

# SPAN

Statewide Parent Advocacy Network



# TRANSITION TO & FROM PRESCHOOL

# Transition to Preschool Process

- Early Intervention Responsibility
  - Transition Planning Conference
  - Transition to Preschool Conference: District must attend



# Transition to Preschool Process

- School District Responsibility
  - Written request for evaluation 120 days before 3<sup>rd</sup> birthday
  - Evaluation planning meeting within 20 days
  - Evaluation, IEP meeting, and services by 3<sup>rd</sup> birthday



# IDEA

- Both EI and special education are part of the Individuals with Disabilities Education Act (IDEA).
  - EI = Part C
  - Special education = Part B



# Purpose of IDEA

- To ensure that children with disabilities learn the knowledge and skills of their non-disabled peers
- To provide the services and supports needed for each child with disabilities to become an independent, productive adult.



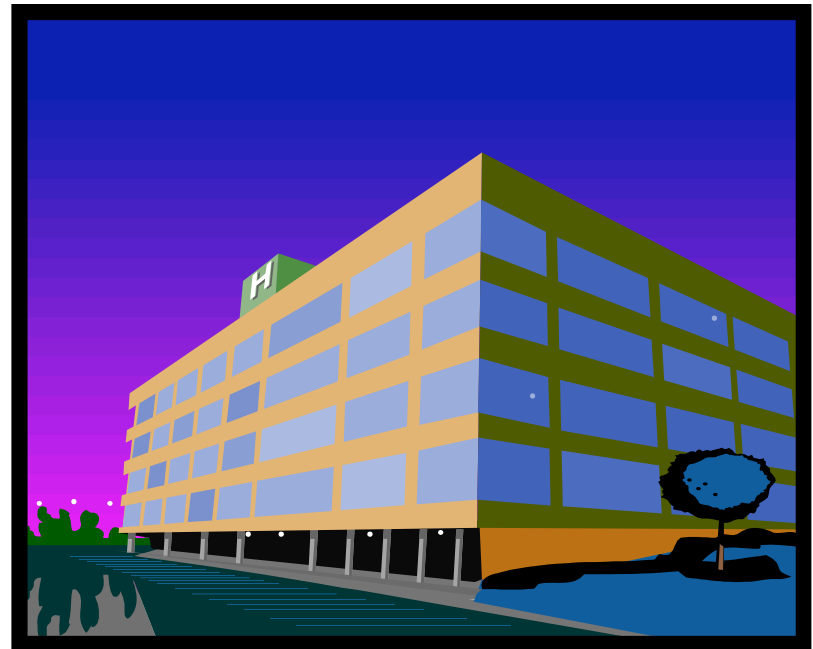
# Family's Role

- Equal partners in decision-making
- Participate in every decision-making meeting
- Include their concerns for enhancing their child's education



# Differences Between EI and Preschool Special Education

- **EI:** Lead agency = NJ Department of Health and Senior Services, Early Intervention
- **Special Education:** Lead agency = NJ Department of Education, Office of Special Education Programs



# Differences Between EI and Preschool Special Education

- **EI:** Special Child Health Services Case Management Units; Regional Early Intervention Collaboratives
- **Special Education:** Districts/LEAs (Local Education Agencies); County Supervisor of Child Study and County Superintendent



# Differences Between EI and Preschool Special Education

- **EI:** Service Coordinator
- **Special Education:** Case Manager



# Differences Between EI and Preschool Special Education

- **EI:** Evaluation and services are completely voluntary at all times
- **Special Education:** Parent consent required only for evaluations and initial IEP



# Differences Between EI and Preschool Special Education

- **EI:** Evaluation conducted by early intervention provider agencies
- **Special Education:** Evaluation conducted by Child Study Team members



# Child Study Team

- Learning Disabilities Teacher Consultant
- Social Worker
- Psychologist
- Speech-language specialist (for all preschoolers)





# Evaluation

- Reviews how your child is performing compared to age and grade appropriate peers
- Identifies your child's strengths as well as needs
- Ensures your child is not identified as having a disability due to lack of instruction, limited English proficiency, cultural differences



# Evaluation

- Must evaluate in every area of suspected disability
- Initial evaluation must include at least two of the following areas conducted by at least 2 members of the Child Study Team:
  - Health
  - Psychological
  - Educational
  - Social
- Functional Assessments:
  - One structured observation in non-testing setting
  - Interview with parents; teacher/s
  - Review of pupil's developmental/educational history
  - Review of interventions used in previous or current educational settings



# Evaluation

- Must use tests that are “validated” for the purpose for which they are used.
- Must conduct tests according to the test publisher’s instructions, and the person conducting the test must have proper qualifications and credentials
- Must not use tests with a discriminatory impact based on race or language



# Helpful Evaluation Tools

- Positive Student Profile
- Multiple Intelligences Assessment
- Hopes, Dreams, Expectations



# Independent Evaluation

- Parent has the right to an independent evaluation, at no expense, should there be a disagreement with the evaluation provided by the district
- Make the request in writing
- State which evaluations are being requested

