



New York State
EDUCATION DEPARTMENT
Knowledge > Skill > Opportunity

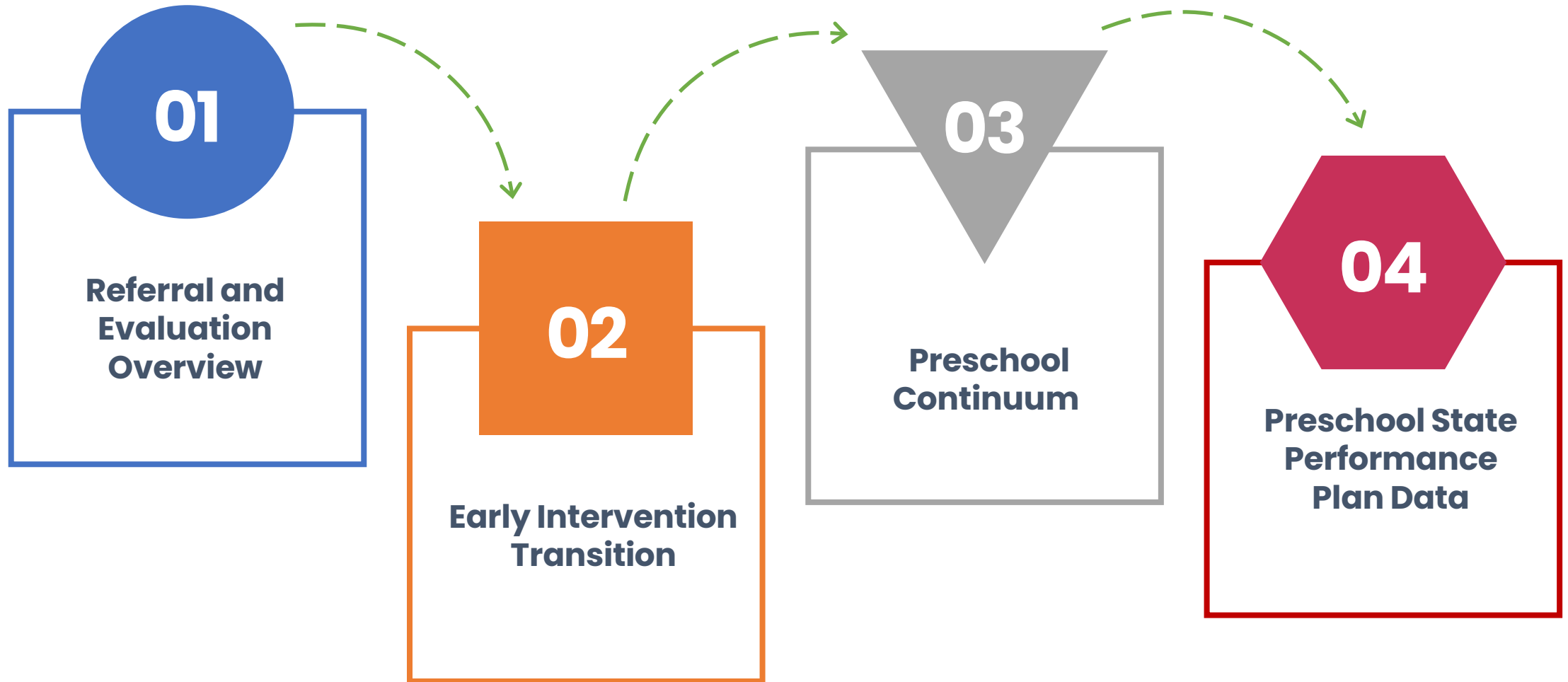
Presentation to the Early Intervention and Children and Youth with Special Care Needs Summit

Annual Statewide
Summit

April 10, 2025



Meeting Agenda



Preschool Evaluation Overview

Eligibility for Preschool Special Education Services

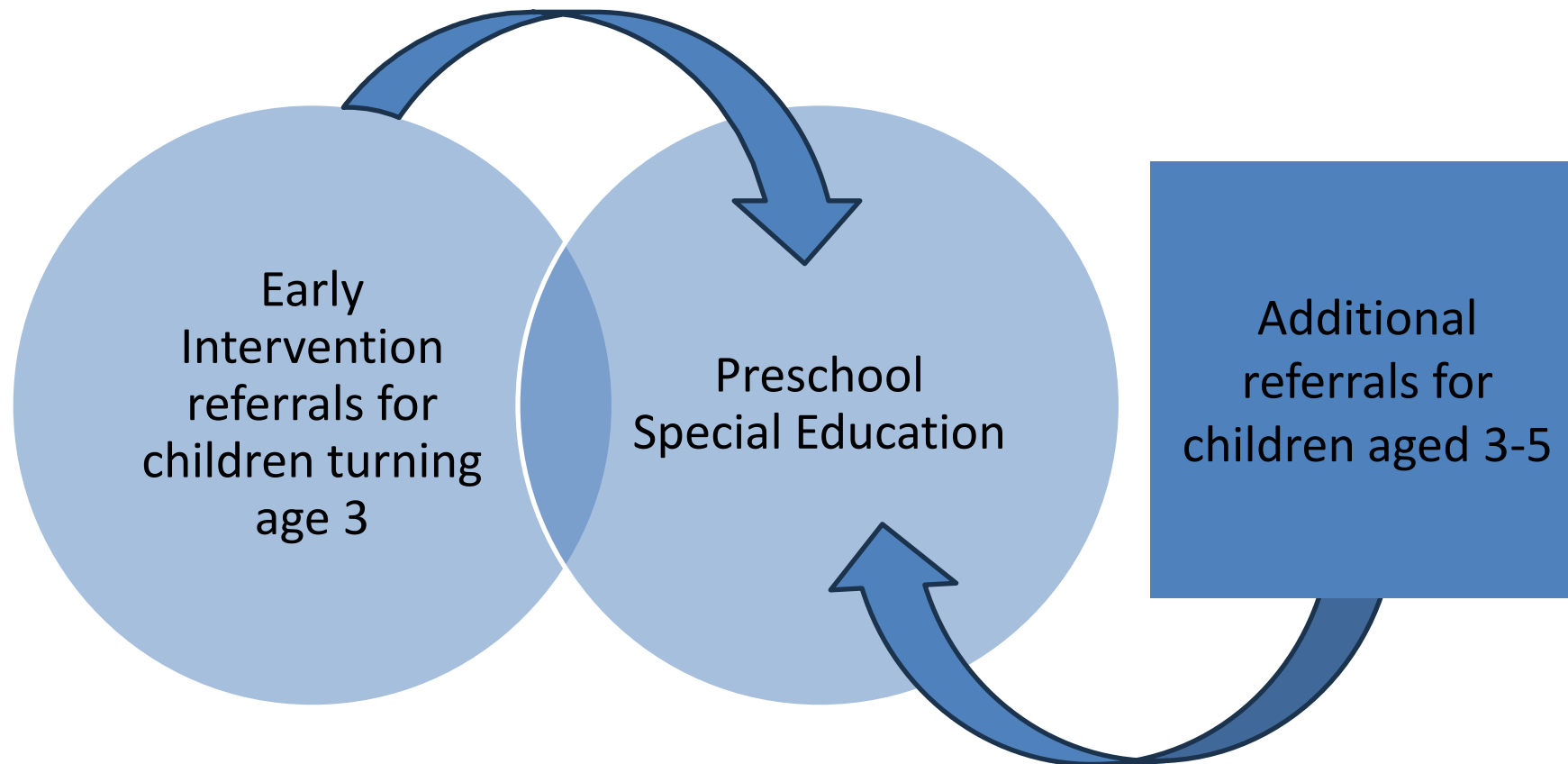
In NYS, a child aged 3 to 5 may be identified as a “preschool student with a disability” if the School District’s Committee on Preschool Special Education (CPSE) identifies the child as having a disability because of mental, physical, or emotional reasons that require special education services or programs.








Preschool Evaluation Statute and Regulations

- Education Law §4410
- 8 NYCRR 200.4 contains regulatory procedures for:
 - referral
 - evaluation
 - individualized education program (IEP) development
 - placement and review
- 8 NYCRR 200.16(c) contains regulatory procedures for preschool individual evaluation and reevaluation.

Preschool Special Education Referrals



The individual evaluation must be at no cost to the parent, and the initial preschool evaluation must include at least:

-  a physical examination
-  an individual psychological evaluation
-  a social history
-  an observation of the student in an environment appropriate for a student of that age, to document the student's academic performance and behavior in the areas of difficulty
-  other appropriate assessments or evaluations, as necessary, to ascertain the physical, mental, behavioral and emotional factors which contribute to the suspected disabilities

El to Preschool Transition

Early Intervention

The EI service coordinator will do transition planning with the family and assists the parents in making a referral to the Committee on Preschool Special Education (CPSE).

