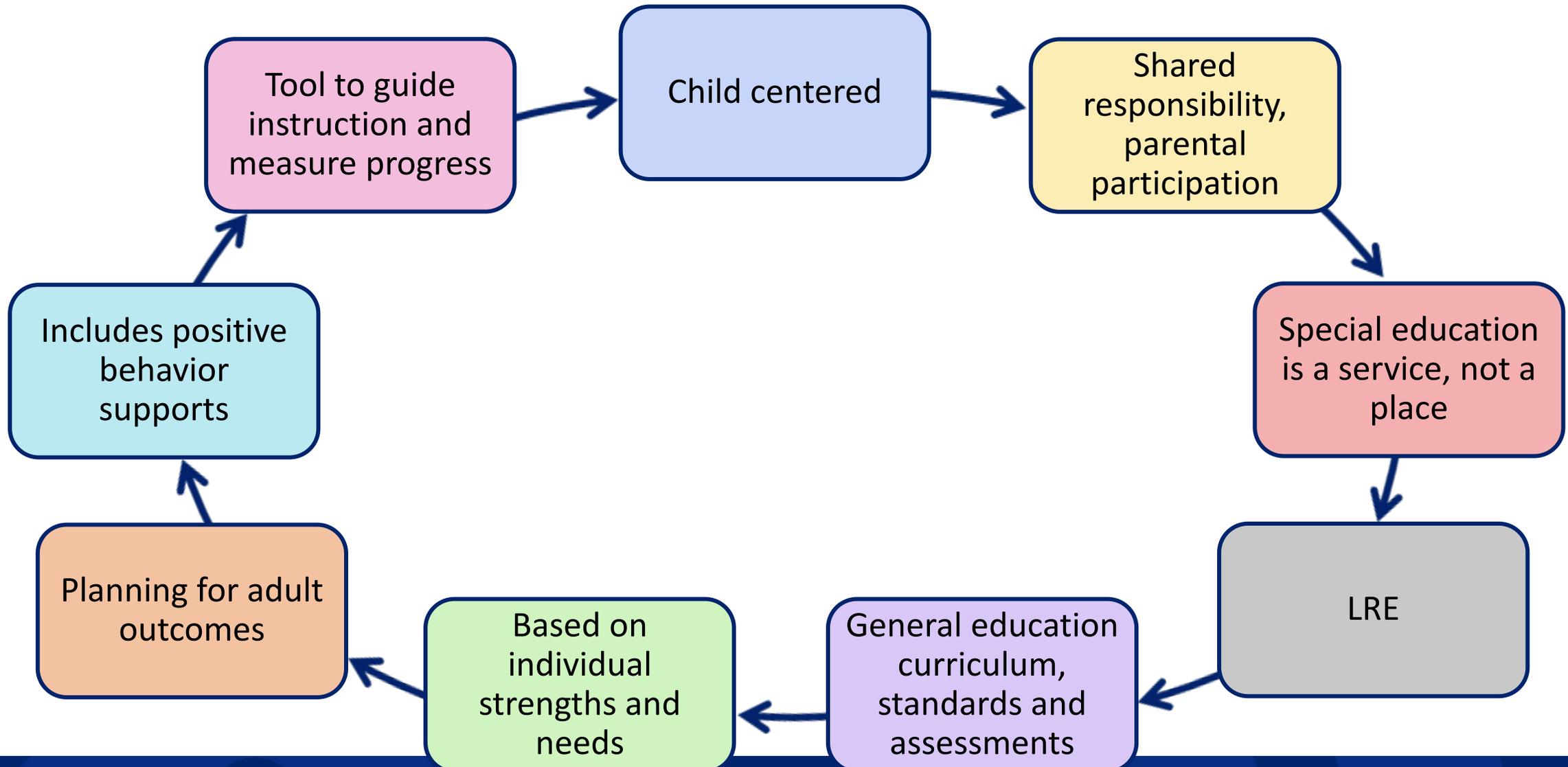
Determining Entry Level:

- Review the information provided by the approved preschool evaluator in the Preschool Student Evaluation Summary Report and assessment results.
- Determine the child's eligibility for preschool special education programs and/or services.
- Identify on a scale of 1–7 the child's typical functioning (not their capacity to function under ideal circumstances) across typical settings in each of the three outcome areas.
- Retain the Child Outcomes Summary Form in the child's record.