# Determination of Eligibility

- When evaluation is completed, meeting is held to review evaluation data with the parent and determine eligibility.
- No single test can be used to determine eligibility.
- If student is determined eligible, the team can begin developing the IEP or wait to convene another meeting to begin the IEP development



# Differences Between EI and Preschool Special Education

- **EI:** Eligibility based on being under 3 and either 33% delay in one or 25% delay in two or more developmental areas, or identified condition, or presumptive diagnosis



# Differences Between EI and Preschool Special Education

- **Preschool Special Education:** Eligibility based on identifiable disability and/or a measurable developmental impairment occurring between the ages of 3-5 that requires special education and related services



# The IEP Team

- Case Manager
- Parent
- General Education Teacher
- Special Education Teacher or supervisor
- Other specialists, as needed

\*Note: Under State Code, Case Manager must be a Child Study Team member and must participate on IEP Team



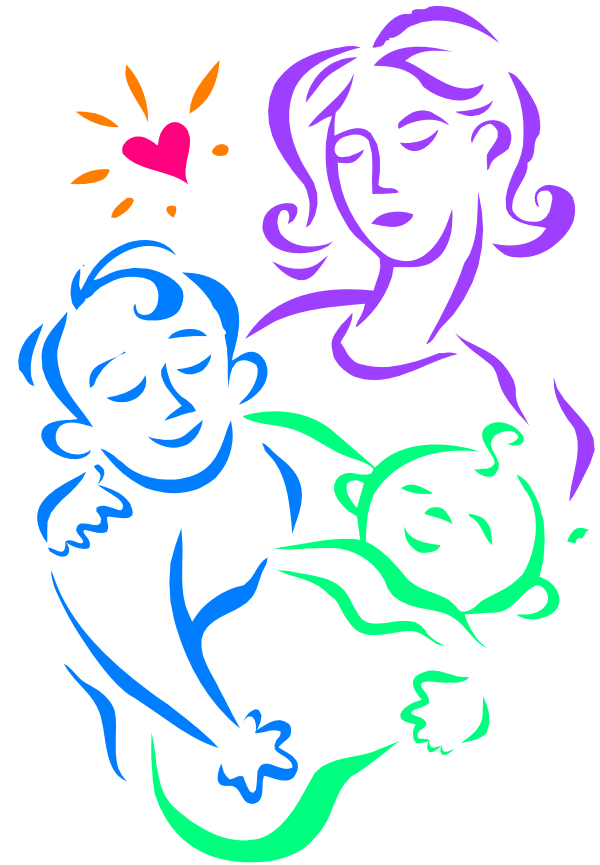
# The IEP Team

- Someone who can interpret evaluation results
- Someone who can make commitments on behalf of the district



# Differences Between EI and Preschool Special Education

- **EI:** Individualized Family Services Plan – focus on child and family needs
- **Special Education:** Individualized Education Program – focus on child



# Differences Between EI and Preschool Special Education

- **EI:** Up to 2 hours of service at public expense without consideration of ability to pay; additional hours are subject to sliding fee scale



# Differences Between EI and Preschool Special Education

- **Special Education:**  
All services are delivered free of charge
- **Preschool:** The IEP must provide at least 10 hours/week of service



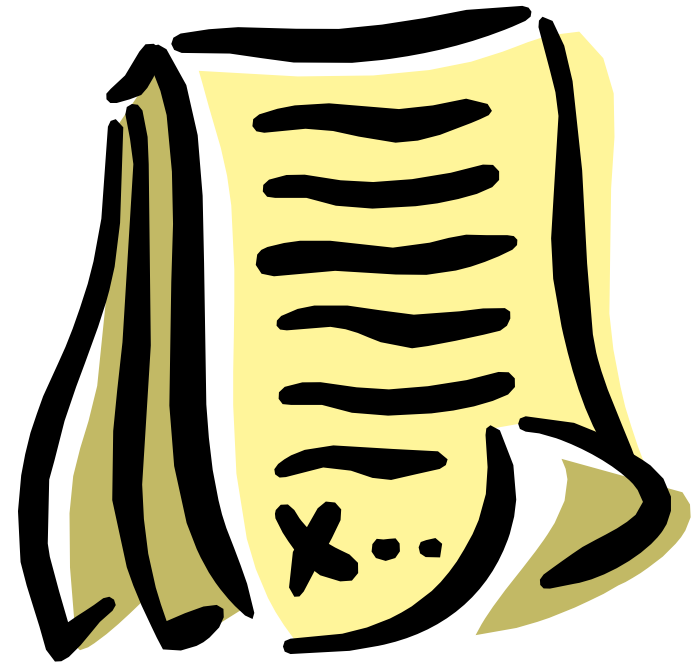
# “FAPE in LRE”

- IDEA requires the provision of a “free, appropriate public education in the least restrictive environment” to every eligible child