Timeline for Transitioning Child from EI to CPSE

No fewer than
90 days before
the child's
potential
eligibility for
CPSE services

The Early Intervention
Service Coordinator
provides written notification
to the CPSE in the child's
local school district if parent
has not objected.

Timeline for Transitioning Child from EI to CPSE

At least 90 days before the child's eligibility for CPSE services, or no fewer than 90 days or no more than nine months before the child's 3rd birthday

Transition conference convened by Service Coordinator. Attended by EI official, Service Coordinator and CPSE chairperson or designee.

Referral to CPSE

Either the EI official, if they received parent's consent, or the parent makes the referral to CPSE.

The [EIP to 4410 Calculator](#) will assist in identifying key dates for individual children. By entering the child's birth date, key dates within the transition process will be generated.

CPSE

A list of New York State Education Department approved preschool special education evaluators will be provided to the parent.

CPSE

The parent will select one of the approved evaluators and sign a consent form for the evaluation, which is of no cost to the family.

CPSE

Upon completion of the evaluation , a copy of the evaluation report, including a summary of the evaluation, will be provided to the parent and to other CPSE members.

CPSE

A meeting will be held to discuss the evaluation results and determine if the child's eligibility for special education programs and/or services.

Timeline for Transitioning Child from EI to CPSE

Prior to
the
child's
third
birthday

CPSE meeting held to determine eligibility prior to child's third birthday. EI eligibility ends on the child's third birthday, unless eligible for preschool special education programs and/or services.

When can Preschool Special Education Begin?

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

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

How long can children continue to receive EI services?

- * If child's birthday is between **January 1 and August 31**, can remain in EI until **September 1** of the year the child turns three.
- * If child's birthday is between **September 1 and December 31**, can remain in EI until **January 2** of the next year.

How long can children continue to receive EI services?

- * If eligibility for CPSE is **not** determined **prior** to the child's third birthday, EI services cease the day before their 3rd birthday.

Required CPSE Members

- the parent of the child,
- a regular education teacher (if the child is or may be participating in the regular education environment),
- a special education teacher or related service provider,
- a representative of the local school district who serves as the chairperson of the CPSE,
- an individual who can interpret evaluation results

Optional CPSE Members

- other individuals who have knowledge or special expertise about the child,
- an additional parent member (unless the parent(s) of the child request that this person not participate), and
- a professional from the Department of Health's Early Intervention Program (for a child in transition from the Early Intervention Program).
- A preschool representative from the municipality must be notified of scheduled meetings; however, the CPSE meetings can be held without the municipal representative attending.

Topic 2

Preschool Special Education Continuum of Services in NYS

Preschool Special Education Data Snapshot – Approximately:

45,000 children evaluated annually.



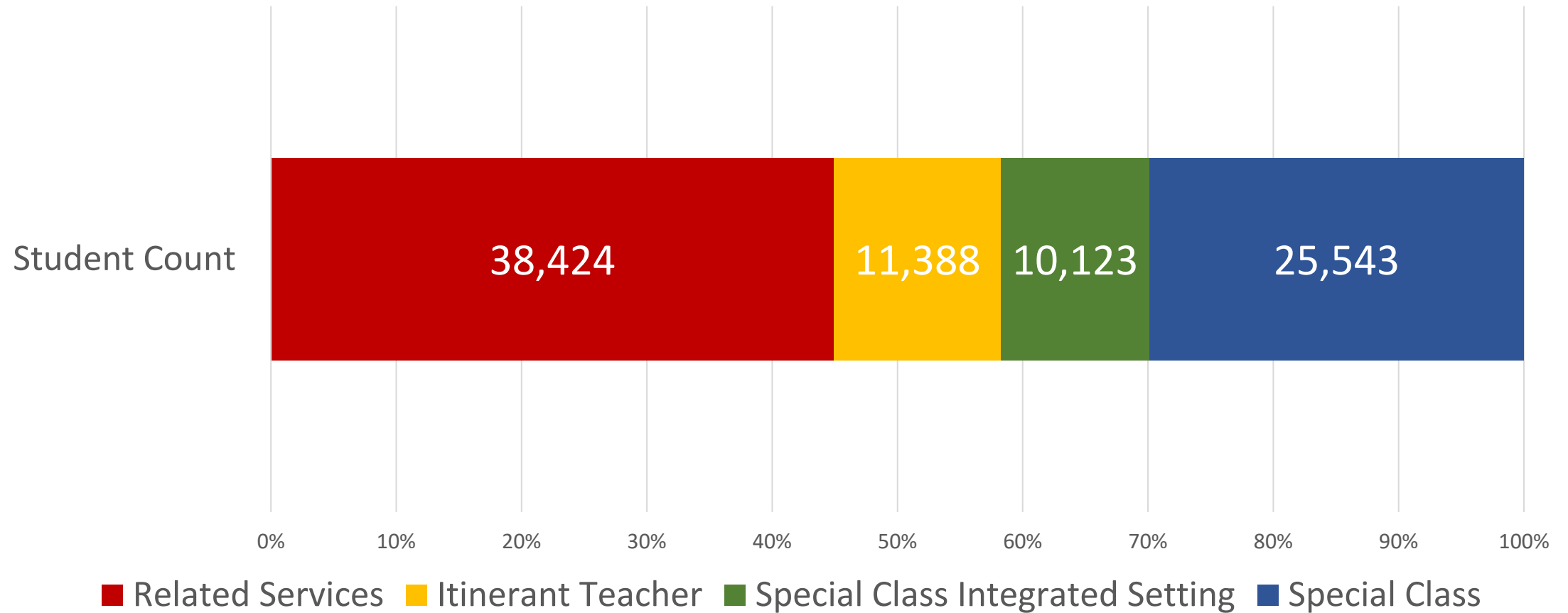
41,000 children served by October (BEDS Day) and
80,000 during the school year.



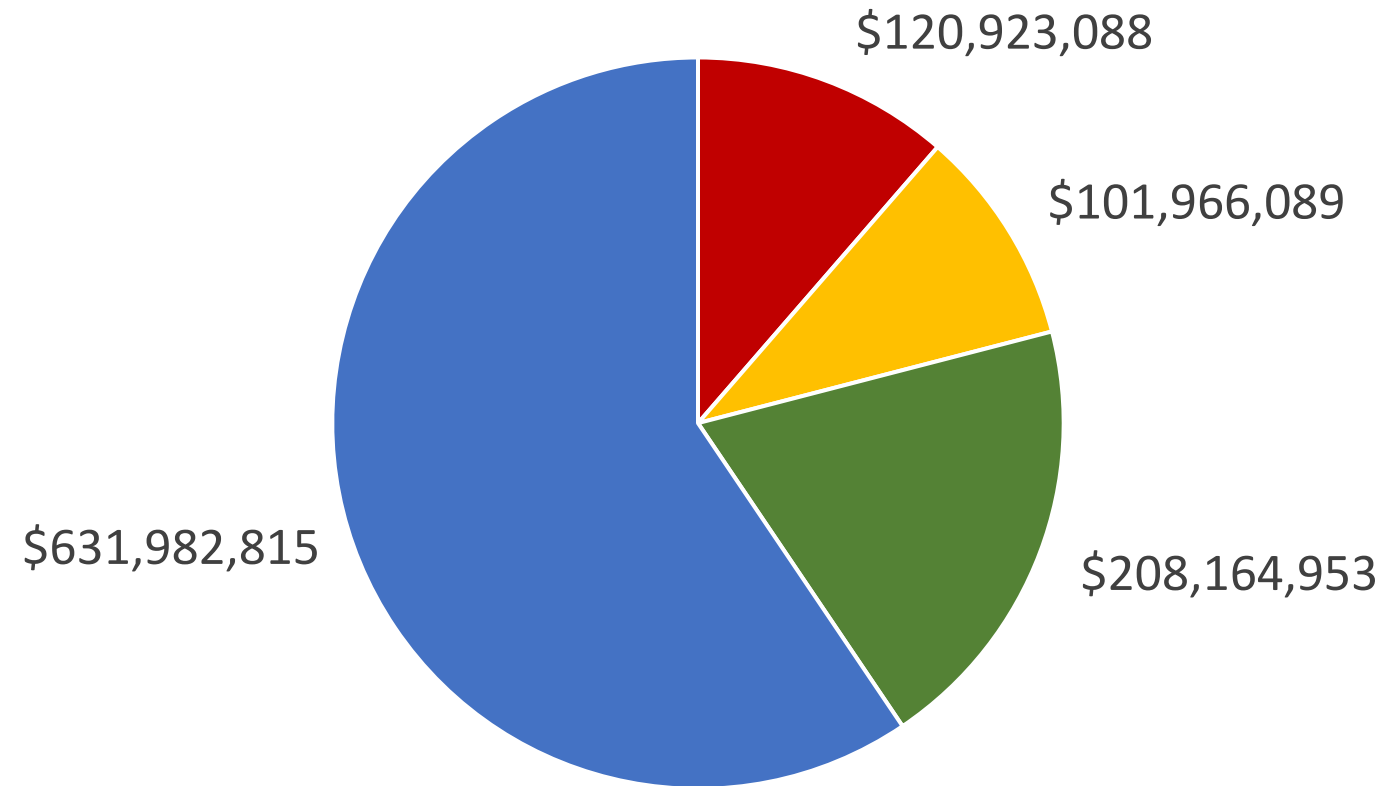
\$1.3 billion in annual funding.