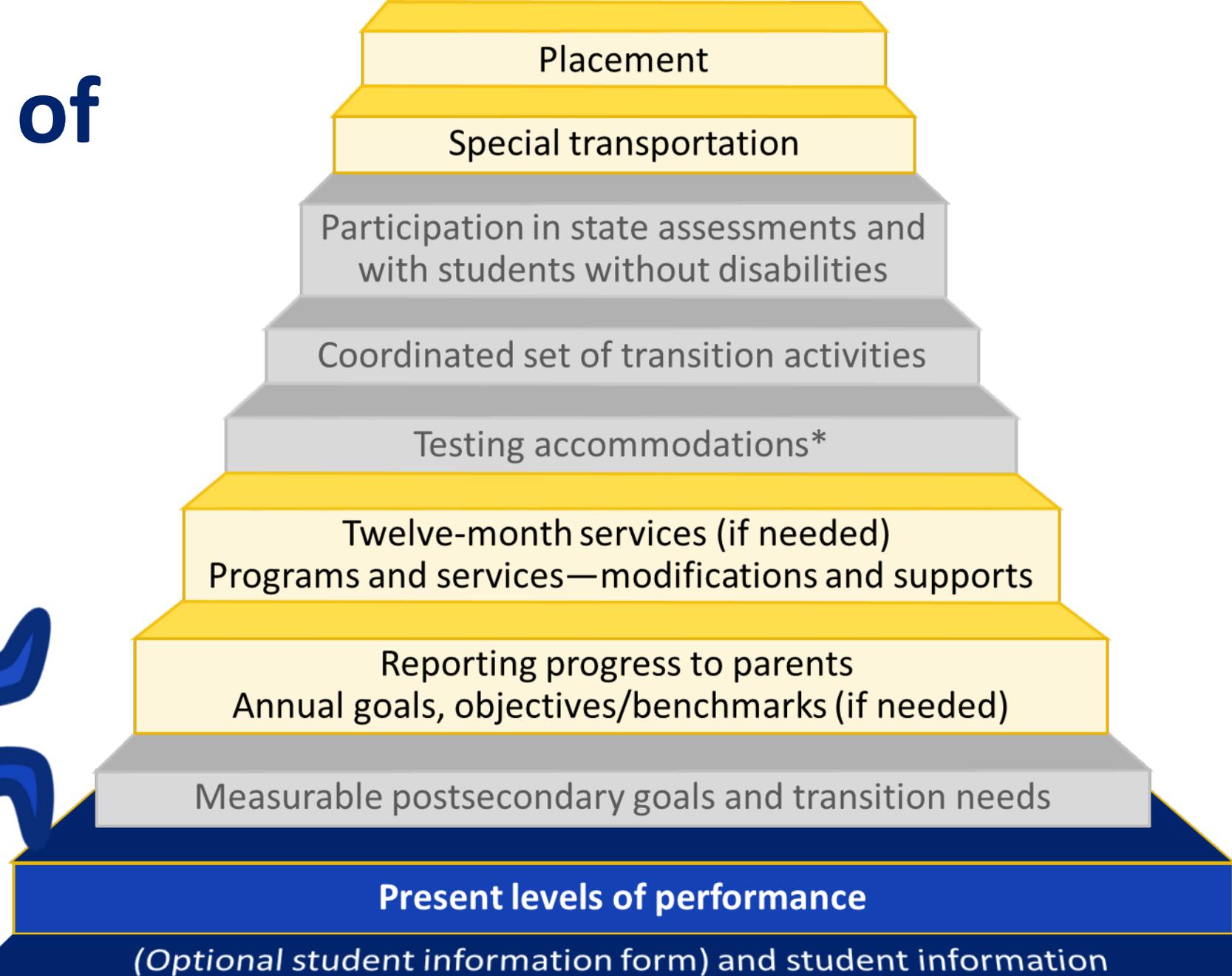
IEP Development



Guiding Principles for IEP Development



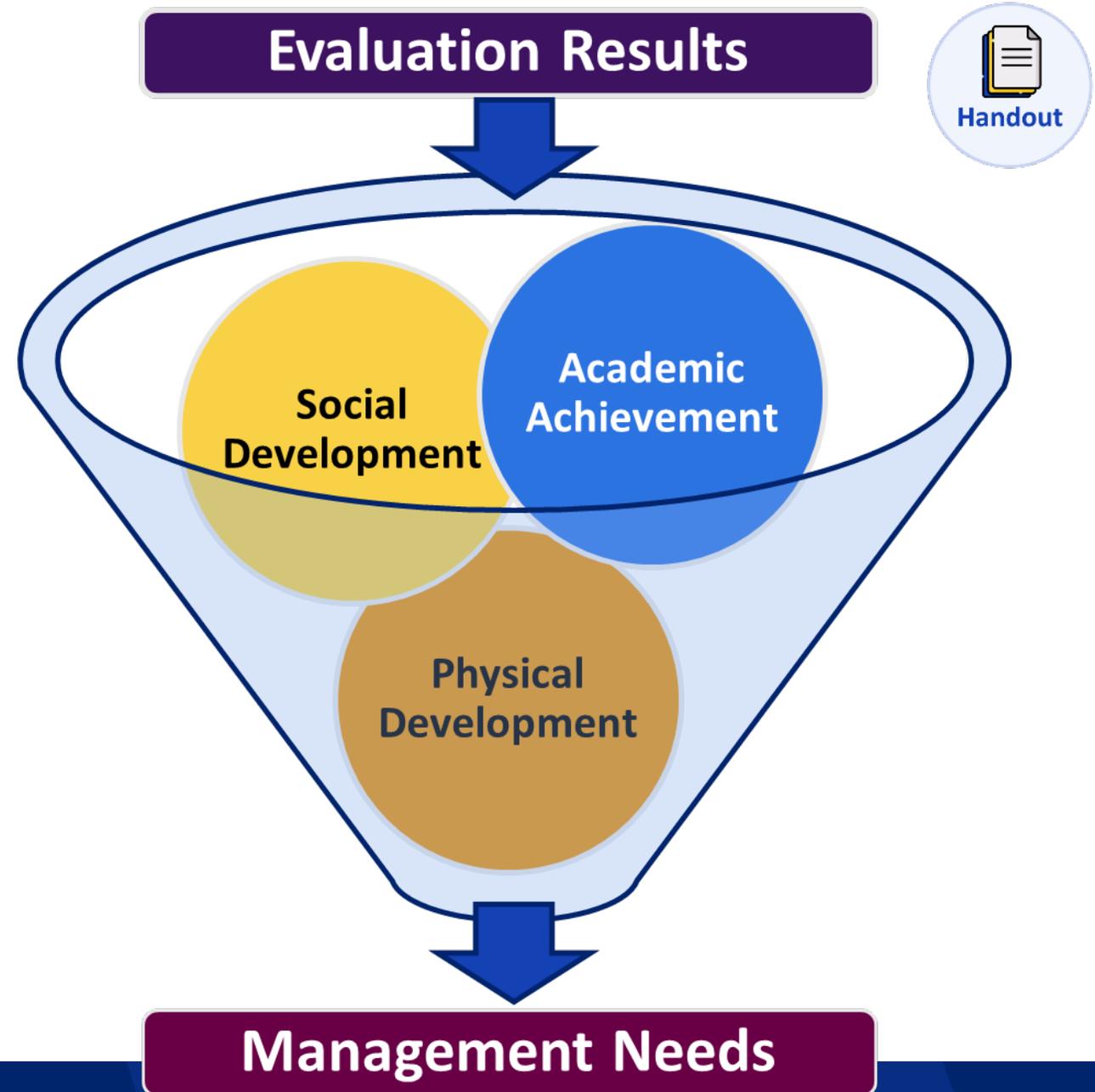
Sections of the IEP



Components of the Present Levels of Performance

Including:

- Strengths
- Preferences
- Interests
- Needs
- Concerns of the family



Evaluation Results



Evaluations are a variety of assessments tools and strategies including information from the parent to gather relevant functional, developmental, and academic information about the student.

- Individual Evaluations (psychological, speech, occupational therapy (OT), physical therapy (PT), physical/medical, etc.)
- Social history
- Student observation
- Factors related to the disability
- Family concerns

Academic Achievement and Functional Performance



Levels of knowledge and development in subject and skill areas including activities of daily living, level of intellectual functioning, adaptive behavior, expected rate of progress in acquiring skills and information, and learning style. Academic achievement and functional performance also includes student needs that are of concern to the parent/guardian.