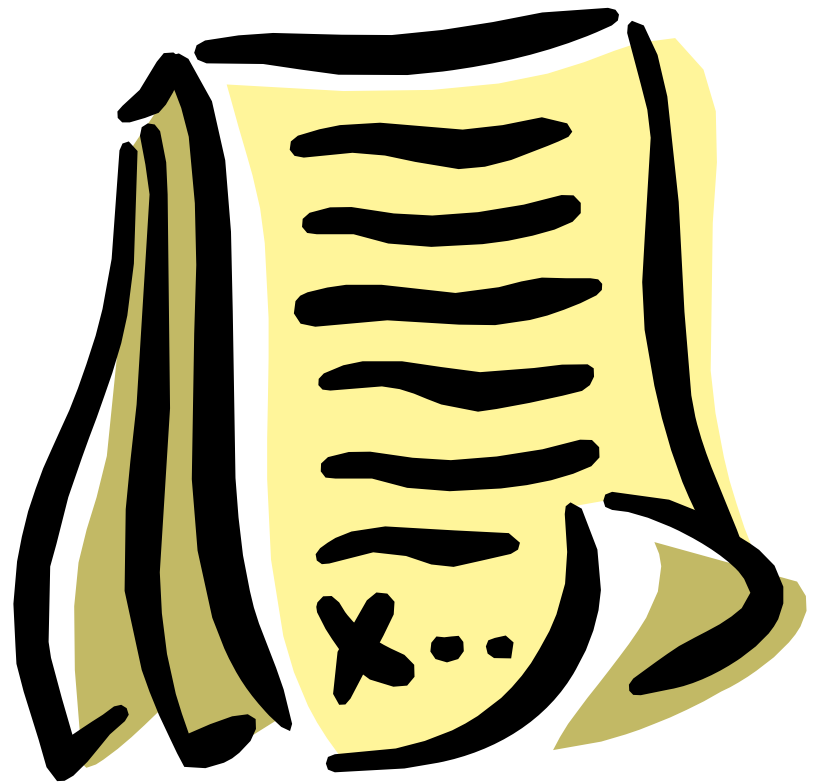
# The IEP

- Present levels of performance
- Measurable annual goals & short-term objectives/benchmarks tied to what “typical” preschoolers learn
- Special Education & Related services



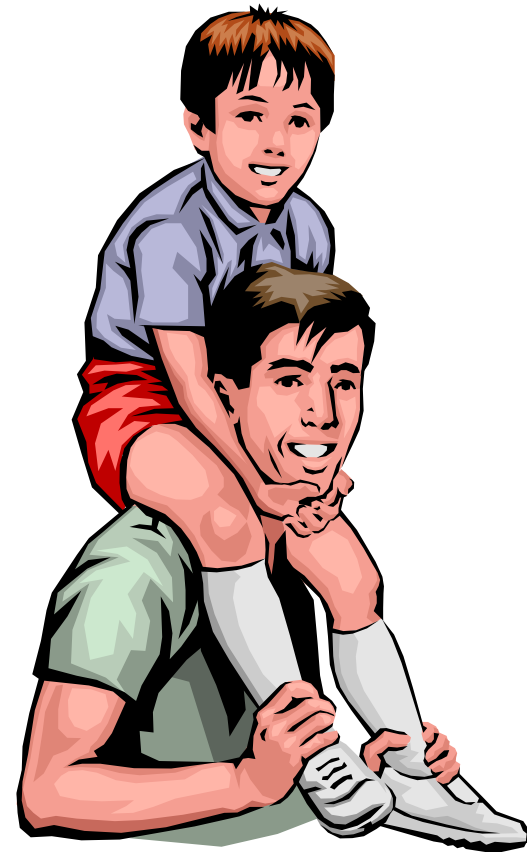
# The IEP

- Placement
- Responsibility for implementation
- Monitoring of progress
- How family will be informed of their child's progress



# Educational Performance

- How does your child's disability affect academics, social & emotional development, behavior, functional life skills, self-awareness, ability to communicate?



# Goals & Objectives

- At least one set of Goals & Objectives for each identified need
- Goals must be measurable and related to what “typical” preschoolers are learning
- The objectives/ benchmarks must lead to achievement of the goal within one year
- Don't forget social skills & friendships!
- The purpose: preparation for life!



# Services

- Special education:
  - Specially designed instruction
  - Supplementary aids and services for your child, your child's teachers, or other children in your child's class or program



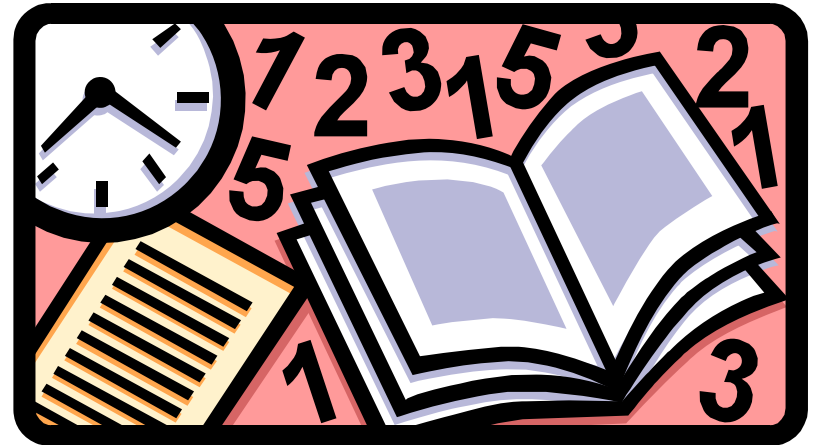
# Services

- Related services:
  - Speech therapy
  - Occupational therapy
  - Physical therapy
  - Counseling
  - Psychological or psychiatric services
  - Transportation
  - Orientation & mobility training
  - Parent counseling



