



New York State Education Department  
Office of Special Education  
**Educational Partnership**





# Transition from Early Intervention to Preschool Special Education

Early Childhood Family and Community  
Engagement Center

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Produced by the Technical Assistance Partnership for Behavior



New York State Education Department  
Office of Special Education  
**Educational Partnership**

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# Today's Facilitators

Name

# Goals for Today

Learn about the role of Early Intervention Program (EIP) and Committee on Preschool Special Education (CPSE) as it relates to the transition process

Learn about timelines and vocabulary

Learn about the role of the family/guardian, the provider, the county and the CPSE



# Planning for Transition

## Three Options:

Transition to Preschool Special Education

Not eligible for Preschool Special Education services

Connection to community programs or resources

A transition plan is developed  
for all children exiting Early  
Intervention Program **prior** to  
their 3<sup>rd</sup> birthday.

# If a child is potentially eligible for preschool special education programs and services

The Early Intervention (EI) Service Coordinator will notify the school district no fewer than 90 days before the child's potential eligibility for Preschool Special Education services.

Transition Conference held at least 90 days before the child's eligibility for CPSE services, or no fewer than 90 days before the child's third birthday or no more than nine months before the child's 3rd birthday



# Purpose of the Transition Conference

- Develop a transition plan
- Decide whether the child should be referred to preschool special education
- Learn the differences/similarities between the EI and CPSE systems
  - Evaluation process
  - Eligibility
  - Program options
  - Transportation
- Make the CPSE meeting more efficient
- Begin relationship with the district



Parents may choose not to participate in the conference, but the conference will still be held

Service Coordinator should notify the parent in writing about the information that was discussed at the conference



# Decisions, Decisions

If parents prefer, their child can continue to receive EI services beyond third birthday, provided:

1. the child is referred to the CPSE
2. an evaluation or review of records is conducted
3. the child is found eligible for preschool special education prior to their 3rd birthday
4. AND an IEP is developed



# When do children transition?

If child's birthday is between January 1 and August 31, can remain in EI until September 1 (e.g., through August 31st) of the year he/she turns three.

If child's birthday is between September 1 and December 31, 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 3rd birthday, EI services cease the day before their birthday.



## When Can Preschool Special Education Begin?

If a child is determined eligible, the start of services will be discussed at the CPSE meeting and on the IEP.

In general:

If child's birthday is between January 1 and June 30, services can begin on January 2 of the year he/she turns three years old.

If child's birthday is between July 1 and December 31, services can begin on July 1 of the year he/she turns three years old.



# Transition Calculator

Example:

Date of Birth	March 1, 2018
1. Date Child First Potentially Eligible for CPSE Services	January 2, 2021
2. Notice to CPSE of Potential Eligibility by:	October 4, 2020
3. Transition Conference Convened by:	October 4, 2020
4. Transition Conference Convened no earlier than:	June 1, 2020
5. Last Date for Referral to CPSE to Ensure Eligibility Determination Before Age Three	December 1, 2020
6. Last Date for a Child Found Eligible for CPSE Services to Receive EIP Services	August 31, 2021

Source: [http://www.p12.nysed.gov/sedcar/ei\\_to\\_4410\\_calculator.html](http://www.p12.nysed.gov/sedcar/ei_to_4410_calculator.html)

# EI AND PRESCHOOL SAME VERSUS DIFFERENT

## SAME

Parents are involved with the process of developing their child's plan.

Parents can make a referral

Parents can say "no" to a referral and services

No cost to parents for the evaluation and services

Parents select a State Education Department (SED) approved Multidisciplinary Evaluation (MDE) provider

conduct evaluation

## DIFFERENT

No appointed service coordinator, but a service provider is designated to coordinate the provision of services.

EIP Provides family centered services to meet the developmental needs of eligible children; CPSE provides special education and related services to meet the educational needs of identified preschool students with disabilities

Under EIP services provided in natural environments where children under three years of age are typically found such as the child's home, day care or family day care settings; Under CPSE services provided in a least restrictive environment where age appropriate peers without disabilities are typically found in a setting as close as possible to the student's home.

IFSP reviewed every 6 months, IEP reviewed annually

Under CPSE, children are identified as Preschoolers with a Disability

CPSE Meetings are typically held at school and not in the home, but exceptions may be made

Under EIP services must be available during calendar year; Under CPSE Services must be available 180 days during the ten-month school year and at least 30 school days during July and August (when 12-month extended school year services are recommended for eligible children by the CPSE).