- Dressing
- Identifying objects and people
- Following a schedule and routine
- Toileting
- Attention to tasks
- Problem solving
- Decision making
- Following directions
- Avoiding danger
- Communication skills
- Processing verbal information

Social Development



Social development is the process through which students learn the ability to interact with others and regulate their own behaviors. The student can develop and maintain meaningful interpersonal relationships, engage in positive social interaction skills with adults and peers, regulate their emotions, and develop self-awareness. Social development also includes student needs that are of concern to the parent/guardian.

- Sharing
- Imitating adults and playmates
- Friendships
- Resolving conflicts
- Cooperating with other children
- Self-confidence
- Identifying feelings
- Exploring and engaging in their environment

Physical Development



Physical development is the growth and skill development of the body including the brain, muscles, and senses during infancy and early childhood. This includes the student's use and control of their bodies. Developing gross (large muscles involving the whole body) and fine (small muscles involving hands and fingers) motor skills is a component of physical development. Physical development also includes student needs that are of concern to the parent/guardian.

- Walking
- Running
- Buttoning
- Using scissors
- Copying shapes and letters
- Controlled sitting
- Using utensils
- Brushing teeth
- Zipping
- Health and vitality

Examples of Management Needs



The nature (type) and degree (extent) to which environmental modifications and human or material resources that adults will provide to address student needs identified in the Present Levels of Performance.

Management Needs	Student Need in Present Levels of Performance	Supports Provided
Environmental Modifications	Unable to sit/stay in place	Cushion (sit disc), visual space/mark for circle time
Environmental Modifications	Monitor fatigue level	Scheduled rest periods
Human Resources	Difficulty following directions	Simplify, repeat directions, visual pictures/prompts
Human Resources	Engage in peer interaction	Encourage and reinforce peer interaction
Material Resources	Difficulty using writing utensils	Adapted utensils, pencil grip, weighted utensils
Material Resources	Learn strategies to use AT	AT—tablet, etc.
Material Resources	Communication delays, severe articulation issues, nonverbal	Use of symbol/picture exchange cards

Effect of Student Needs on Participation in Appropriate Preschool Activities

Summary of how your child's disability affects their ability to participate or progress in activities. For preschool children, appropriate activities include any activity that same-age peers engage in, such as coloring, pre-reading activities, play time, listening to stories, sharing-time, and parallel play.

Examples:

- Seraphina prefers to play in isolation and becomes upset (e.g., cries and hits others) when another student comes too close. As a result, her peer interactions at playtime are limited.
- Damien's challenges with attention are impacting his ability to follow teacher directions and expectations during group activities.

High-Quality Present Levels of Performance Should:

- Be based on evaluation results.
- Include parent concerns.
- Identify the impact the student's disability has on their ability to participate and progress in age-appropriate instruction and activities.
- Provide the basis for annual goals, supports, and programming that will be addressed in other sections of the IEP.
- Be in "parent/guardian-friendly" language.
- Be descriptive (e.g., "hits children," "leaves the classroom," "talks out of turn," "helps other children," "shares toys").
- Give actual information and use data to further highlight (e.g., "runs out of the room 3–4 times per day").
- Identify successful supports and accommodations (e.g., verbal prompts, personal space, fidgets, repeat directions).
- Identify supports and accommodations that have been used successfully in the past.

Student Needs Relating to Special Factors

Behavioral Considerations

Language Needs

Students Who Are Blind or Visually Impaired

Communication Needs

AT

Suspension/Expulsion

§200.20(b)(7)(iii)



Except as provided in §201.8, no preschool student with a disability may be suspended, expelled, or otherwise removed by the provider from an approved preschool special education program or service because of the student's behavior prior to the transfer of the student to another approved program recommended by the CPSE.

Annual Goals

Section 200.4(d)(2)(iii)(a-c)

Statements that identify what knowledge, skills, or behaviors a student is expected to be able to demonstrate by the end of the year.

- The IEP shall list measurable annual goals, including academic and functional goals, consistent with the student's needs and abilities.
- The measurable annual goals must relate to:
 - 1) Meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and
 - 2) Meeting each of the student's other educational needs that result from the student's disability.

Measurable Annual Goal Template



Annual Goal	Criteria	Method	Schedule
Student will... 1. Do what 2. To what extent/ anticipated level 3. Under what conditions or givens	1. How well or, how often? 2. Over what period of time?	Tangible method or tool to evaluate progress.	How often will you evaluate progress?

Student does this

Adult does this

Making Goals Measurable

“Will improve peer relationships” becomes...

Annual Goal	Criteria	Method	Schedule
Given ten minutes of free play, Anika will verbally interact with peers across a variety of activities	With one verbal prompt, utilizing at least four verbal exchanges Over two consecutive weeks	Recorded observation	Weekly

Short Term Objectives

The intermediate knowledge, skills, and/or behaviors that must be learned for the student to reach the annual goal.

Annual Goal:

Given ten minutes of free play, Anika will verbally interact with peers across a variety of activities.

Short Term Objectives:

- Anika will initiate verbal interaction with a peer(s) during a play activity.
- Anika will sustain verbal interaction with a peer(s) for ten minutes.
- Anika will use a minimum of four verbal exchanges with a peer(s).

Benchmarks

Indicate those **measurable intermediate steps** between the student's present level of performance and the measurable annual goal.

Annual Goal:

Given ten minutes of free play, Anika will verbally interact with peers across a variety of activities.

Benchmarks:

- Given ten minutes of free play, Anika will verbally interact with peers using one verbal exchange with three prompts.
- Anika will verbally interact with peers using two verbal exchanges with two prompts.
- Anika will verbally interact with peers using three verbal exchanges with two prompts.

Progress Monitoring Tool

Given ten minutes of free play, Anika will verbally interact with peers across a variety of activities.

Checklist	Trial 1 4/22	Trial 2 Date	Trial 3 Date	Trial 4 Date
1. Number of minutes of play time observed	8 minutes			
2. Activity and setting	Water table, Classroom			
3. Did the child interact with a peer? (+/-)	+			
4. Number of prompts provided	2 verbal, 1 physical			
5. Number of verbal exchanges with peer	2			
6. Number of words used in the verbal exchange	1 word; 3 words			
Additional Comments	1 prompt to initiate play, 2 to verbally request/identify toys			

Reporting Progress to Parents

The IEP must identify when periodic reports on the progress the student is making toward the annual goals will be provided to the student's parents.

1. **Progress** reports will be provided at least as often as parents of nondisabled students are informed **of their student's progress**.
2. Progress is reported in a jargon-free, objective manner that is easily understood **to inform parents of:**
 - a) Specific data regarding the extent to which the student is progressing towards meeting annual goals.
 - b) The **student's** progress or lack of progress **in order** to review/revise the IEP **to ensure the student is provided the appropriate supports to reach the annual goals**.