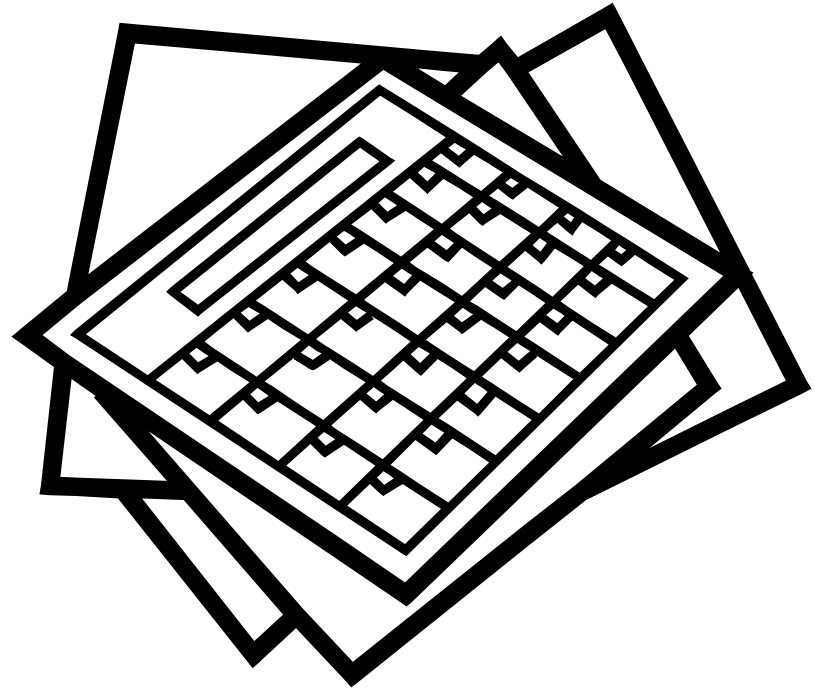
# Services

- Statement specifying projected date for beginning of services and modifications including frequency, duration and location of services



# Differences Between EI and Preschool Special Education

- **EI:** Services are presumed to be year-round
- **Special Education:** Services are for the school year unless the child needs extended school year services





# Extended School Year

- Special Education and related services:
  - Beyond the normal school year
  - In accordance with the IEP
  - At no cost to parents
- Must be provided if services are necessary to insure provision of FAPE
- Services meet State standards
- Not limited to categories of disabilities or automatically limited in duration

# Comprehensive System of Personnel Development

- All educators and service providers must be qualified and knowledgeable about effective practices and how to use them



# Equal Program Access

- Access to the same variety of educational and support services available to children without disabilities
- Equal opportunity to participate in extra-curricular and non-academic activities





# IEP Team Shall Consider:

- Strengths of student & concerns of parents
- Results of initial and most recent evaluations
- Need for functional behavior assessment and positive behavior support plan
- Language needs for students with limited English proficiency
- Instruction in Braille for visually impaired students
- Communication needs, including special needs of students who are deaf or hard of hearing
- Need for assistive technology
- Need for extended school year services

# Differences Between EI and Preschool Special Education

- **EI:** Services must be delivered in “natural environments”
- **Special Education:** Services must be delivered in the “least restrictive environment”



# Placement

- Educated with non-disabled peers to maximum extent appropriate
- Only educated in segregated setting if IEP can't be implemented in inclusive setting even with supplementary aids, services, supports & modifications
- Exclusion from typical setting must be justified in writing



# Preschool Placement Options

- Services delivered in a child care center, Head Start, or preschool/early childhood program serving children without disabilities
- District must pay tuition for the time it takes to deliver IEP services (at least 10 hours/week)