2020-21 Child Count by Program



2020-21 Reimbursement by Program



■ Related Services ■ Itinerant Teacher ■ Special Class Integrated Setting ■ Special Class

Topic 3

State Performance Plan Preschool Indicators

State Performance Plan/ Annual Performance Report

STATE PERFORMANCE PLAN / ANNUAL PERFORMANCE REPORT: PART B
for STATE FORMULA GRANT PROGRAMS under the Individuals with Disabilities Education
Act

For reporting on
FFY 2021

New York



PART B DUE February 1, 2023

U. S. DEPARTMENT OF EDUCATION
WASHINGTON, DC 20202

- The Individuals with Disabilities Education Act (IDEA) requires each state to develop a State Performance Plan (SPP) and an Annual Performance Report (APR) that:
 - evaluates the state's efforts to implement the requirements and purposes of the IDEA; and
 - describes how the state will improve its implementation.
- States must report annually on their progress against the targets in their SPP/APR.
- A new SPP/APR is developed at least every six years.

IDEA State Performance Plan (SPP)

Preschool Inclusion

Preschool Outcomes

Timely Evaluation

Early Childhood Transition

SPP Indicator	2023 Result
SPP 6	No Slippage
SPP 7	Slippage
SPP 11	Slippage
SPP 12	Slippage

Evaluation and Transitions

SPP Indicator 11: Timely Evaluations

Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation.

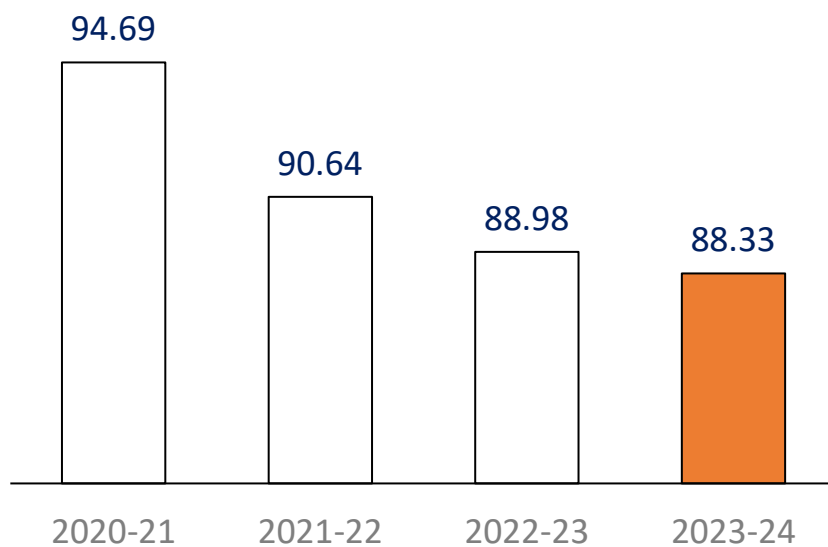
SPP Indicator 12: Early Childhood Transition

Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

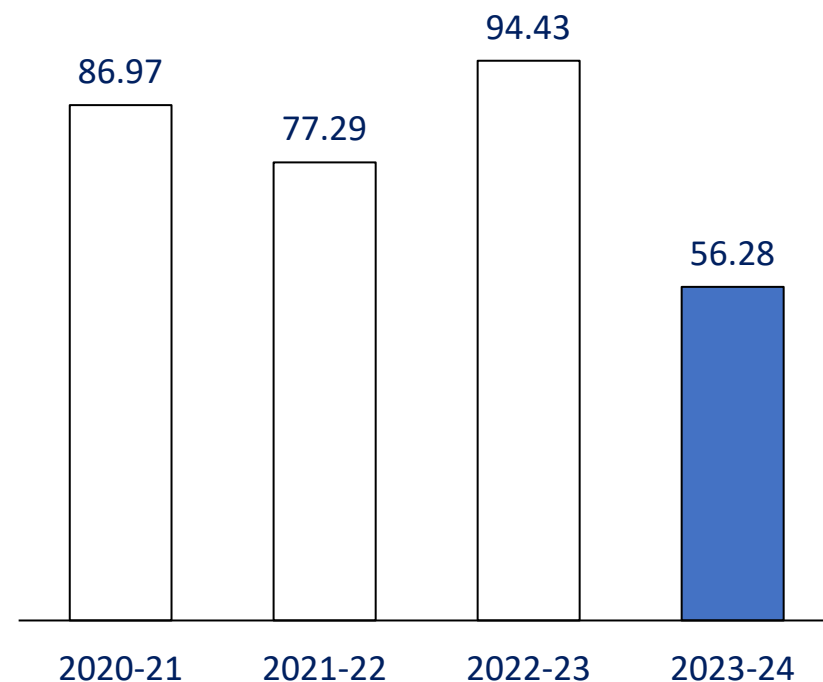
SPP Compliance Indicators – 11 & 12



11. Child Find %



12. Early Childhood Transition %



Timely Evaluation Delay Reasons

Compliant Reasons

Parents withdrew referral or consent to evaluate

Student moved out of the district

Documented delays in contacting parents to schedule the evaluation

Parents cancelled the scheduled evaluation and/or selected another approved evaluator

Evaluation postponed due to parents documented request

Parents refused or repeatedly did not make the child available for the evaluation

Noncompliant Reasons

Delays in finding an approved evaluator

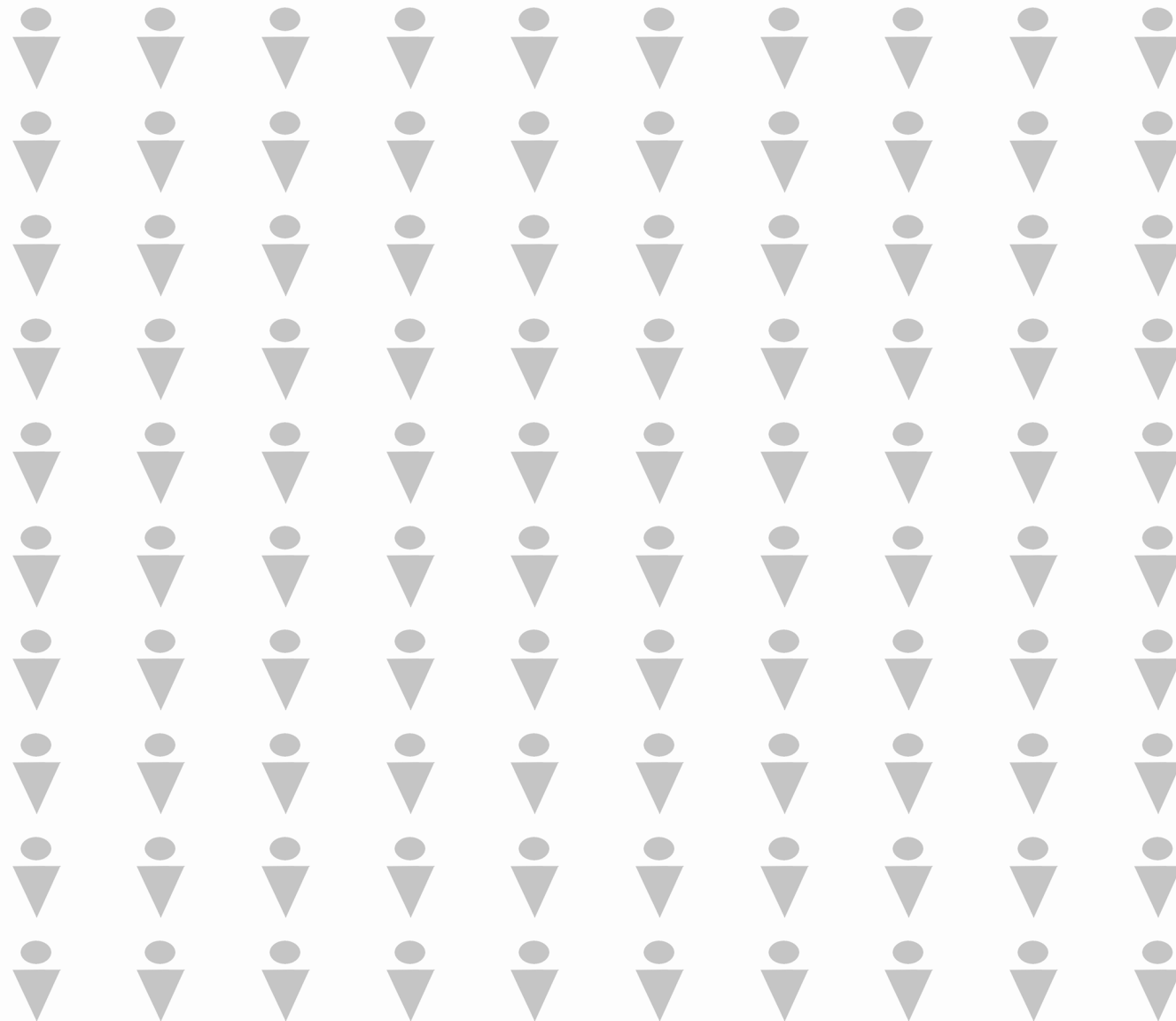
Evaluator delays in completing the evaluation