Special Education Programs, Services, and Placement



Special Education Programs and Services

What supports and services does a child need to achieve their annual goals, participate in appropriate activities, and receive services in the LRE?



LRE



Under IDEA, the presumption is that students with disabilities will attend the same schools they would have attended if they did not have disabilities and that removal or restriction from their regular schools and classrooms can only occur for reasons related to the student's disability when the student's IEP cannot be satisfactorily implemented in that setting, even with the use of supplementary aids and services.

LRE Placement



The placement of an individual student with a disability in the LRE must:

- Provide the special education needed by the student.
- Provide for education of the student to the maximum extent appropriate to the needs of the student with other students who do not have disabilities.
- Be as close as possible to the student's home.

Access to Inclusive High-Quality Early Childhood Programs

When enrolled in a district pre-K program, including special education programs and services, preschool students with disabilities must have equal access to:

- Pre-K curriculum
- Desired learning results established for all students
- Length of school day
- Protocols for Emergent MLL
- Family engagement and parent choice activities
- School facilities and food programs
- Nursing services available to all preschool students

Continuum of Preschool Services (200.16(i))



Related Services: Speech, OT, PT, and more

SEIS

SEIS and Related Services

Special Class in an Integrated Setting (SCIS)

Special Class

Related Services

- Frequency and duration
- Intensity of the disability—
individual or group
- Location
 - Service delivery model may
include push-in or pull-out



Related Services (200.1(qq))

Related services means developmental, corrective, and other supportive services as are required to assist a student with a disability, and includes:

- Speech-language pathology
- Audiology services
- Interpreting services
- Psychological services
- PT
- OT
- Counseling services, including rehabilitation counseling services
- Orientation and mobility services
- Medical services as defined in this section
- Parent counseling and training
- School health services
- School nurse services
- School social work
- AT services
- Appropriate access to recreation, including therapeutic recreation
- Other appropriate developmental or corrective supports and services
- Other appropriate supports and services
- Includes the early identification and assessment of disabling conditions in students

SEIS (200.16(i)(3)(ii))



An approved program provided by a certified special education teacher on an itinerant basis for the purpose of providing specialized individual or group instruction to the student(s) and/or indirect services for the child's regular education early childhood program teacher.

- The IEP for the student must specifically indicate if the student is to receive direct and/or indirect SEIS and the frequency, duration, intensity, and location for each.

SEIS Recommendations

IEP must indicate:

- Direct/indirect services
- Frequency
- Duration—minimum of two hours per week
- Intensity—individual or group sessions
- Location

Coordination of services—SEIS and related services



Special Class Integrated Setting (SCIS)

(200.9(f)(2)(x))

- Programs employing a special education teacher and one or more supplementary school personnel in a classroom made up of no more than twelve preschool students with and without disabilities,

OR

- A classroom that is made up of no more than twelve preschool students with disabilities staffed by a special education teacher and one or more supplementary school personnel that is housed in the same physical space as a preschool class of students without disabilities taught by a non-special education teacher.

Special Class (200.1(uuu), 200.16(i)(3)(iii))

Special class means a class consisting of students with disabilities who have been grouped together because of similarity of individual needs for the purpose of receiving specially-designed instruction in a self-contained setting, meaning that such students are receiving their primary instruction separate from their nondisabled peers.

Special Class (continued) (200.16(i)(3)(iii))

- Frequency—provided for not less than two and one-half hours per day, two days per week.
- Duration—full or half day basis.
- Chronological age range shall not exceed 36 months.
- Maximum class size shall not exceed twelve preschool students with at least one teacher and one or more supplementary school personnel.
- Include instructional services and related services as specified in the IEP.

Supplementary Aids and Services/ Program Modifications/Accommodations

Provided in general education classes or other education-related settings to enable students with disabilities to be educated with students without disabilities to the greatest extent possible in the LRE.

Examples:

- Therapeutic chair, adaptive furniture
- Adapted materials, utensils
- Simplify language/restate directions
- Visual schedule/routine
- Pictures, visual cues of people, places, things
- Preferential seating—close to teacher
- One-to-one aide/teaching assistant

AT Devices and Services



AT device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a student with a disability.

AT service means any service that directly assists a student with a disability in the selection, acquisition, or use of an AT device.

Examples:

- Noise-blocking headphones
- Fidgets
- Foam grips
- Augmentative and alternative communication devices

Supports for School Personnel

- The IEP must consider any training and/or **professional** development that providers or staff may need in order to help them to work more effectively with the student.
- The IEP should consider what support the student might need in meeting annual goals.

Examples:

- Information on a specific disability and implications for instruction
- Training in the use of a specific positive behavior intervention
- Training on specific software or technology
- Consulting with related service for adapted utensils or equipment
- Assistance with instructional supports



One-to-One Aide

§200.4 (d)(3)



- Recommended for students with more intensive needs—medical, physical, cognitive, or behavioral
- Requires that CPSE make certain considerations prior to determining that a student needs a one-to-one aide
- SED Guidance June 2016—specific documentation required

Twelve-Month Program/Services ESY



The CPSE must determine whether a student requires special education services during the months of July and August in order to prevent substantial regression.

Typically for students as follows:

- Highly intensive management needs
- Severe multiple disabilities/services are mainly habilitation and treatment/in special classes
- Home/hospital instruction to prevent substantial regression
- Seven-day residential placement

Not all students will meet the criteria to be eligible for ESY!

Special Transportation

For students who are recommended to attend a Special Class or SCIS setting, the committee must determine whether a student's disability prevents them from using the same transportation provided to other students.

Special transportation can include:

- Special seating (car seat, booster)
- Vehicle/equipment needs (lifts, ramps, etc.)
- Adult supervision (aide)
- Type of transportation (car/small bus)
- Other accommodations (headset, iPad)

Preschool Programs and Services



§200.16(i) and §200.9(f) and 200.16(f)(2)

- Identify child's current setting and services, and consider child's progress.
- Consider factors regarding frequency, duration, intensity, and location of services.
- Identify coordinator of services if two or more related services are recommended—if child receives SEIS, SEIS provider is coordinator of services.
- The BOE shall notify the parent, the commissioner, the appropriate municipality, and the preschool program or related services provider selected to provide the services of its approval.

CPSE Responsibilities

- Make recommendations based on the information shared, including evaluation reports and parent input.
- Recommended services must support the child in acquiring the skills necessary to progress developmentally and participate in age-appropriate activities.
- Must develop or review the student's IEP to identify appropriate special education programs and services.
- Provide parents with information and encourage enrollment in district Pre-K programs.
- Determine how appropriate special education services will be delivered to the child enrolled in the district Pre-K program.