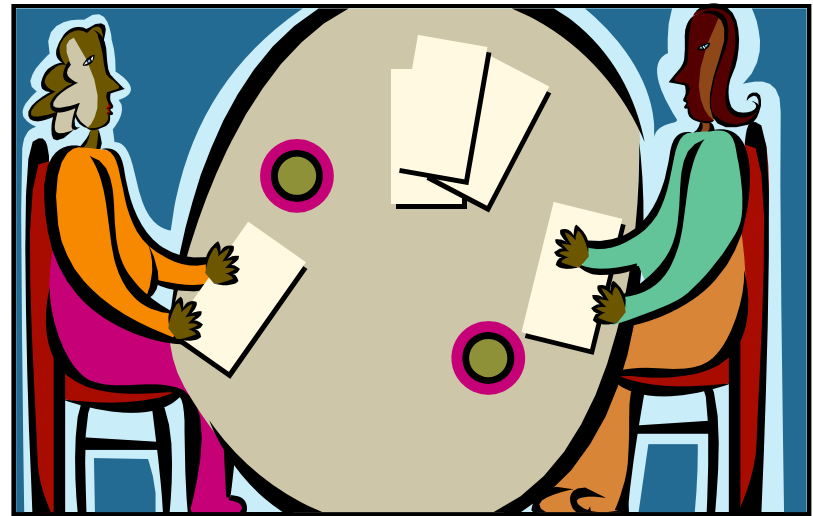
# Inclusive Preschool Services

- Special educator, speech-language specialist, Occupational or physical therapist, etc., can deliver services directly to your child at the inclusive setting



# Inclusive Preschool Services

- Special education professional may also consult with teacher in typical setting to ensure your child is working on goals at all times, not just when the special educator is present.



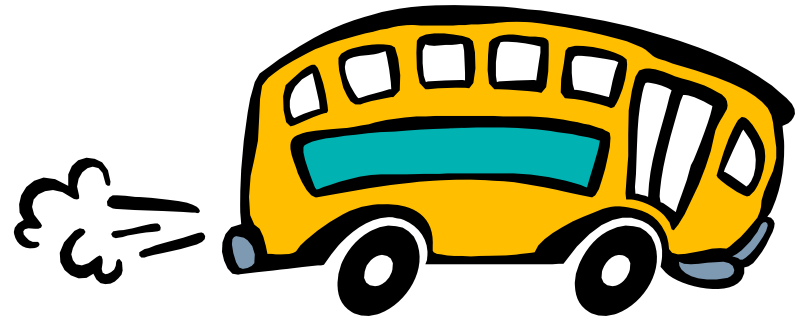
# Other Preschool Placement Options

- Part-time inclusive setting and part-time preschool special education program
- Preschool special education program in the child's district



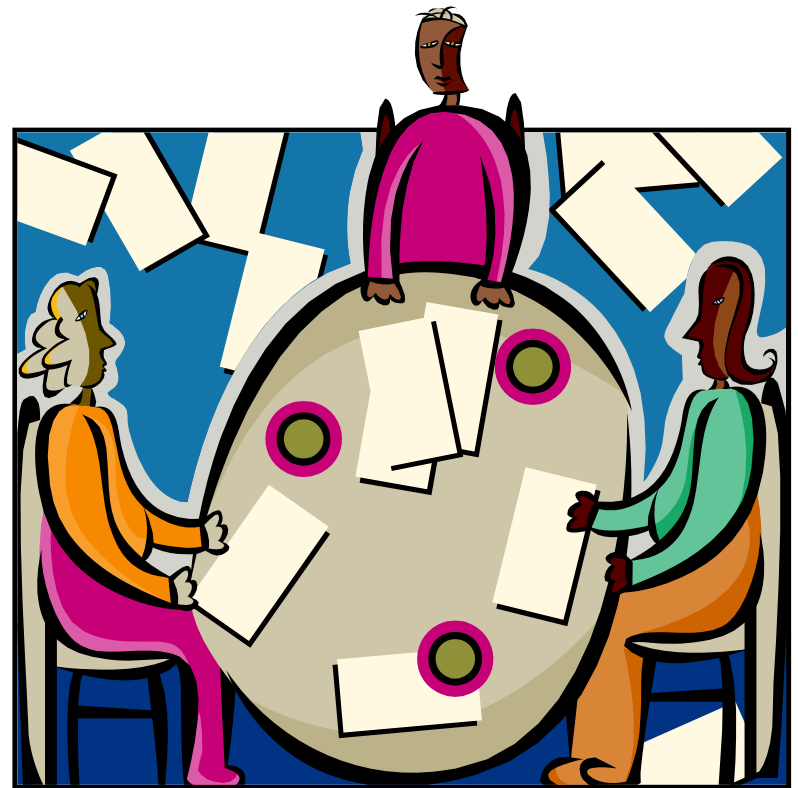
# Preschool Placement Options

- Preschool special education program in another district
- Special education school (Educational Services Commission, Special Services School District, private special education school)
- Home instruction
- Hospital instruction
- Residential placement



# Differences Between EI and Preschool Special Education

- **EI:** Annual and 6-month reviews, or whenever parent requests meeting
- **Special Education:** Annual review, and in response to any reasonable parent request for meeting; triennial evaluation



# Transition *from* Preschool Process

- A re-evaluation must be conducted by June 30 of a student's last year of eligibility for preschool special education services.
- It must include audiometric & vision screening.



# Transition *from* Preschool Process

- Evaluation team, including parent:
  - Reviews existing evaluation data
  - Classroom-based observations & assessments
  - Information from parents & service providers
  - Considers need for health appraisal or medical evaluation



# Transition *from* Preschool

- Team determines:
  - What additional information is needed
  - Which evaluations will be conducted
  - Which Child Study Team members or other specialists will conduct evaluation



# Transition *from* Preschool

- Timeline from consent for evaluation to implementation of IEP = 90 calendar days



# Focus of Evaluation

- How does your child's disability affect his/her involvement and progress in the "general curriculum?"