An approved multilingual evaluator was not available to provide a timely evaluation

NYS 2022 SPP 12

Early Childhood Transition

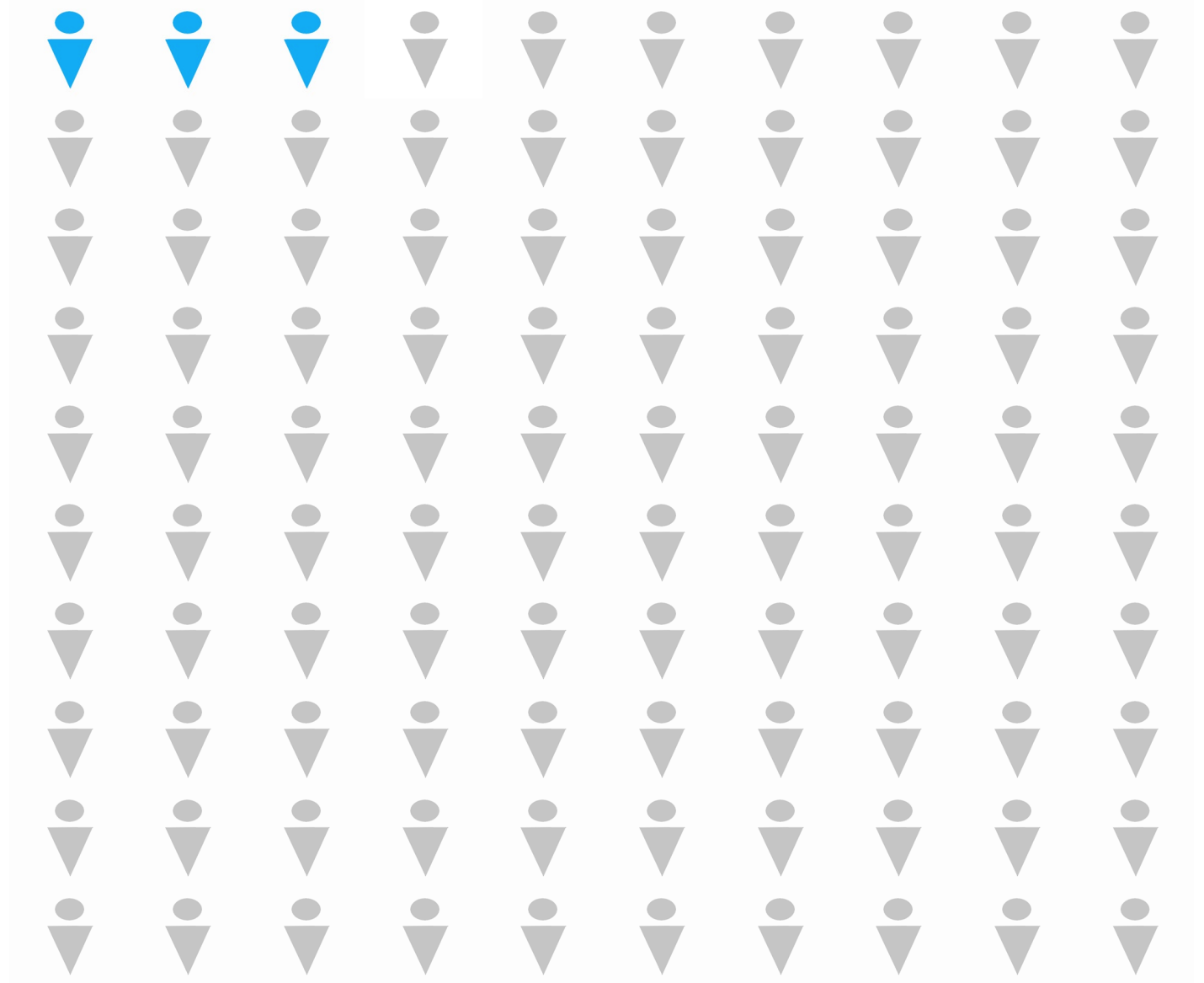
Monitoring was performed for 6,279 children who were served in Early Intervention and referred Preschool Special Education for a determination of eligibility.



NYS 2022 SPP 12

Early Childhood Transition
Not Eligible

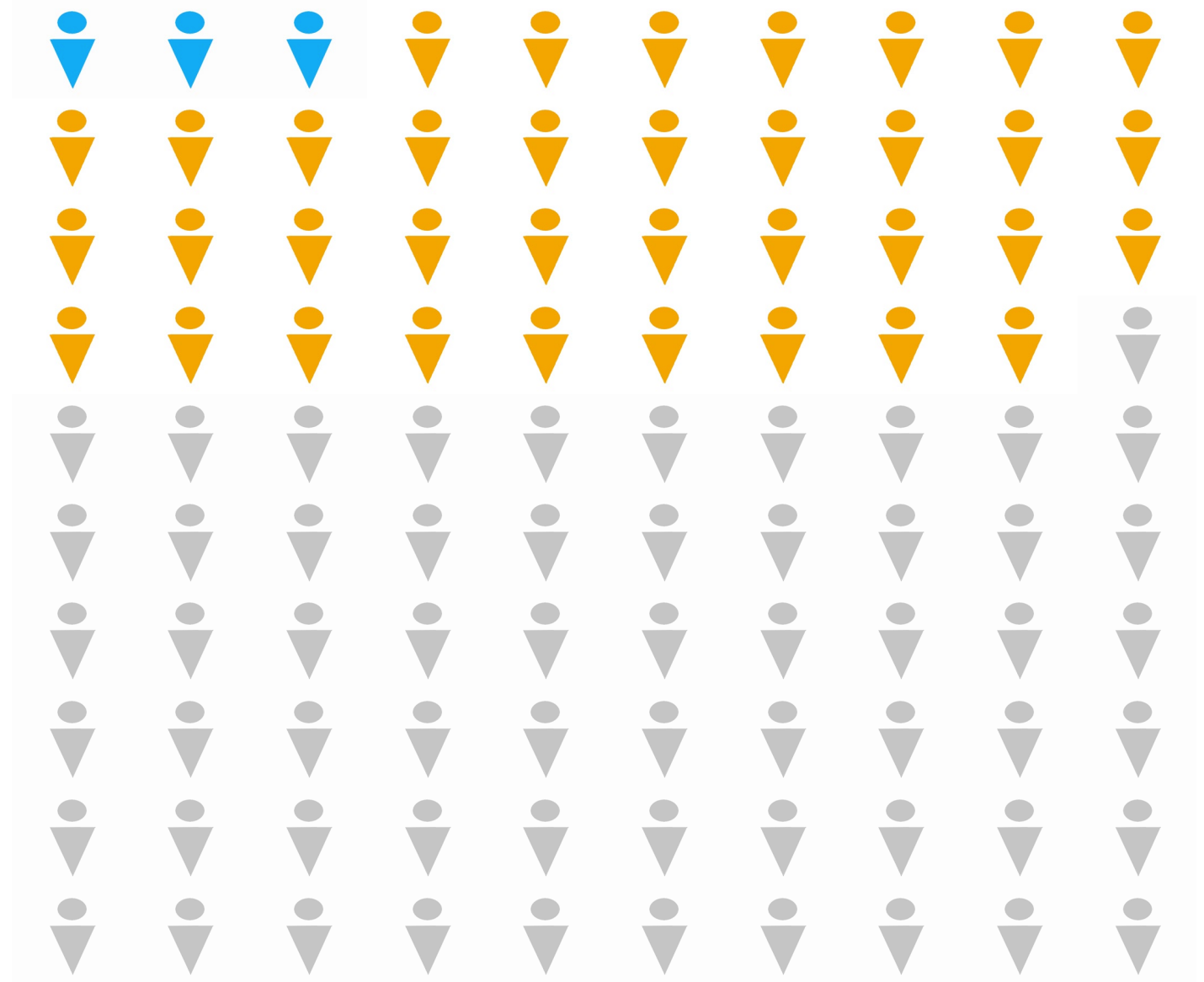
Approximately 3%
of the cohort were
determined not
eligible for
preschool special
education services



