

Procedures

Opt-out to Written Notification of Potential Eligibility to Committee on Preschool Special Education

IDEA section 637(a)(9)(A)(ii) and Part C regulations in 34 CFR Section 303.148(b) require States to have policies and procedures that ensure a smooth transition for children receiving Part C early intervention services to Part B, preschool special education or other appropriate services, including how Part C lead agency will notify the local education agency (LEA) in which each child resides that the child will shortly reach the age of eligibility for preschool services under Part B, as determined by state law.

Procedures:

At least 120 days prior to a child's potential eligibility for services under section 4410 of the Education Law, the early intervention official will provide written notification to the Committee on Preschool Special Education (CPSE) of the local school district in which an eligible child resides of the potential transition of the child.

The following information regarding the written notification of potential eligibility should be discussed with the parent during the IFSP meeting closest to the child's second birthday. Documentation of the discussion should be included in the child's record.

The Early Intervention Official (EIO) is required to ensure that parents are informed of the following information:

- The Individuals with Disabilities Education Act (IDEA) allows for the disclosure of minimally personally identifiable information without parental consent to the local school district in which the child resides.
- Minimally personally identifiable information is defined as the child's name, date of birth, parent's name, address and telephone number, and date the child was referred to the Early Intervention Program (EIP).
- The transmission of the written information does not obligate a parent to pursue special education program and services and does not constitute a referral for special education programs or services. No other personally identifiable information is disclosed to the CPSE without parental consent
- The parent may object (opt-out) either orally or in writing to the written notification to the CPSE of the child's potential transition.
- The parent has 30 calendar days from the date that the procedure was explained to them to object (opt-out) to the written notification of the personally identifiable information being sent to the CPSE.

- If the parent does not opt-out to the notification, the EIP will include the following information in the written notice to the CPSE of the child's potential transition:
 - the child's name,
 - the child's date of birth,
 - date of referral to the Early Intervention Program;
 - the method by which the parent may be contacted, including the parent's name, address and telephone number; and,
- In addition, with parent consent the notification may also include the name and contact information for the child's ongoing service coordinator.
- If the parent does opt-out to the notification, the notification will not be made; the parents' objection will be documented in the child's record.
- If the parent does not object to the notification at the IFSP meeting where the procedures were explained to the parent and thirty calendar days have lapsed, the EIO/Designee or service coordinator may call the parent to obtain verbal consent to transmit the ongoing service coordinator's contact information with the written notification. The person who contacted the parent should document the parent's consent in the child's record.

Parent Form

Written Notification Requirements and Timeline

Child's Name _____

Date of Birth _____

The Early Intervention Program (Part C) under the federal Individual with Disabilities Education Act is required to release limited contact information (parent's name, child's name, address telephone numbers and date of birth) as a way to notify your local school district of your child's potential eligibility for special education programs and services when your child turns 3 years old. This notification is beneficial in preparing the school district of your child's eligibility for special education preschool programs and services.

At least 120 days prior to your child's potential eligibility for services under the section 4410 of Education Law, the early intervention official shall provide written notification to the Committee on Preschool Special Education (CPSE) of the local school district in which an eligible child resides of the potential transition of your child.

A parent may opt-out (objection) to the written notification and not have the limited contact information sent to the CPSE.

_____ I have been informed of the notification requirement and understand I have 30 calendar days from today's date to opt-out to the written notification. I am aware that if I do not contact the Early Intervention Official/Designee, orally or in writing, within 30 calendar days of today's date written notification will be sent to my CPSE.

OR

_____ I have been informed of the notification requirement and choose to opt-out of the written notification being sent to my CPSE.

Parent Signature _____ Date _____

To be filled out by EIP

Parent objected to the written notification to the CPSE. EIP received orally/ written objection on Date _____

No parent objection received within thirty calendars days. Date _____

CONSENT FORM

<NAME OF COUNTY> - EARLY INTERVENTION PROGRAM

Consent to Include Ongoing Service Coordinator's Contact Information**Written Transition Notification**

At least 120 days prior to a child's potential eligibility for services under section 4410 of the Education Law, the early intervention official will provide written notification to the Committee on Preschool Special Education (CPSE) of the local school district in which an eligible child resides of the potential transition of the child.

I have not objected to the written notification being sent to my CPSE. I am aware that the following minimally personally information will be included in the written notification;

- the child's name,
 - the child's date of birth,
 - date of referral to the Early Intervention Program;
 - the method by which the parent may be contacted, including the parent's name, address and telephone number; and,
 - with parent consent such notification may also include the name and contact information for the child's ongoing service coordinator*.
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Consent to Include Ongoing Service Coordinator's Contact Information*

____ I give my consent to the <Name of County> Early Intervention Program to include the name and contact information for my child's ongoing service coordinator.

____ I do NOT give the <Name of County> Early Intervention Program consent to include the name and contact information for my child's ongoing service coordinator.

 Parent Name

 Parent Signature

 Date