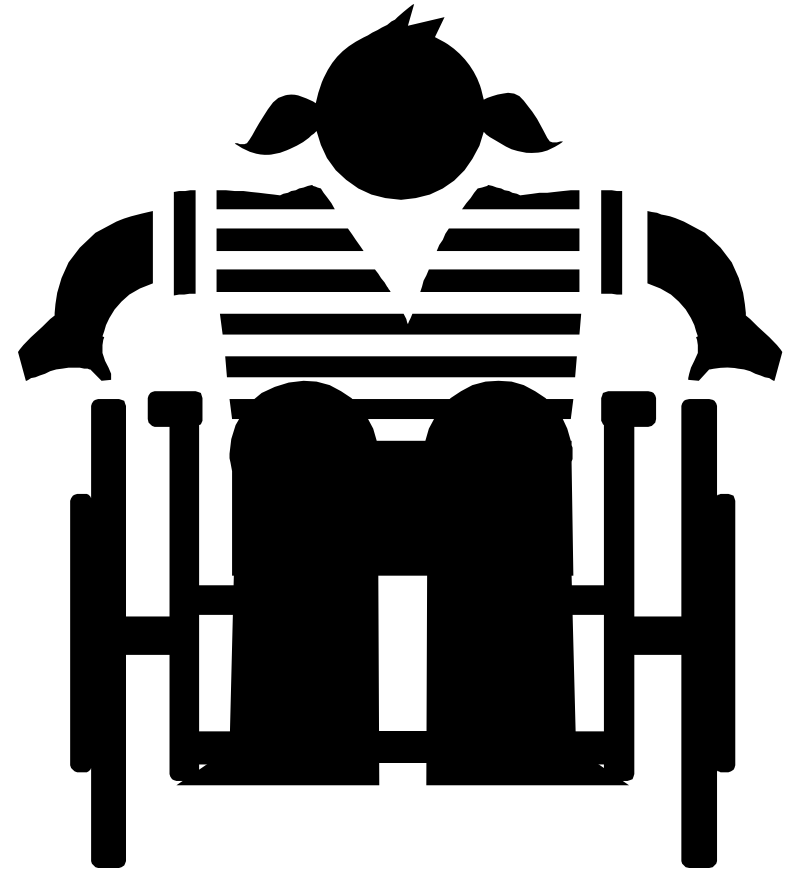
# School-Age Eligibility

- Your child has an identified, covered disability
- The disability affects her ability to learn
- Your child requires special education and related services to benefit from education



# Covered Disabilities

- Eligible for speech-language
- Specific learning disability
- Autism & Autism spectrum
- Blind or visually impaired
- Deaf or hearing-impaired (“auditorily impaired”)
- Communication impaired
- Deaf and blind
- Other Health impaired
- Serious Emotional Disturbance
- Mental retardation/cognitive disability
- Traumatic brain injury
- Multiple Disabilities



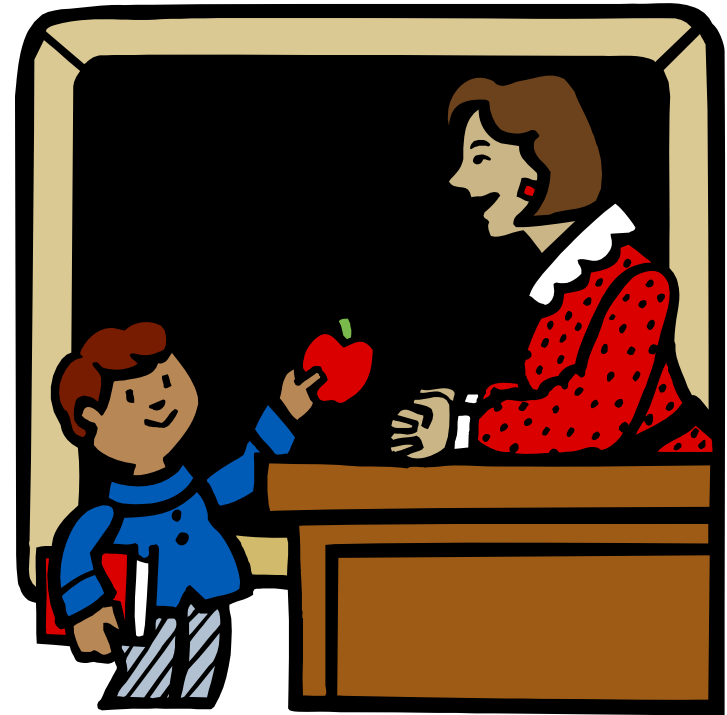
# IEP Contents

- Present levels of educational performance
- Annual goals & objectives
- Special education and related services, supplementary aids and services
- Date for services to begin
- Frequency and duration of services
- Modifications on assessments
- How progress will be measured
- How families will be informed of progress toward goals & objectives