NYS 2022 SPP 12

Early Childhood Transition Delay in Consent

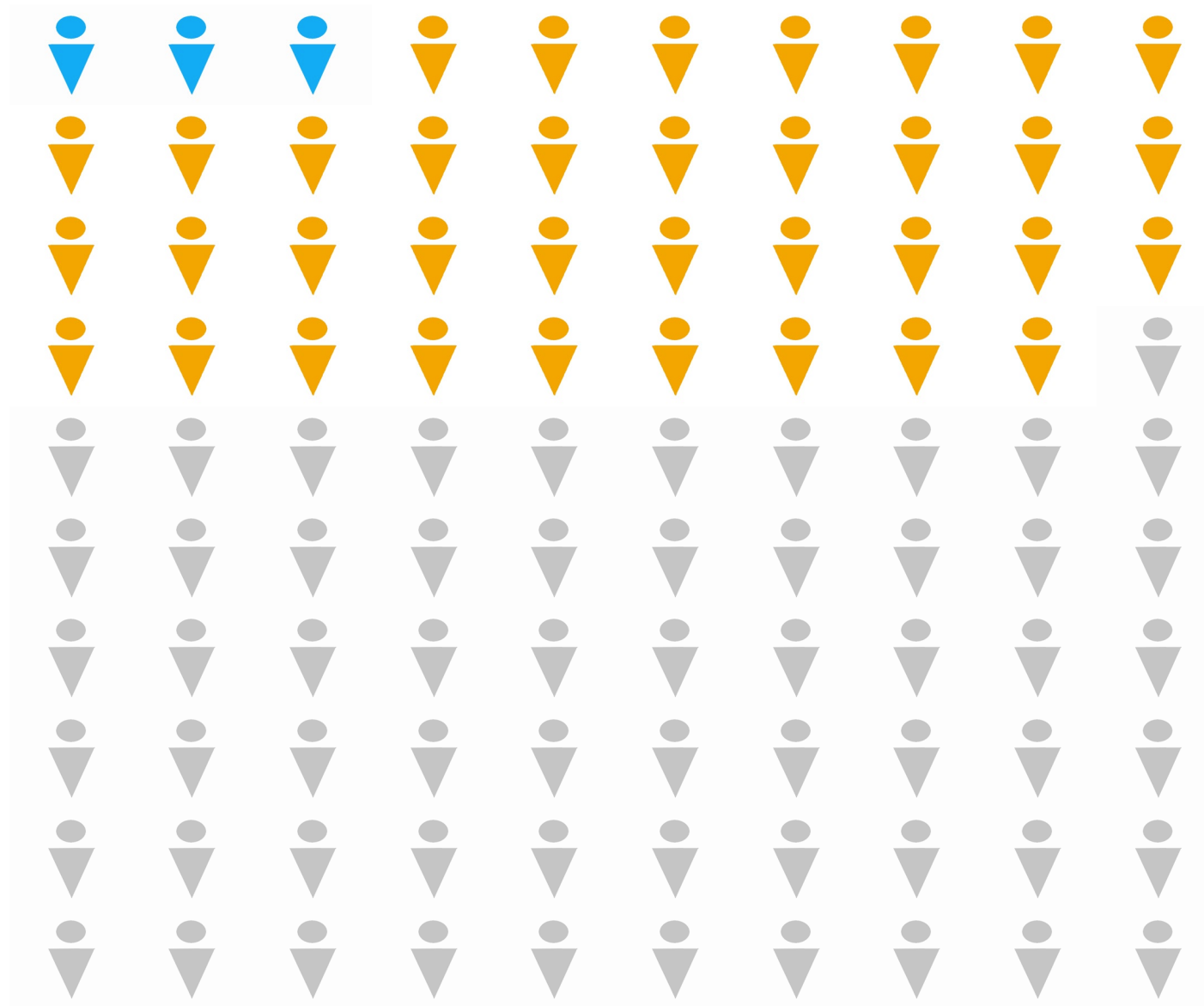
Approximately 36%
were impacted by
delay in parent
consent or child
availability for
evaluation



NYS 2022 SPP 12

Early Childhood Transition Late Referral

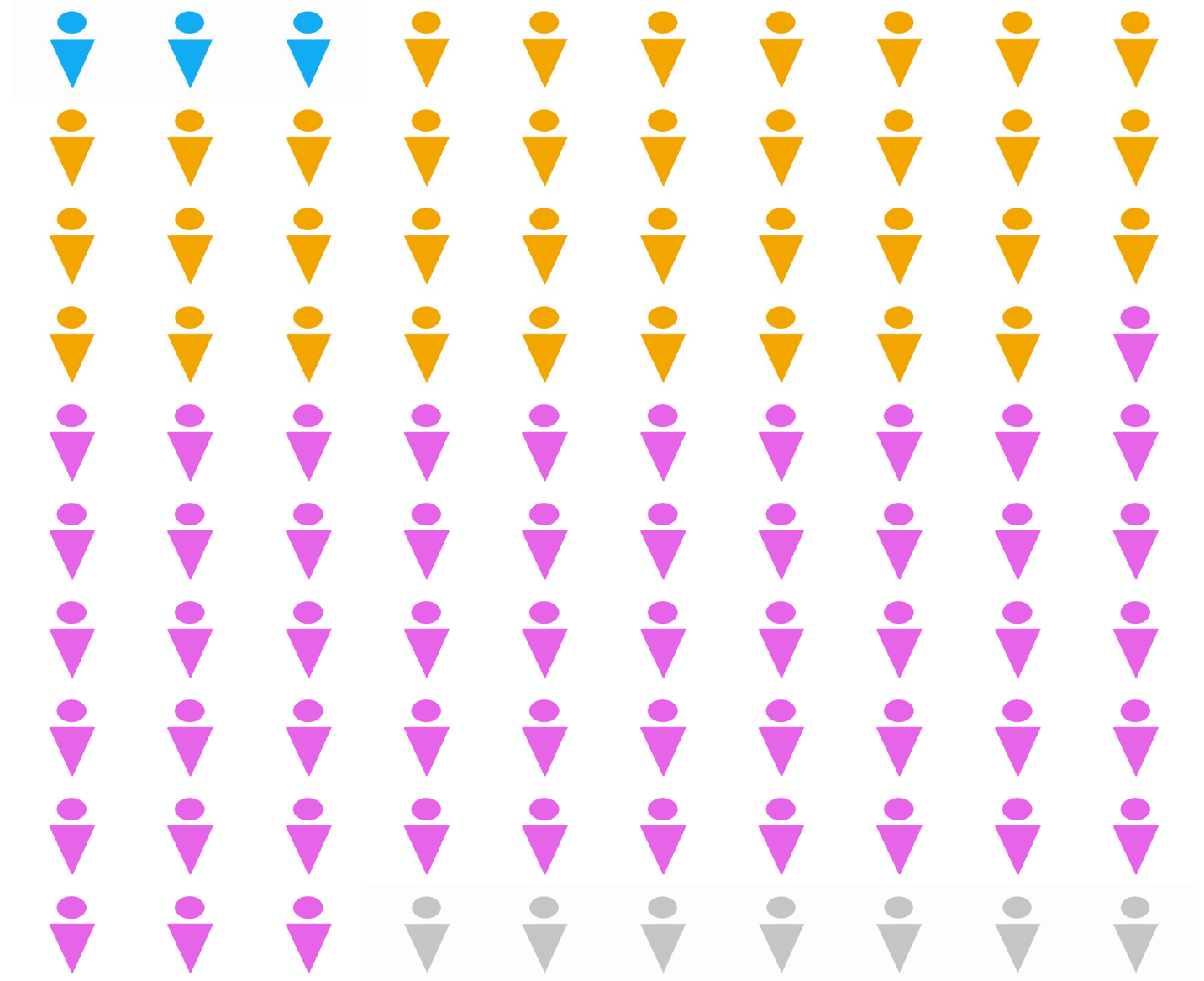
Less than half of
1% were referred
less than 90 days
before their third
birthday