# Questions



# Preschool Special Education

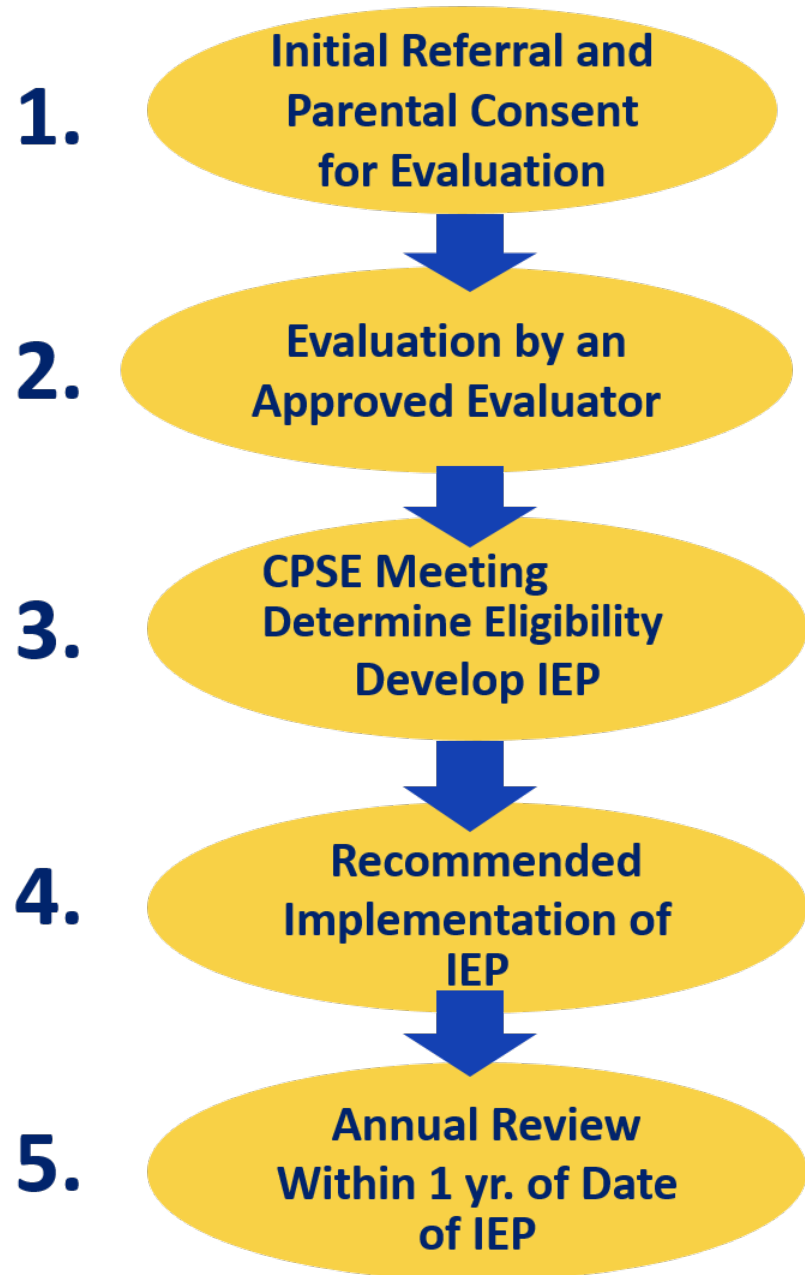
Each school district has a CPSE

- Receive initial referral and obtain parental consent for evaluation
- Arrange for evaluations
- Meeting is held to review and discuss to determine eligibility
- If eligible, develop Individualized Education Program (IEP)

Children must meet eligibility requirements to qualify for services



# Transition to the CPSE



Within 60 calendar days of receipt of consent

As soon as possible following development of the IEP, but no later than 30 school days from the recommendation of the CPSE and within 60 school days from receipt of consent to evaluate



# Evaluation Process

1. Prior written notice (PWN) is sent to parents for consent for evaluation
2. Parent provides consent for evaluation
3. Parent selects an SED approved MDE
4. CPSE provides MDE with information regarding the specific evaluations for which consent was provided
5. CPSE notifies the MDE of their due date for the evaluation reports and potential date for CPSE meeting
6. MDE conducts evaluation
7. Within 60 calendar days of receipt of consent the evaluation occurs and CPSE meeting to review evaluations and determine eligibility

# Evaluator's Responsibility

The approved MDE provider:

- Completes all components of the evaluations as authorized by the CPSE
- Submits the evaluation reports to the CPSE
- Completes the Preschool Student Evaluation Summary Report and submits to the CPSE

# The Initial Evaluation Includes:

**Physical** exam to assess health, vision, hearing and immunization record

**Social History** including your child's developmental history and family information

**Psychological** evaluation to test learning potential, abilities and educational strengths and needs

**Observation** of child

**Other** appropriate assessments or evaluations in your child's area of concern, which may include a **Functional Behavior Assessment**

# Evaluation

Areas of concern that may be evaluated as determined by the CPSE:

Motor

Cognitive

Language and Communication

Adaptive

Social Emotional/Behavioral

Physical



# Evaluations

Use of formal and informal evaluations to determine the necessary programs and services to address the child's needs

- Evaluators should obtain relevant information from parents and observation of a child.
- Administered in student's native language or preferred mode of communication
- Full evaluation report must be provided to the CPSE (including the parents) prior to the child's scheduled CPSE meeting

# Evaluation Continued

Approved evaluator sends a copy of evaluation reports, including the Preschool Student Evaluation Summary Report to:

- the parents
- each member of the CPSE, including the municipal representative, and
- the appropriate professional designated by the EI programs, if parents request this person attend the CPSE meeting for the child transitioning from an EI program.

# Criteria to be Determined Eligible as a Preschool Student with a Disability

To be identified with a disability a preschool child will have either:



A 12-month delay in one or more areas

A 33% delay in one area or 25% delay in two areas

A score of 2.0 standard deviations below the mean in one area or 1.5 SD below in two areas

**OR**

# Preschool Student with a Disability

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 section 200.1(zz):

Autism

Deafness

Deaf-Blindness

Hearing Impairment

Orthopedic Impairment

Other Health Impairment

Traumatic Brain Injury

Visual Impairment including Blindness



# The Preschool Process CPSE Meeting

The purpose of a CPSE meeting is to:

Discuss evaluation results

Determine the child's eligibility for special education programs and services; and if appropriate

Develop an IEP to meet the needs of the child.



# Who are the members of the CPSE?



Parent of the child

General education teacher

(at least one)

Special education teacher/provider

(at least one)

Chairperson of the CPSE

Parent member (upon request)

Evaluator of the child

Representative from EI (invited)

County Representative (invited, if they cannot attend, the meeting can proceed)

Others who have knowledge and expertise at the request of the district or parents

# Role of the Committee

To send prior written notice and obtain parental consent

Arrange for evaluations

Review & discuss information and evaluations to identify the child's needs

Determine eligibility at the CPSE meeting

Develop IEP

Recommend and review programs options and services and determine placement developed in conformity with in least restrictive environment (LRE) provisions

Forward recommendations to Board of Education



# The IEP

Present Level of Performance:

- Describe the child's current abilities and where the child is functioning (baseline)
- Identify student's needs and skill delays

Develop measurable annual goals and short-term objectives

Recommend special education programs and related services

Recommend program accommodations or modifications

Consideration of Least Restrictive Environment

Special Transportation

Start and end dates of recommended programs and services

Placement and location

Provide a statement of how the child's parents will be informed of their child's progress toward the annual goals

# Continuum of Services



**Related Services: Speech, OT, PT and more**

**Special Education Itinerant Services (SEIS)**

**SEIS and Related Services**

**Special Class in an Integrated Setting (SCIS)**

**Special Class**

# Individuals with Disabilities Education Act 2004 (IDEA)

Federal law governing special education ages 3–21, which entitles students to a free appropriate public education (FAPE) in the LRE.



[School District Responsibilities for Preschool Inclusion in Publicly Funded Pre-K Programs](#)

# 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 individualized education program (IEP) cannot be satisfactorily implemented in that setting, even with the use of supplementary aids and services.

School District Responsibilities for Preschool Inclusion in Publicly Funded Pre-K Programs

# LRE (200.1(cc)) (continued)



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

- Hold high expectations for inclusion in early childhood programs
- Increase public understanding of the science that supports meaningful inclusion of children with disabilities
- Highlight the legal foundations for supporting inclusion
- Provide recommendations to States, LEAs, schools and early childhood programs to increase opportunities for early access to programs
- Identify free resources in which families and programs can use to support high quality programming and inclusion for children with disabilities in early childhood programs

# Special Education Programs and Services

What programs and services does a child need to achieve their annual goals and to participate in age-appropriate activities?