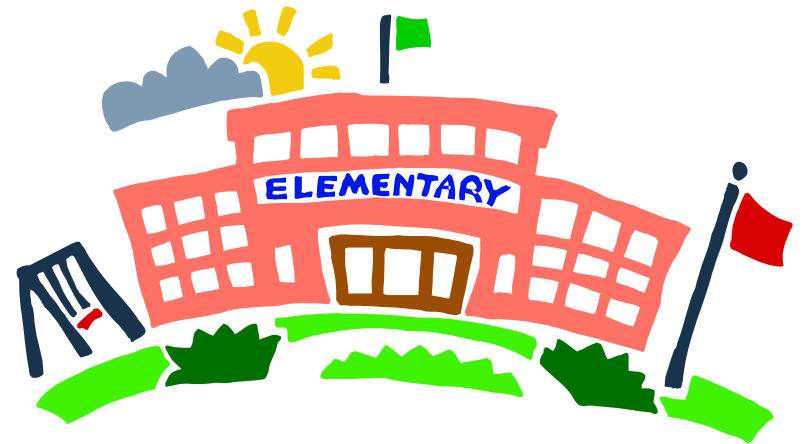
# Placement: “LRE”

- Educated with non-disabled peers to maximum extent appropriate
- Only removed from regular classroom if needs can't be met there even with supplementary aids, services, supports & modifications
- Exclusion from general education must be justified in writing in IEP



# Placement: “LRE”

- The right to be educated in the school s/he would attend if s/he didn't have a disability
- If that's not appropriate, the nearest appropriate school



# Placement: Continuum

- Placement options:
  - Supported inclusion
  - In-class supports
  - In-class resource room/related services
  - Pull-out resource room/related services
  - Special class in regular school in-district
  - Special class in another school
  - Separate school
  - Residential placement
  - Home or hospital instruction



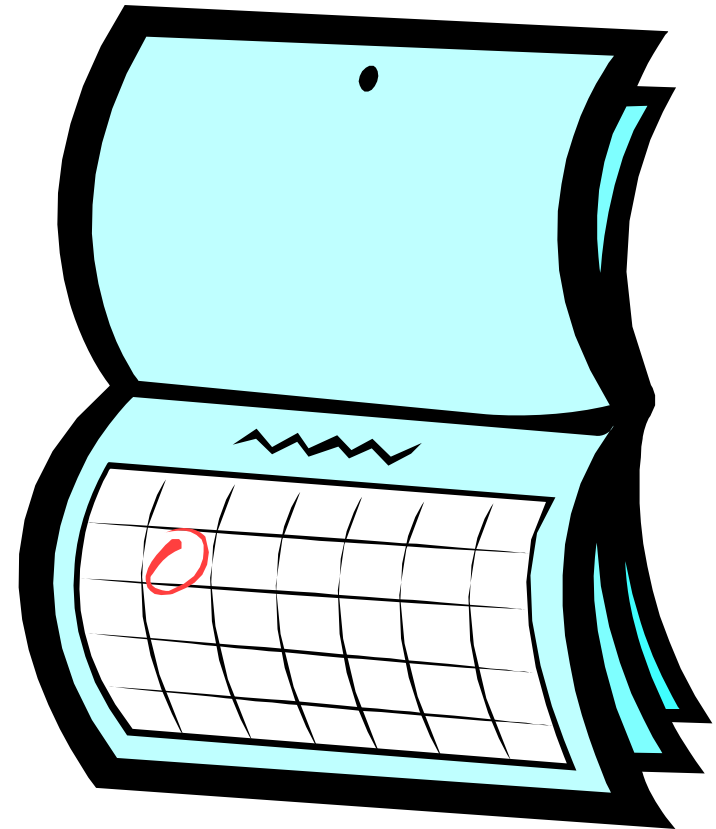
# Reports to Parents

- At least as often as report cards are sent out
- Report on the progress of your child toward reaching annual goals and mastering the general curriculum
- Is the progress sufficient to meet the goals by the end of the year?



# Timelines

- IEP is implemented within 90 days of signed consent for evaluation
- School holidays are excluded, but summer holidays are included.
- The district has 20 days to respond to a family; the family has 15 days to respond to the district