NYS 2022 SPP 12

Early Childhood Transition
Early Intervention

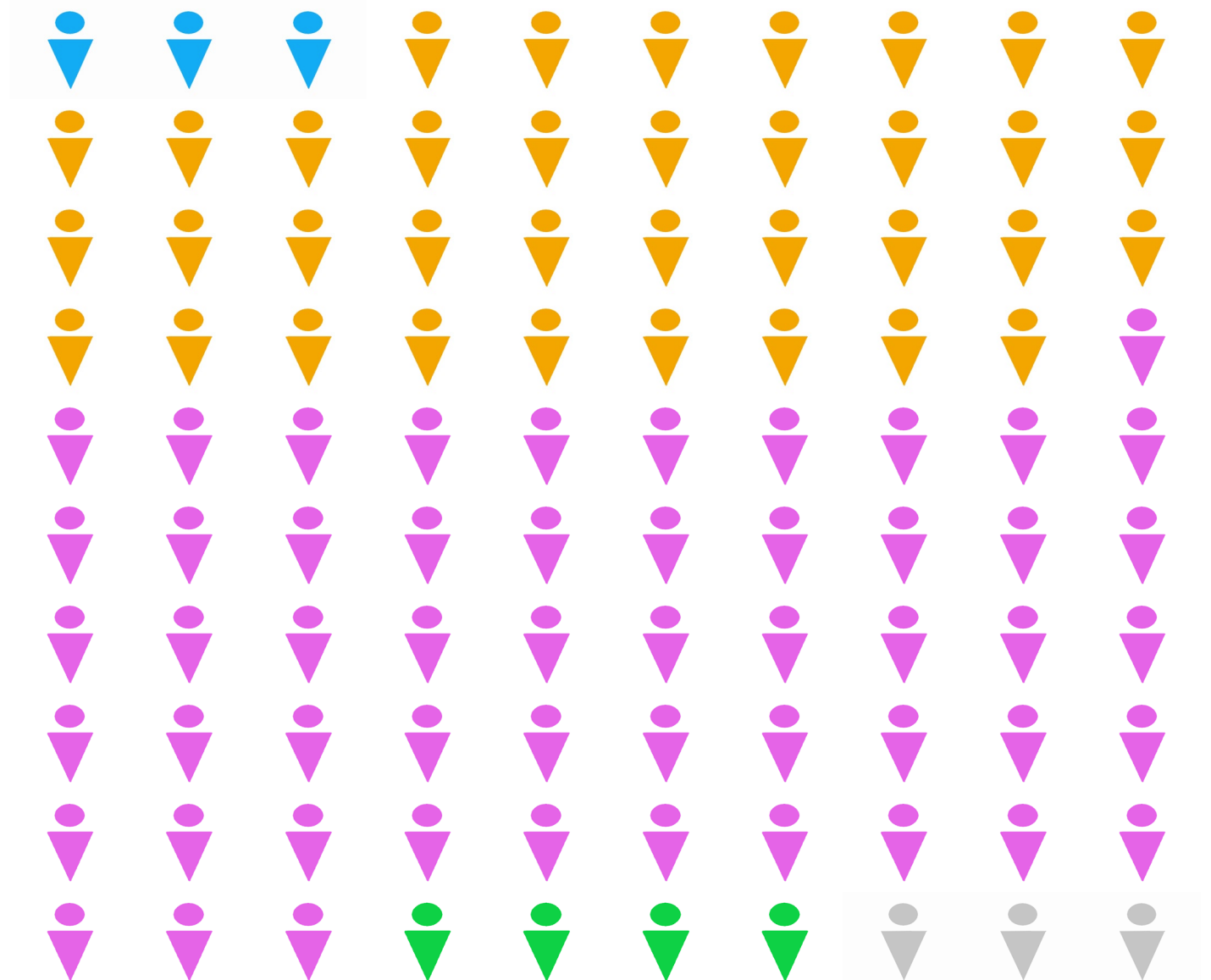
Approximately 54%
remained in Early
Intervention at
parent request



NYS 2022 SPP 12

Early Childhood Transition
Successful Transition

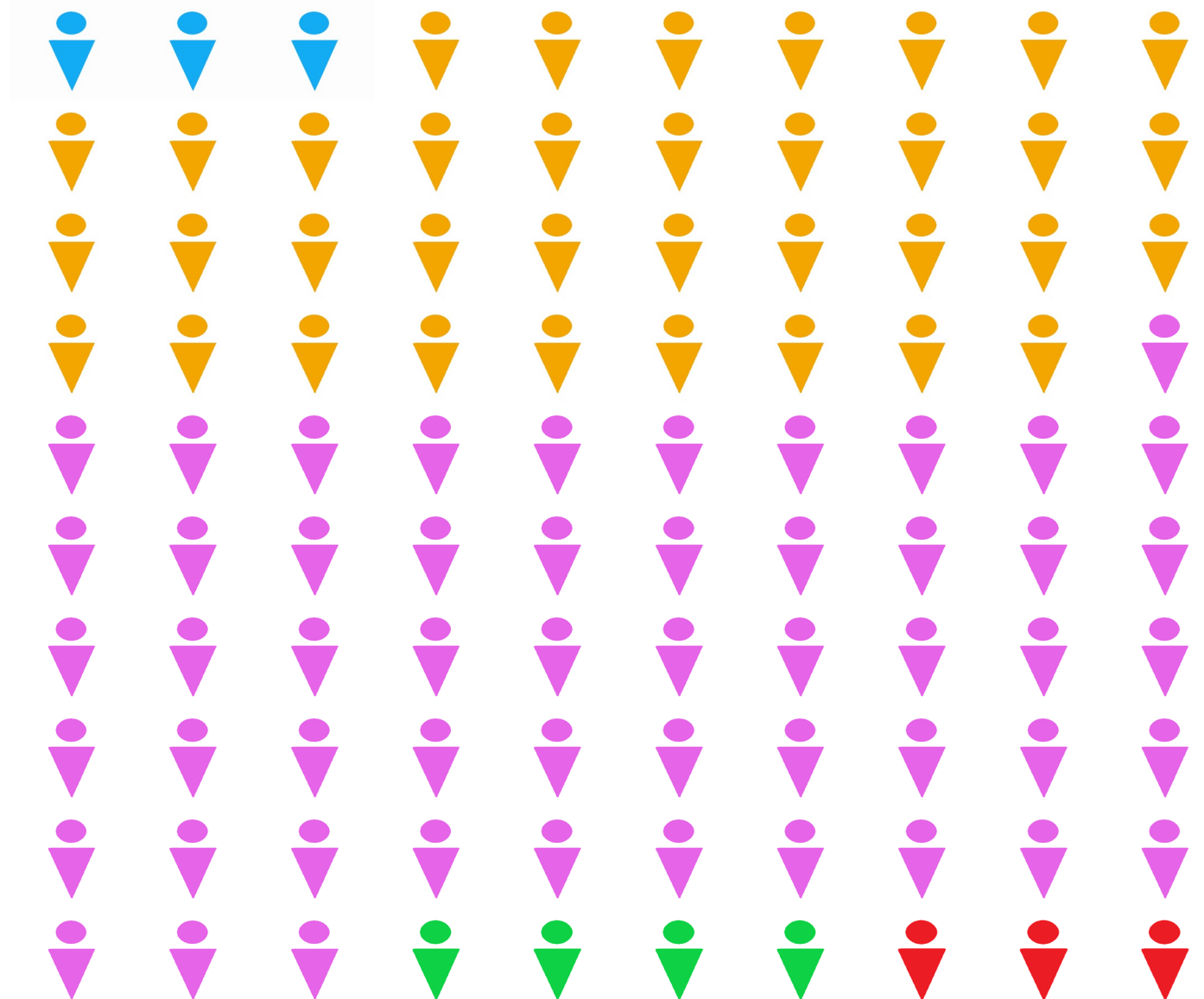
4% were found
eligible and had
their IEP developed
and implemented
by the third
birthday



NYS 2022 SPP 12

Early Childhood Transition Noncompliance

3% of the 6,279 cohort did not successfully transition - compared to the 4% who did. This results in an overall compliance rate for NYS of 56.28%



Prior Suggestions from Stakeholders to Improve Timely Evaluation and Early Childhood Transition

1. Additional funding is needed for preschool evaluations.
2. Update guidance on initial evaluation requirements.
3. Require low performing school districts to conduct a root cause analysis with the OSE Educational Partnership.
4. Greater collaboration is needed to assist in the transition from the EIP to the CPSE.