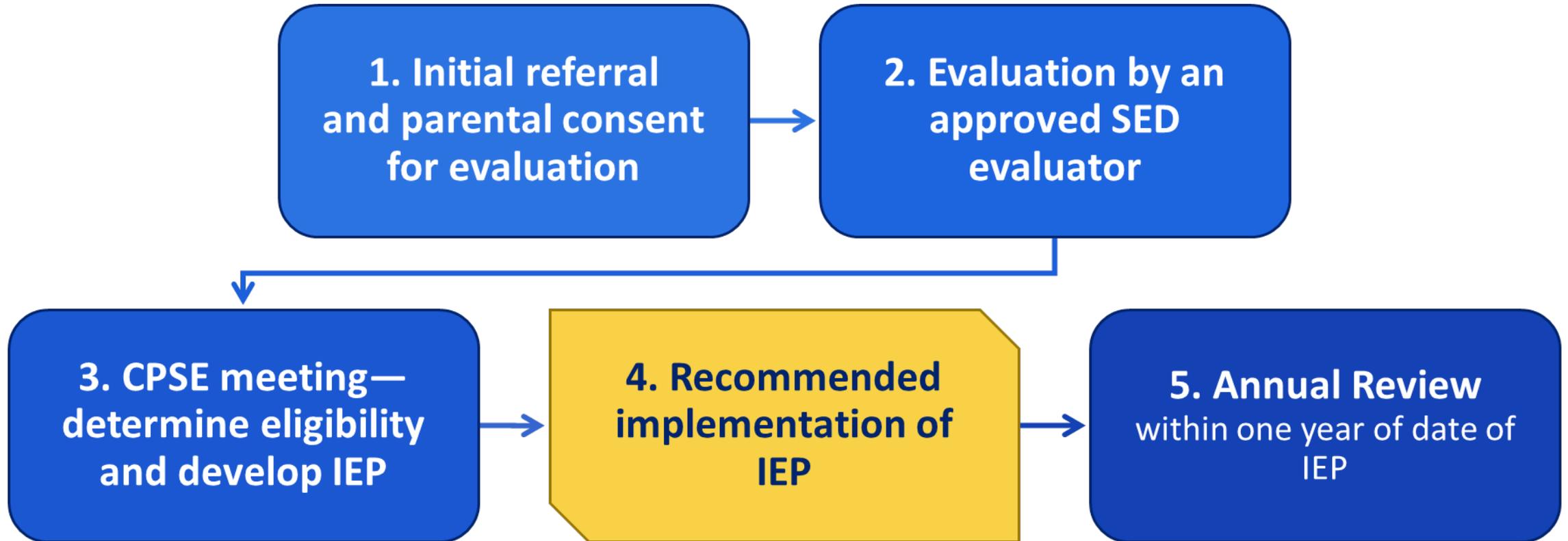
Additional District Responsibilities to Ensure a Full Continuum of Services



To work towards ensuring a full continuum of services is available for preschool students with disabilities, consider the following:

- Staffing configurations
- Community collaboration models
- Professional development activities

The CPSE Process—Step 4— Recommendation





Consent for IEP Implementation



- Must provide the parent/guardian with PWN and a copy of the IEP and obtain written consent for the initial provision of special education services.
- If the parent/guardian does not respond or denies consent, services cannot be provided.

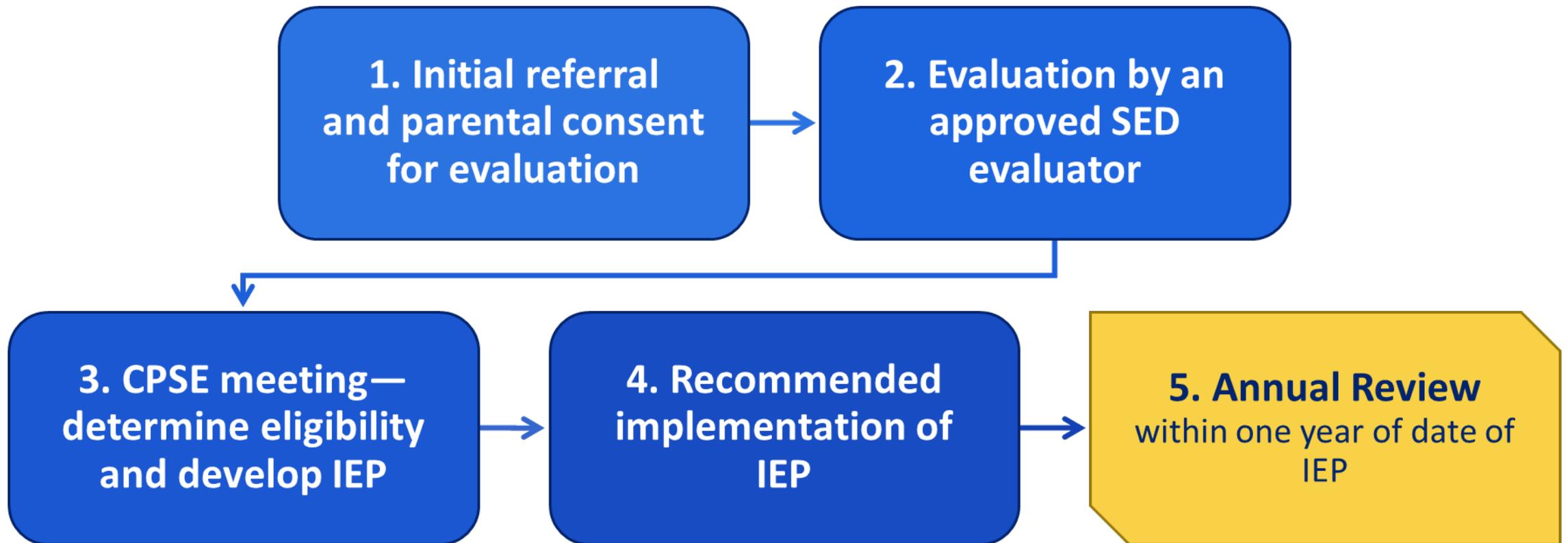
IEP Distribution



§200.4(e)(3) and §200.2(b)(11)

- Must provide paper or electronic copy of the IEP before implementation to all responsible for implementation of services.
- Must ensure that supplementary school personnel or others responsible for assisting with implementation have opportunity to **review a copy** and have ongoing **access to** a copy of the IEP.
- All IEPs shall remain confidential.