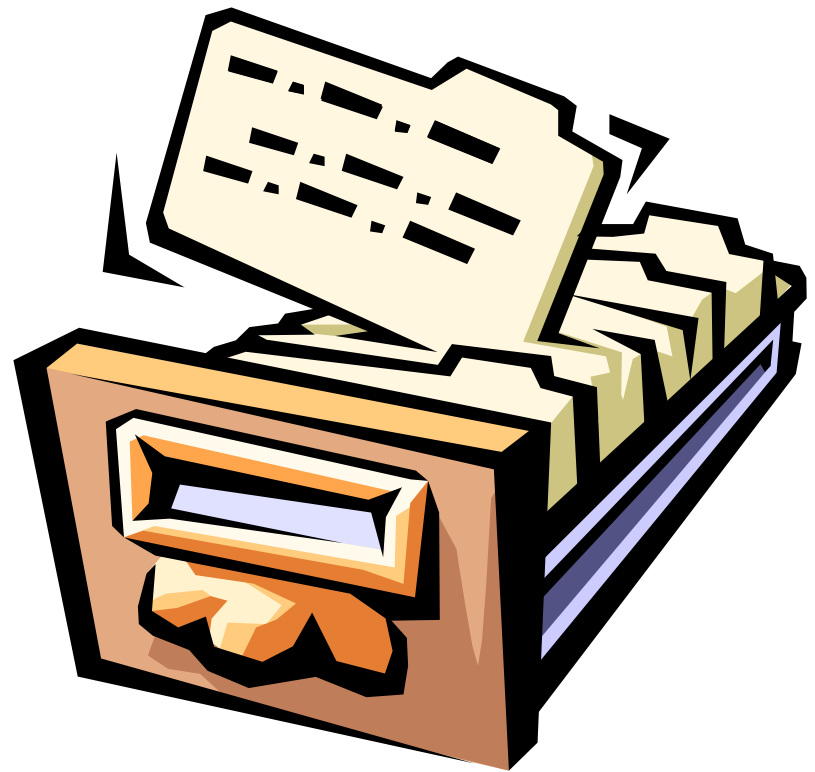
# Procedural Safeguards

- Informed, written consent for:
  - All evaluations
  - Initial IEP implementation
- Written responses to family's written requests
- Right to an IEP meeting on request



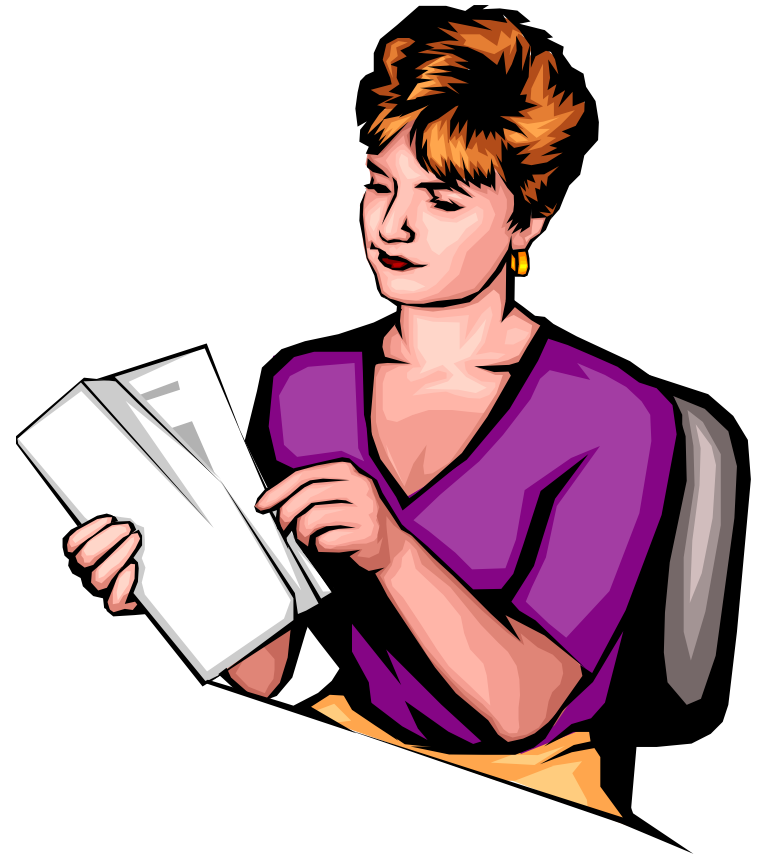
# Procedural Safeguards

- Review and get copies of child's records before any meeting
- Keep child's records confidential
- Request removal of inaccurate or inappropriate information in records
- Attach explanatory or disagreeing statement to child's records



# Procedural Safeguards

- Detailed, written explanation of why the district is planning on taking an action, or refusing your request
- Advance written notice of any proposed meeting, or proposed actions
- PRISE Booklet (Parental Rights in Special Education)
- Bring someone with you at your discretion – friend, relative, advocate, lawyer



# Procedural Safeguards

- To the maximum extent feasible:
  - Written information in your language
  - All meetings conducted in your language



# Dispute Resolution Mechanisms

- Impartial mediation
- Impartial hearing before an administrative law judge
- Complaint investigation by NJS Department of Education



# Differences Between EI and Special Education

- **EI:** Due process hearing before panel of parent, early childhood educator, and lawyer
- **Special Education:** Due process hearing before Administrative Law Judge



# Helpful Hints

- Get it in writing!
- Ask for what you want, in writing.
- Keep logs & copies of everything.
- Bring someone with you.
- Don't be afraid to ask, or speak up.
- Stay on top of your child's progress.



# Helpful Hints

- Teach your child self-advocacy from the start.
- Explain each step of the process to your child.
- Help your child understand their strengths and needs.
- Bring your child to IEP meetings.
- Encourage your child to express their hopes, dreams, visions, and goals.