Preschool LRE

SPP Indicator 6A: Education Environments

Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program.

SPP Indicator 6B: Education Environments

Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending a separate special education class, separate school or residential facility.

Benefits of Preschool Inclusion:

- Positive gains across all areas of development
- Higher level social skills
- Improved peer relationships
- Gains in language and literacy skills
- Benefits for all children regardless of nature, type or severity of disability



Reporting Educational Environments Data for Preschool Children with Disabilities



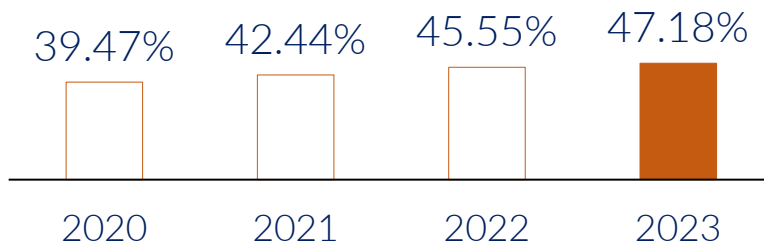
To count as served in an inclusive classroom in the State Performance Plan, a child must be:

1. Enrolled in a Regular Early Childhood Program; and
2. Receive a majority of their special education and related services in their program.

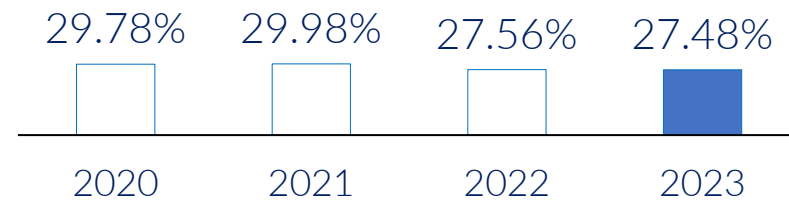
Preschool LRE – SPP 6A and 6B



SPP 6A. Regular Class



SPP 6B. Separate Setting



2023 Preschool Environments

Special Education Programs and Services in the Least Restrictive Environment

47.2%

Children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program



BEDS

DAY

2023

27.5%

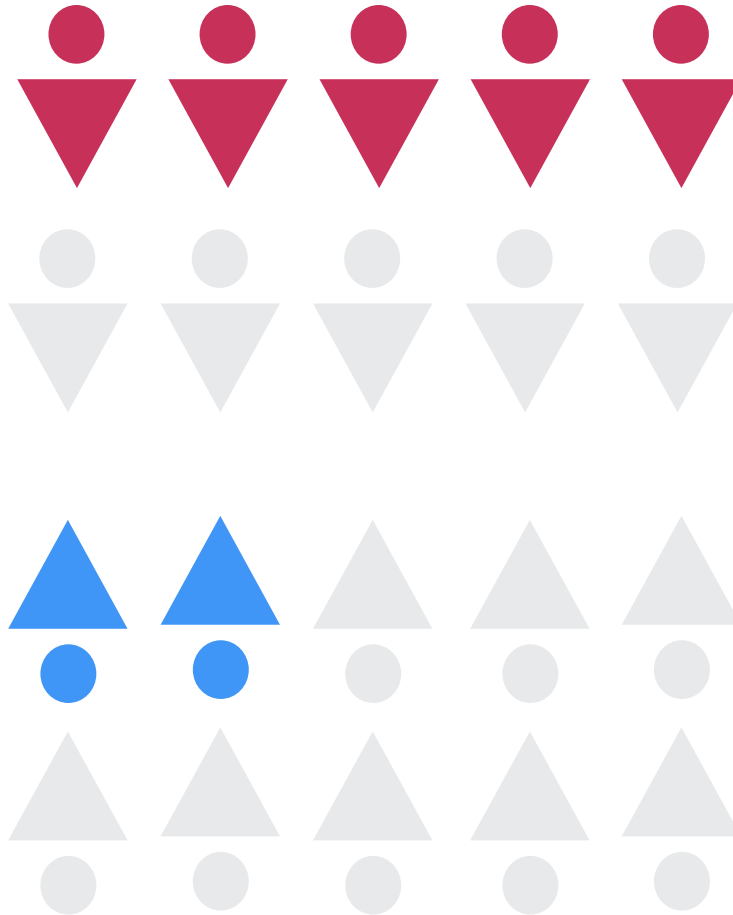
Children attending separate special education class, separate school or residential program



Target for 2025 Preschool Environments

Special Education Programs and Services in the Least Restrictive Environment

BEDS
DAY
2025



50%

Children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program

20%

Children attending separate special education class, separate school or residential program

Prior Suggestions from Stakeholders to Improve Inclusion

1. Expand the existing preschool offerings to meet the needs of all students;
2. Direct additional funding toward inclusive preschool programs;
3. Determine Root Causes/Perform Self-Assessments;
4. Expand training for educators in regular early childhood settings on a variety of student learning needs;
5. Enhance the training provided to Committees on Preschool Special Education on LRE decision-making.



SPP 7

Preschool Outcomes

1. Children have **positive social emotional skills** (including social relationships)
2. Children **acquire and use knowledge and skills** (including early language/communication)
3. Children **use appropriate behaviors to meet their needs**



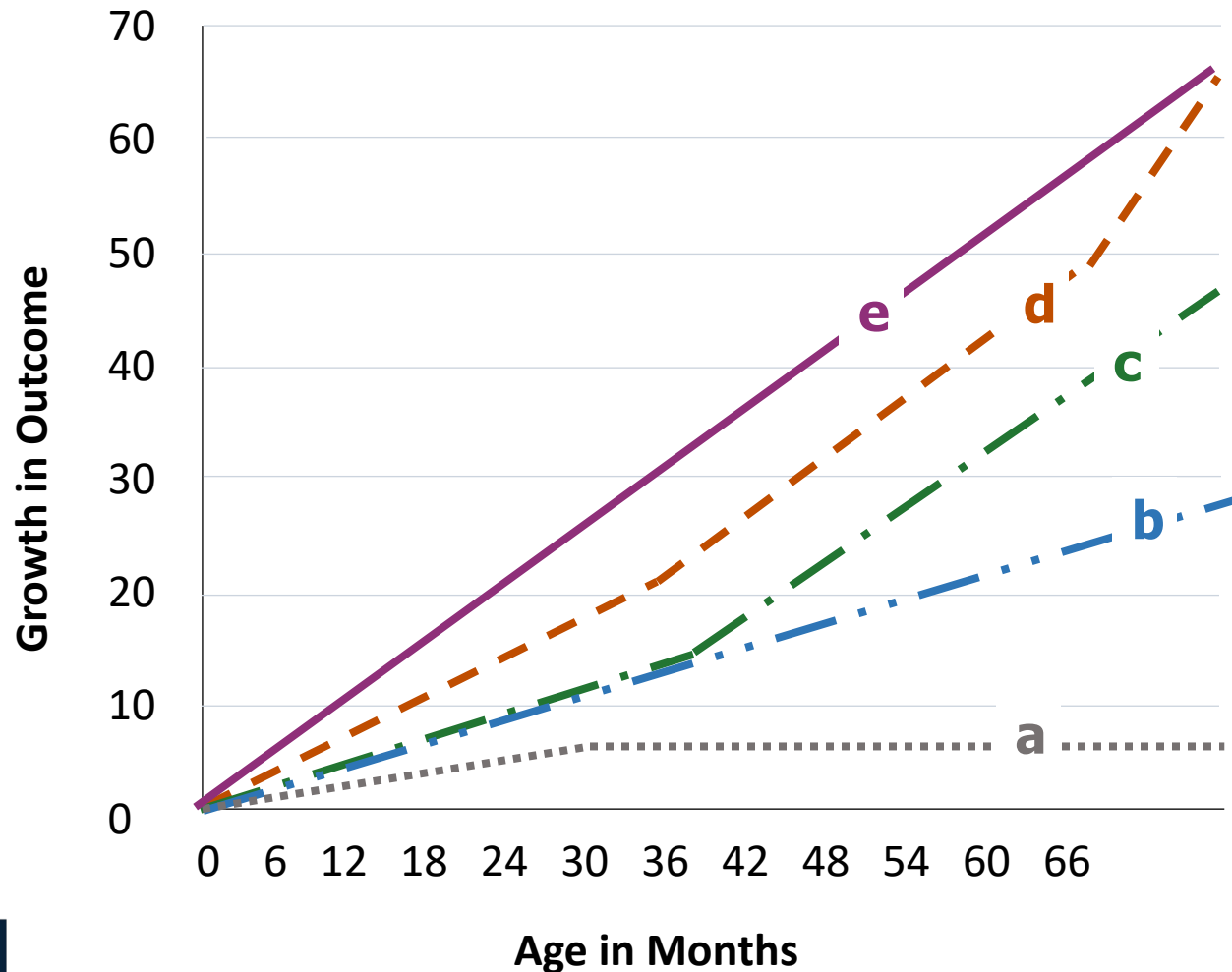


SPP 7 Progress Categories

- **Summary Statement 1:** Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

Summary Statement 2: The percent of preschool children who were functioning within age expectations in each outcome by the time they turned 6 years of age or exited the program.