The CPSE Process—Step 5—Annual Review



IEP Annual Review

§200.4(f)



A review of the IEP must occur whenever necessary, but not less than once a year.

The purpose of annual review is to:

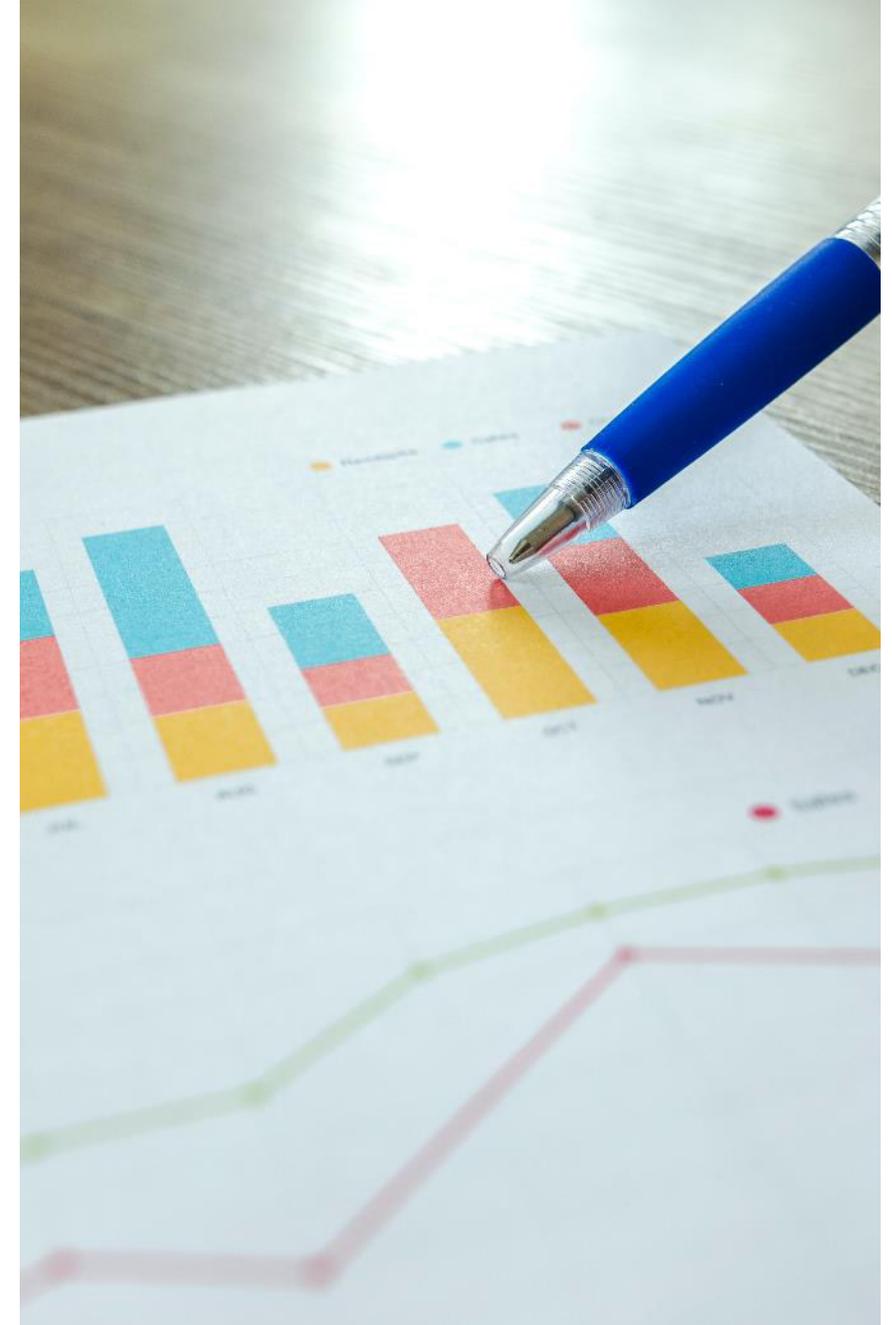
- Review all aspects of the current IEP to determine what goals were met during the current school year;
- Consider any new information about the student's educational needs; and
- If the student continues to need special education supports, write a new IEP that describes all aspects of the program for the coming school year.

Required Considerations

- Strengths of the student
- Concerns of the parent/guardian
- Results of the initial or most recent evaluation
- Academic, developmental, and functional needs of the student
- Special factors
- Educational progress and achievement
- Student's ability to participate in instructional programs in general education and in LRE

Data Informs the Annual Review

- Use the goal progress monitoring data collected throughout the year to update the student's Present Levels of Performance.
- Has the goal been met; do objectives and benchmarks need to be adjusted so the goal can be achieved?
- Were appropriate support services provided to the student to reach the goal?



Revising the IEP

Once the information has been reviewed, the IEP must be revised in order to address:

- Lack of expected progress in participation in appropriate activities
- Progress on annual goals
- Results of reevaluation when combined with annual review
- Information about the student provided to, or by, the parent/guardian
- Student's anticipated needs
- Other matters (e.g., AT)

Amending the IEP Without Meeting



§200.4(g)(2)

After the annual review, the district and parent may agree to change the IEP without holding a meeting:

- If parent requests changes and the district and parent agree in writing.
- If district proposes changes, submits written proposal in language understandable to the parent, provides the parent opportunity to discuss with providers, and the parent agrees in writing.
- An annual review must take place within one year of the date of the original recommendation (meeting).

Preschool IEP Checklist



- Student information
- Evaluation results
- Present levels of performance
- Effect statement
- Special factors
- Annual goals
- Reporting to parents/guardians
- Special education programs and services
- Supplemental aids and services/
program modifications/
accommodations
- AT
- ESY
- Participation with students
without disabilities
- Special transportation

Reevaluation Process





What Is a Reevaluation?



A reevaluation is an individual evaluation that must include procedures, tests, or assessments used selectively with the individual student that are necessary in order to appropriately assess the student in all areas related to the suspected disability of the student.

Reevaluation

§200.4(b)(5)



The district must arrange for the appropriate reevaluation of each student with a disability:

- If the school district determines the educational or related service's needs, including improved academic achievement and functional performance of the student, warrant a reevaluation, or
- If the student's parent or teacher requests a reevaluation,
- But not more frequently than once a year, unless the parent and representatives of the school district appointed to the CPSE agree, and at least once every three years except when the school district and the parent agree in writing that such a reevaluation is unnecessary, and
- Whenever the CPSE is considering declassification of the student.

