

**June 2, 2010 - Webinar 1 - Overview of Revisions to the EI Regulations  
Frequently Asked Questions**

**1. Question:**

Are parent and child social security number required? What if a parent refuses to provide or does not have a social security number?

**Answer:**

The social security number of the parent and the child are required. However, not having a social security number does not preclude a child from participating in the EIP. If a parent refuses to provide their social security number, the refusal should be documented in the child's record by the Early Intervention Official or designee (EIO/D), but the program continues to be available to the family. There is no citizenship requirement for eligibility in the EIP. The Department has developed a standard form that municipalities may use for this documentation.

**2. Question:**

How will the preferred list of evaluation assessment tools be received?

**Answer:**

The *Interim List of Developmental Assessment Instruments* was sent by e-mail to all municipalities and was broadcast on the BEI listserv on June 3, 2010. Suggestions for the inclusion of specific instruments may be submitted via e-mail to [bei@health.ny.gov](mailto:bei@health.ny.gov). The Department will review the information submitted and, if warranted, issue a revised list.

**3. Question:**

What does "opt out" indicate in terms of transition to preschool services?

**Answer:**

The Individuals with Disabilities Education Act (IDEA) requires the disclosure by the EIP of minimal personal identity information, without parental consent, to the local school district in which the child resides regarding potential eligibility for preschool special education services. However, the parent has 30 calendar days from the date that the process was explained to them to opt-out (object) to the written notification being sent to the Committee on Preschool Special Education (CPSE). If the parent does opt-out of the notification, the notification is not made and the parents' objection will be documented in the child's record.

**4. Question:**

Does the "opt out" method violate the confidentiality rights of the parents/children in the program?

**Answer:**

Information is transmitted in a manner that protects private information under the Federal Education Rights and Privacy Act (FERPA). Disclosure of this information is required by the IDEA, unless the parent opts-out.

**5. Question:**

Can the EIP and CPSE develop standard forms for use by all providers across municipalities and agencies?

**Answer:**

The Department does not currently issue standard EIP forms that are required for use by providers. While the New York Early Intervention System (NYEIS) will provide standard templates and forms for potential use in the EIP across municipalities and agencies; these will not be required to be used. The CPSE is a separate program overseen by the State Education Department.

**6. Question:**

What is required of the municipality in regards to transition to preschool special education services?

**Answer:**

Requirements upon the municipality for the transition of children to preschool special education services remain unchanged with the exception of the addition of the “opt out” requirement in Section 10 NYCRR 69-4.20(b)(1)(i). The new requirement eliminates the need for the EIO to obtain parental consent to notify the CPSE of the potential eligibility of a child. Unless the parent objects, notification to the school district will be made. The new “opt out” procedures and forms for this requirement were approved by OSEP and recently sent to municipalities via e-mail.

**7. Question:**

How do I obtain a copy of the EI rates?

**Answer:**

The revised EIP rates that went into effect for services on or after April 1, 2010 can be found on the EIP Web page at:  
[http://www.health.ny.gov/community/infants\\_children/early\\_intervention/service\\_rates.htm](http://www.health.ny.gov/community/infants_children/early_intervention/service_rates.htm).