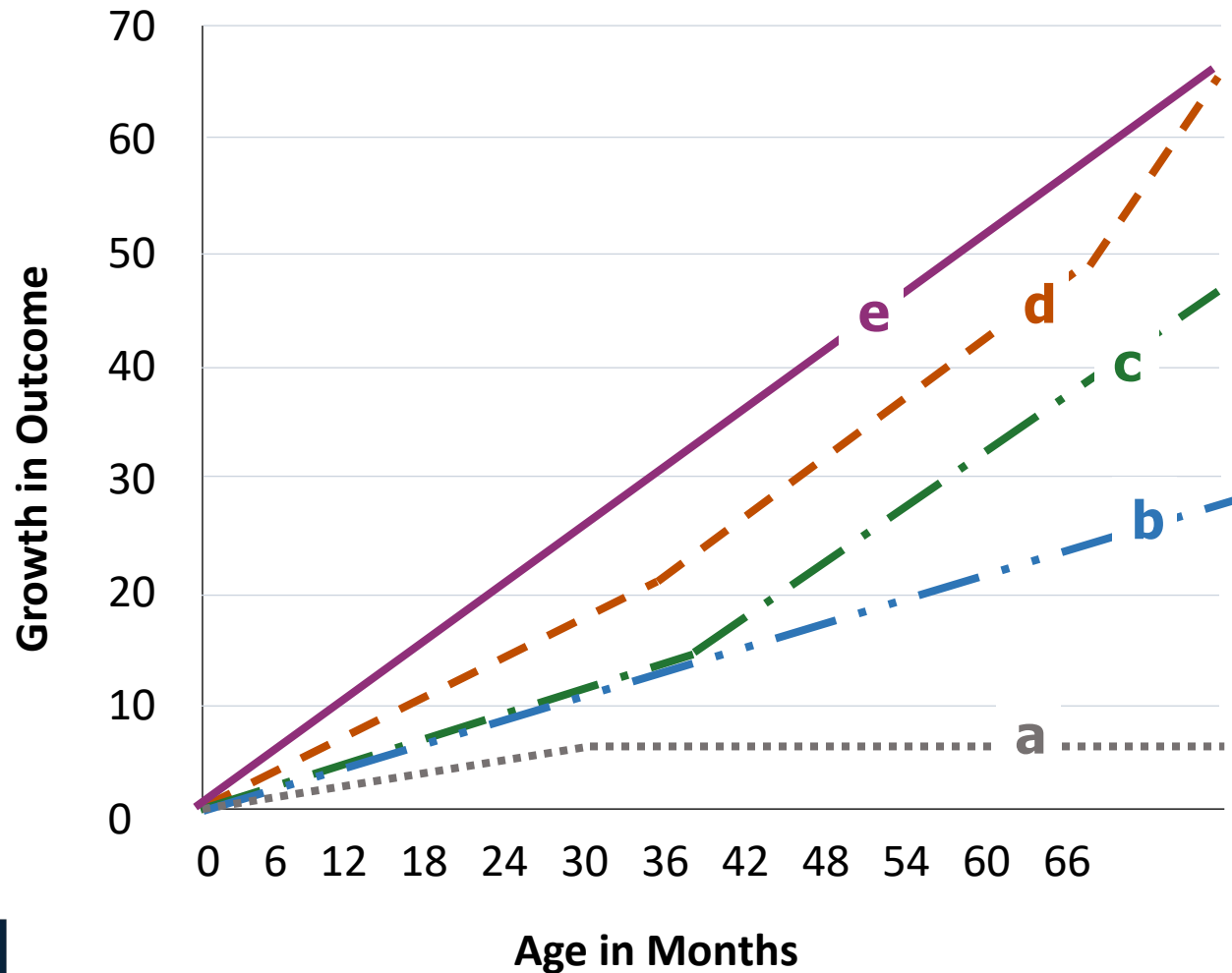
Progress Categories



- a. Did not improve functioning
- b. Improved functioning, no change in trajectory
- c. Moved closer to functioning like same-aged peers
- d. Improved functioning to that of same-aged peers
- e. Functioning same-aged peers

Adds up to 100%

New York State 2023-24 Cohort



a.1%

b.9.59%

c.53.75%

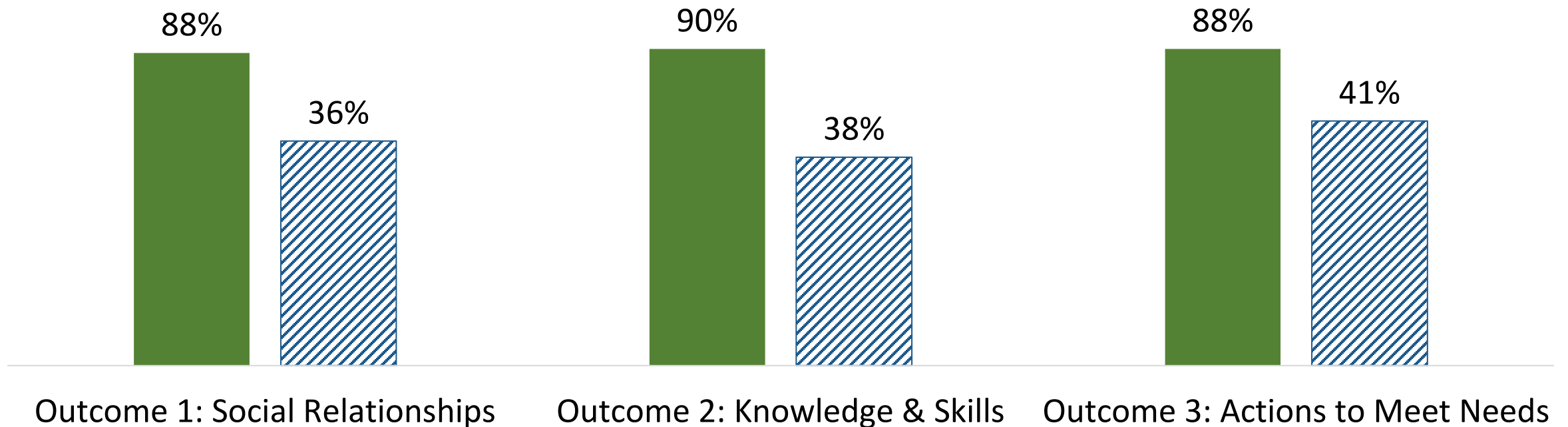
d.27.01%

e.8.56%

Adds up
to 100%

Preschool Child Outcomes Results (2023-24)

- Summary Statement 1: Greater Than Expected Growth
- ▨ Summary Statement 2: Exiting Within Age Expectations



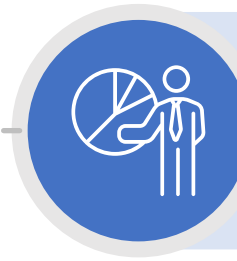
Slippage in Outcome 1: Social Emotional Skills

- Relating with Caregivers
- Interacting with Peers (conveying awareness, sustaining interactions, resolving conflicts)
- Participating in Social Games and Communicating with Others
- Following Social Norms & Adapting to Change in Routines
- Expressing Emotions and Responding to the Emotions of Others

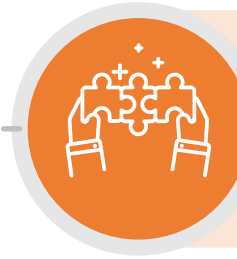
Chapter 56 of the Laws of 2023

Tuition Rate Setting Methodology Redesign

The state education department shall conduct a comprehensive study of alternative tuition rate-setting methodologies for approved providers operating school-age programs receiving funding under article 81 and article 89 of the education law and providers operating approved preschool special education programs under section 4410 of the education law.



Stakeholder Engagement



Analysis of other NYS Agency Approaches



Methodology or Methodologies Options and Recommendations



Cost Estimates & Comparison Analysis

Questions?