# 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

Guide to Quality IEP Development and Implementation—Feb. 2010 (revised Dec. 2010)

# Continuum of Services (200.16(i))



Related services: Speech, Occupational Therapy (OT), Physical Therapy (PT), and more
Special education itinerant services (SEIS)
SEIS and related services
*Special class in an integrated setting (SCIS)
Special class

# 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
- Physical therapy
- Occupational therapy
- 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
- Assistive technology 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

# Related Services

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



# Special Education Itinerant Services (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.

[SED Field Advisory—October 2015: SEIS for Preschool Children with Disabilities](#)

# 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

## Committee on Preschool Special Education (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.

# Access

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 Multilingual Learners
- Family engagement and parent choice activities
- School facilities and food programs

[School District Responsibilities for Preschool Inclusion in Publicly Funded Pre-K Programs](#)

# Additional Strategies

To work towards ensuring a full continuum of placements are available for preschool students with disabilities consider these additional strategies:

- Staffing configurations
- Community collaboration models
- Professional development activities

[https://sites.ed.gov/idea/files/policy\\_speced\\_guid\\_idea\\_memosdcltrs\\_preschool-lre-dcl-1-10-17.pdf](https://sites.ed.gov/idea/files/policy_speced_guid_idea_memosdcltrs_preschool-lre-dcl-1-10-17.pdf)

# Delivery of Services



**Home**

**Workplace of Provider**

**Child Care**

**Head Start**

**Nursery School**

**Pre-K**

**Center-Based Program**

# SPP Indicator 6: LRE—Preschool

**Beginning in Federal Fiscal Year 2020, Indicator 6 will be divided into 3 categories**

**Indicator 6A** measures the percent of children ages 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program.

**Indicator 6B** measures the percent of children ages 3 through 5 with IEPs attending a separate special education class, separate school or residential facility.

**Indicator 6C** measures the percent of children ages 3 through 5 with IEPs receiving special education and related services in the home setting.



# SPP Indicator 7 – Preschool Outcomes

## Entry Assessment – Preschool Outcomes 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 on or after March 6, 2006

# Annual Review

At least once per year, the committee will review the child's IEP determine if the annual goals for the student are being achieved and make recommendations for the next school year based on:

- Progress
- Reevaluation and any new information about the student's educational needs

Reviews can occur more frequently and are done to discuss changes to the child's current program



# CPSE Meeting Adjourned!

## Parents should be able to answer:

Do you understand your child's strengths and areas of need?

Do you know and understand what goals and objectives will be addressed during the upcoming year?

Do you understand the type, frequency and duration of services your child will receive?

Do you understand how often and when you will receive progress updates from professionals working with your child?

Does the IEP address your child's needs?

# Parent Rights

To be fully informed

To be notified about all meetings at least five school days before

To request a meeting at a mutually agreed upon time and place if parent can't attend scheduled meeting.

To participate in decision making

To have all information explained

To have confidentiality maintained

To be able to review records if requested

To have consent sought for evaluations and services

To be provided a procedural safeguard notice

To request mediation and/or an impartial due process hearing if they disagree with the CPSE's recommendations



# Concluding Questions



# Resources

- Early Childhood Family and Community Engagement Centers:  
(website coming soon)
- School Age Family and Community Engagement Centers:  
(website coming soon)
- New York State Education Department:  
<http://www.p12.nysed.gov/specialed/>
- Parent to Parent of NYS:  
<http://parenttoparentnys.org/>
- SED and DOH joint memo on Transition from EI to CPSE:  
<http://www.p12.nysed.gov/specialed/publications/preschool/transitionguide/cover.html>

# Resources II:

- [Guide for Determining Eligibility and Special Education Programs and/or Services for Preschool Students with Disabilities \(January 2003\)](#)
- [Guide to Quality Individualized Education Program \(IEP\) Development and Implementation—February 2010 \(revised Dec. 2010\)](#)
- [Office of Special Education Programs \(OSEP\) Dear Colleague Letter \(DCL\) \(updated January 2017\).](#)
- [NYSED Field Advisory—July 2021: School District Responsibilities for Preschool Inclusion in Publicly Funded Prekindergarten Programs](#)

# Resources III

- [NYSED Field Advisory—October 2015: Special Education Itinerant Services for Preschool Children with Disabilities](#)
- [U.S. Department of Health and Human Services, U.S. Department of Education – Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs \(September 14, 2015\)](#)



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