

Dear Parent/Legal Guardian/Surrogate:

Your child will turn three years old soon and may be eligible for preschool special education. If your child is found eligible for preschool special education, your child can either:

Start preschool special education on _____

OR

Stay in the Early Intervention Program until _____ and start preschool special education the day after.

It is possible that your child will not meet the criteria for preschool special education. In this case, your child's Early Intervention Program services will end the day before your child turns three years old. Your Service Coordinator will help you to develop a transition plan that will include the next steps for your child and your family, and referrals to other supports and services.

Only the Committee on Preschool Special Education of your local school district can decide if your child is eligible for preschool special education.

This notice tells you about the steps you, your Service Coordinator, and the Committee on Preschool Special Education must take to find out if your child meets the criteria for preschool special education. These steps include:

- planning with your Service Coordinator the steps and services that will help your child to transition from the Early Intervention Program to preschool special education,
- deciding whether to opt-out (in writing) of the notification to the Committee on Preschool Special Education that your child might be eligible for preschool special education,
- meeting, if you choose to do so, with your Service Coordinator and Committee on Preschool Special Education Services chairperson or designee (Transition Conference),
- referring your child to the Committee on Preschool Special Education,
- deciding which Early Intervention Program records will be forwarded to the Committee on Preschool Special Education,
- having your child evaluated by the Committee on Preschool Special Education, and
- determining your child's transition date.

If your child is not evaluated by the Committee on Preschool Special Education and is not found eligible for services by the Committee on Preschool Special Education before your child turns three years old, your child's Early Intervention Program services will end *the day before your child's third birthday*. **Remember**, the Committee on Preschool Special Education must decide if your child is eligible *before your child turns three years old*, to be sure that your child gets the services your child needs.

Please read the following information carefully.

Your Service Coordinator can answer any questions you may have.

STEPS TO TRANSITION

- Your Service Coordinator will meet with you to develop a Transition Plan that will identify the steps to be taken to help you and your child leave the Early Intervention Program and begin new services such as preschool special education, Head Start, etc. The Transition Plan should include any assistance and support that you or your child might need to adjust to the changes in services.
- Your Service Coordinator must notify your school district that your child may be eligible for preschool special education programs and services. You will have the opportunity to opt-out (object) to this notification in writing. Your Service Coordinator cannot take this step if you opt-out (object) in writing.
- Your Service Coordinator must offer you the chance to meet with the Service Coordinator and the Chairperson of the Committee on Preschool Special Education (or their designee) together. If your child is already receiving, or may need additional services from another State agency, it may be appropriate to have a representative from that agency attend as well. This meeting is called a Transition Conference.

You decide if you would like a Transition Conference. You will be asked to give your consent to your Service Coordinator for this conference to take place. *If you would like a Transition Conference, your consent is needed for the Service Coordinator to arrange the Conference.* You can decline the Conference.

The Transition Conference must take place at a time and location that is good for all participants. The Committee on Preschool Special Education Chairperson/Designee may participate by phone.

The main goals for the Transition Conference are to:

- review the differences between the Early Intervention Program and Preschool Special Education Services,
- talk about how and when to refer your child to the Committee on Preschool Special Education,
- talk about the Committee on Preschool Special Education evaluation and eligibility process,
- answer any questions you may have,
- review the options for services through the Committee on Preschool Special Education for your child, and
- develop or update a transition plan.

Whether or not you choose to have a Transition Conference, you can decide to refer your child to the school district's Committee on Preschool Special Education. Your Service Coordinator can help you to make this referral.

You will need to refer your child in enough time for your child to be evaluated by the Committee on Preschool Special Education, and for the Committee on Preschool Special Education to make a decision about your child's eligibility for preschool special education before your child's third birthday. Otherwise, Early Intervention Program services will end the day before your child's third birthday.

- Once your child is referred, the Committee on Preschool Special Education will contact you to tell you about how to get your child evaluated. ***The Committee on Preschool Special Education will ask for your consent to evaluate your child.***

Sign and return the evaluation consent form *right away*. The Committee on Preschool Special Education must have enough time after they get your consent to evaluate your child and decide whether your child is eligible for preschool special education before your child turns three. The Committee on Preschool Special Education will contact you to arrange for your child's evaluation.

If you do not sign and return the consent to evaluate your child, the Committee on Preschool Special Education should contact you to be sure you received and understood the materials.

- Your child's Early Intervention Program records can be used by the Committee on Preschool Special Education to decide how to evaluate your child. Your service coordinator will work with you to identify evaluation reports and other records from the Early Intervention Program that may be helpful. Your Service Coordinator ***will need your consent*** to provide the Committee on Preschool Special Education with Early Intervention Program evaluation reports and records that may be helpful.
- The Committee on Preschool Special Education must have a meeting to make a decision on your child's eligibility and services and must provide a recommendation to the Board of Education, within ***60 calendar days*** of getting your consent to evaluate your child.

Just as you are a member of your Individualized Family Service Plan team, you will also be a member of the Committee on Preschool Special Education for your child.

You can ask the Committee on Preschool Special Education to invite your Early Intervention Program Service Coordinator to this meeting.

You can request an additional parent member of the Committee on Preschool Special Education to be present at the meeting. This request needs to be made to the Committee on Preschool Special Education at least 72 hours prior to the meeting. An additional parent member is a parent of a child with a disability residing in the school district or a neighboring school district.

- If your child is eligible for preschool special education, an Individualized Education Program will be developed for your child.

The Committee on Preschool Special Education will explain the differences between your child's Individualized Education Program and Individualized Family Service Plan.

You can choose to begin preschool special education programs and services when your child is first eligible, or stay in the Early Intervention Program until your child ages out.

If you decide to have your child stay in the Early Intervention Program, you can choose to leave the Early Intervention Program and start your child in preschool special education programs and services at any time by contacting the Committee on Preschool Special Education chairperson.

- If your child is not eligible for preschool special education, Early Intervention Program services will end the day before your child turns three years old.

Your child's Transition Plan will be reviewed and revised if needed.

If your child and family need other services, the plan will include these services, and steps to help you get these services.

- If you disagree with the Committee on Preschool Special Education's decision on eligibility or services, or if you sent in your consent to have the Committee on Preschool Special Education evaluate your child with enough time for the Committee on Preschool Special Education to make a decision on whether your child is eligible for preschool special education services before your child turns three and the Committee on Preschool Special Education does not complete its work on time, you have due process rights under the Education Law.

You can:

- Contact your Special Education Quality Assurance Regional Office for clarification or technical assistance.
- Ask for a mediation or impartial hearing on the Committee on Preschool Special Education's decision if they did not make a decision on time.

Your child has the right to get the services you agree on with the Committee on Preschool Special Education, while you are waiting for a final decision to be made. If you and the Committee on Preschool Special Education cannot agree about the services needed by your child, an impartial hearing officer will decide what services your child must receive during this time.

If your Service Coordinator does not give you the information you need in a timely manner in order for you to refer your child to the Committee on Preschool Special Education, you may have due process rights under Public Health Law, including mediation and impartial hearing.

However, these due process rights are only available:

- if you give your Service Coordinator consent in time to arrange for a Transition Conference (unless you tell the Service Coordinator you do not want a Transition Conference), and
- if you refer your child to the Committee on Preschool Special Education with enough time for the Committee on Preschool Special Education to make a decision, before your child turns three, on whether your child is eligible for preschool special education services.