Reevaluation Information Determines:

- Whether the student continues to have a disability
- The student's Present Levels of Performance
- Whether the student continues to need special education
- Whether there are any additions or modifications needed to the special education services to enable the student to meet the annual goals of the IEP and participate, as appropriate, in the general curriculum



CPSE Meeting



- After the reevaluation is completed, there must be a CPSE meeting to discuss the results of the reevaluation.
- While the meeting to discuss the evaluation results should be held in a timely manner, to the extent possible, the school district should consolidate reevaluation meetings and other CPSE meetings for the student.

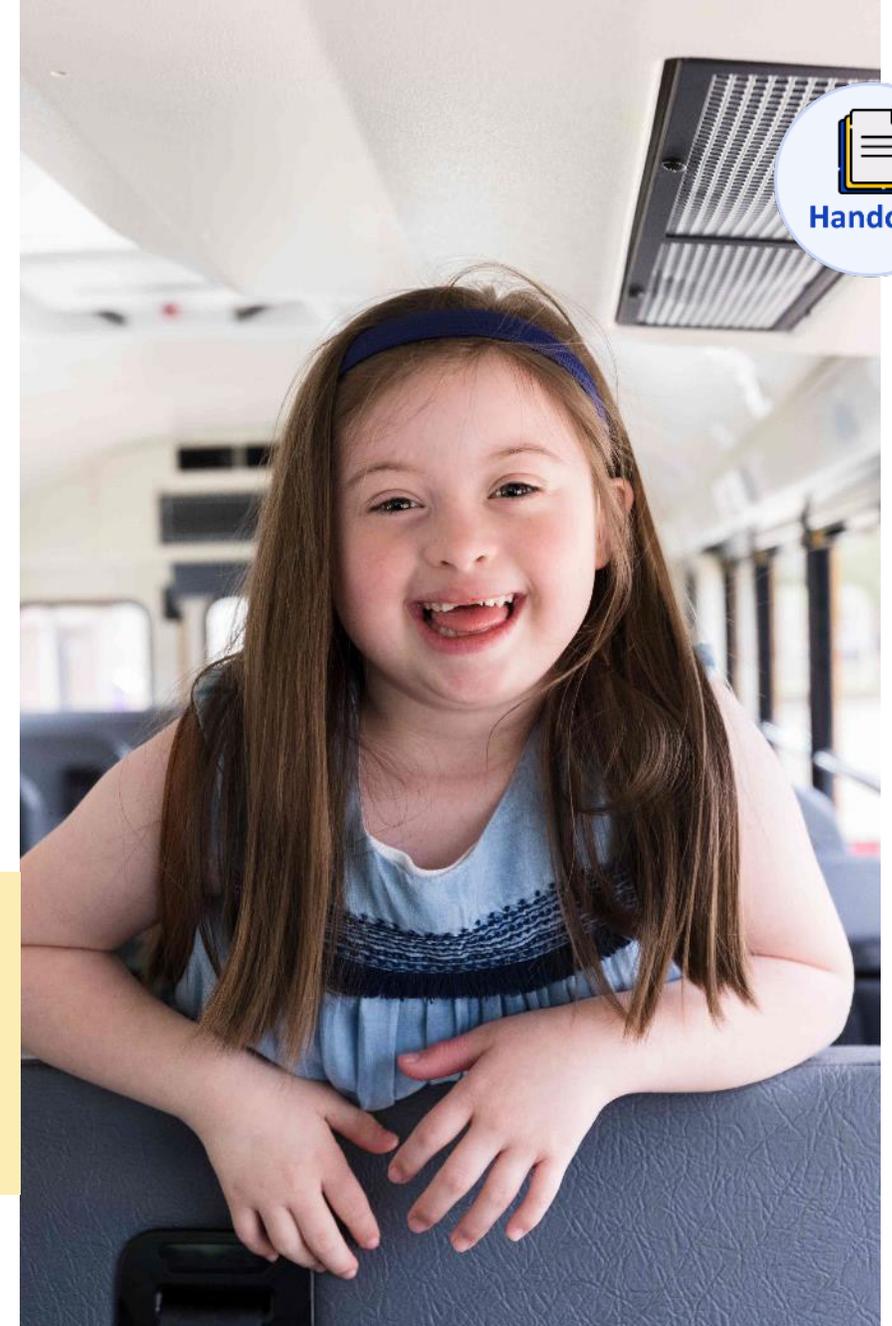
Transitioning from Preschool Special Education (CPSE) to School-Age Special Education (CSE)



When Will Students Transition to Kindergarten?

Students who will be five years of age on or before December 1st are eligible to attend kindergarten starting in September of the school year.

Please note: each district may have their own requirements for age and cut-off dates.

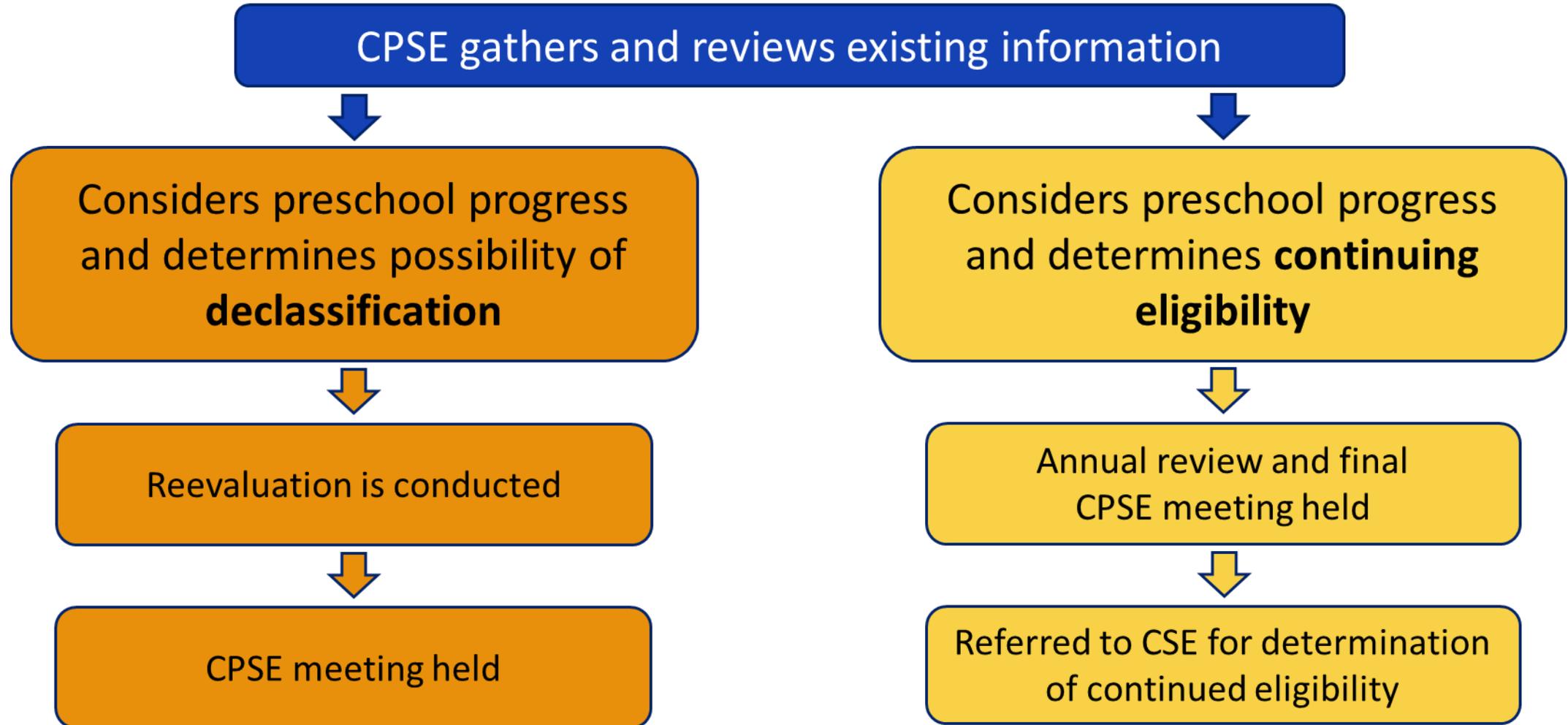


At the Final CPSE Meeting...

- Discuss yearly progress (Annual Review);
- Determine ESY services for the current school year (as a preschooler);
- Determine whether the student will be:
 - Declassified; *or*
 - Referred to CSE.

Responsibilities of the CPSE

During Transition to CSE



Transition: CPSE to CSE

CPSE determines if the child:

- Will be declassified based on results of reevaluation, which may include a review of existing information;

OR

- Will be referred to the CSE to determine continuing eligibility for school-age special education services.



Transition: CPSE to CSE

(continued)

CPSE Responsibilities:

- Notify parent/guardian of referral to CSE
- Provide CSE with updated information

SPP#7: Exit Assessment Preschool Outcome Summary Form



Preschool children with disabilities who:

- Stop receiving preschool special education services due to program completion or declassification, and
 - Received an entry assessment and participated in preschool special education for at least six months prior to exiting
- During the school year in which the school district is required to report exit data.
 - A school district may choose to conduct exit assessments each year on all preschool special education children to assist in making student and programmatic decisions.

Effective Meetings



Ensure Parent/Guardian Engagement



- Collaborative communication
- Planning together and sharing in the responsibility for ensuring a quality education for the child
- Respecting one another's opinion and knowledge



Parent/Guardian Participation



How can you encourage parent/guardian participation and facilitate a positive parental experience?

Quality Indicators for Effective CPSE/CSE Meetings

- All required participants are present in person or by teleconference.
- Meetings are scheduled at a mutually agreeable time, date, and location.
- All participants have current information that will be considered at the meeting.
- Arrangements are made for any necessary accommodations for parent/guardian or other participants (physical access, interpreter).
- Meaningful attempts are made to encourage parent/guardian participation in the meeting.

Quality Indicators for Effective CPSE/CSE Meetings (continued)



- Parents have the same information that will be reviewed at CPSE/CSE and are invited.
- During the meeting, all members of the Committee share information as well as their views on the needs and strengths of the student.
- Decisions for services are centered on the needs of the student with a focus on LRE.
- Differences of opinion on recommendations are discussed in order to reach consensus.
- Decisions about classification, services, and supports are made through consensus.

Final Thoughts or Questions



Preschool Special Education Information and Resources

- Designated County Department for Preschool
- Early Childhood Family and Community Engagement Center (EC FACE Center)
- Regional Partnership Center
- [Special Education Quality Assurance \(SEQA\)](#)
- [NYSED Website \(Preschool Page\)](#)

References and Additional Resources

(1 of 3)

- [Developing Recommendations for Special Transportation](#)
- [ESY Q&A](#)
- [FERPA Guidance](#)
- [Field Memo January 2012—Guidelines for Determining a Student with Disabilities Need for a 1:1 Aide; June 2016: New Requirements for Special Education Specific to One-to-One Aides](#)
- [Field Memo January 2013—New Regulations for Special Education Programs: Access to IEP](#)
- [Field Memo November 2006—SPP Preschool Outcome Summary Form](#)

References and Additional Resources

(2 of 3)

- [Guide for Determining Eligibility and Special Education Programs and/or Services for Preschool Students with Disabilities—January 2003](#)
- [Guide to a Quality IEP](#)
- [NYSED Guidance on Prior Written Notice](#)
- Part 200/201: [Regulations of the Commissioner of Education—Parts 200 and 201](#)
- Part 154: [Regulations Concerning English-language Learners and Multilingual Learners](#)
- [Present Levels of Performance](#)

References and Additional Resources

(3 of 3)

- [PSN](#)
- [Q&A Regarding Providing Services to Children with Disabilities during the Coronavirus Disease 2019 Outbreak, March 2020](#)
- [Special Education Data Collection System of SEDCAR \(Special Education Data Collection, Analysis and Reporting\) 2020-21 School Year Data; SPP Indicators School District Schedule](#)
- [Special Education in NYS for Children Ages 3-21: A Parent's Guide](#)
- [The Transition of Children from The New York State Department of Health Early Intervention Program to The State Education Department Preschool Special Education Program or Other Early Childhood Services](#)

Contact Us

TAP for Transition

TAPtransition@cornell.edu

TAP for Behavior

tap-b@albany.edu



New York State
EDUCATION DEPARTMENT

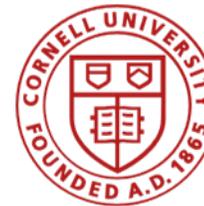
Knowledge > Skill > Opportunity



New York State Education Department
Office of Special Education

Educational Partnership

Technical Assistance Partnership
for Transition



Cornell University

This training was provided by the Technical Assistance Partnership for Transition at Cornell University. The OSE Educational Partnership is funded by the NYSED Office of Special Education.