



# Guidance for Operating Preschool Special Classes in New York City Department of Education (DOE) District 1-32 Schools and Pre-K Centers

## Table of Contents

<b>Guidance for Operating Preschool Special Classes in New York City Department of Education (DOE) District 1-32 Schools and Pre-K Centers</b>	<b>1</b>
<b>Table of Contents</b>	<b>1</b>
<b>Introduction</b>	<b>3</b>
<b>Program Regulations</b>	<b>3</b>
Regulations Governing Preschool Special Classes	3
Approval to Operate	3
Hours of Operation	3
Staffing Requirements	4
Chapter 408 of the New York State Education Law	4
<b>Placement and Enrollment Processes</b>	<b>4</b>
Age Requirements	4
Classroom Ratios	5
Over-Enrollment / Variance	5
Placement	6
Enrollment	6
Transportation	7
<b>Working with the Committee on Preschool Special Education (CPSE)</b>	<b>7</b>
The IEP and the CPSE Meetings	7
CPSE Meeting Documentation for Annual Review, Requested Review, or Reevaluation	8
Role of Teacher in Developing Individualized Education Plans (IEPs)	8
CPSE Offices	9
<b>Student Records</b>	<b>9</b>
Special Education Student Information System (SEGIS)	9
Confidentiality of Student Records	10
<b>Related Services</b>	<b>10</b>
Arranging Related Services	10
<i>District Schools</i>	10
<i>Pre-K Centers</i>	11
Allocating Space for Related Services	11
Parent Counseling and Training	11
Assistive Technology	12
<b>Oversight and Operations</b>	<b>12</b>
Attendance	12
<i>During Remote Learning Only:</i>	13
Notification of Change in Student Information	13
Suspension/Expulsion or Truncated Schedule	13
Medicaid Consent	13
Budget	14

<i>District Schools</i>	14
<i>Pre-K Centers</i>	14
IEP-assigned Paraprofessionals	15
<i>How to Secure Funding for IEP-assigned Paraprofessional</i>	15
<i>Requesting Funding for an IEP-assigned Paraprofessional</i>	16
<i>Confirming that IEP-assigned Paraprofessional Services are in Place</i>	16
<b>Behavior Supports</b>	<b>16</b>
Positive Behavior Supports	16
Functional Behavior Assessment & Behavioral Intervention Plan	17
<b>Curriculum</b>	<b>18</b>
<b>Progress Monitoring</b>	<b>18</b>
Progress Reports	19
Multidisciplinary Team Meetings	19
<b>Best Practices</b>	<b>19</b>
<b>Contacts</b>	<b>20</b>
<b>Enrollment/Placement Checklist for Preschool Students with IEPs</b>	<b>21</b>

## Introduction

Special Class (SC) services are provided in a classroom in which all children have Individualized Education Programs (IEPs) and needs that cannot be met in a general education classroom. Special classes are taught by special education teachers who provide specialized instruction.

Preschool special education is required under a federal law called [the Individuals with Disabilities Education Act \(IDEA\)](#). The IDEA states that children with disabilities or developmental delays have the right to a free and appropriate public education (FAPE). The law provides services for children ages 0-3 (Early Intervention), ages 3-5 (preschool special education), and ages 5-21 (school-age special education).

Under the IDEA, children with disabilities should be educated with children who are not disabled, to the maximum extent appropriate. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment may occur only when the nature or severity of the child's disability is such that the child cannot be satisfactorily educated in regular classes even with the use of supplementary aids and services.

## Program Regulations

### Regulations Governing Preschool Special Classes

In New York State, preschool special education programs, including special classes, must comply with the requirements of [section 4410 of the Education Law](#) and [Parts 200 and 201 of the Regulations of the Commissioner of Education](#).

### Approval to Operate

In New York State, preschool special education programs must receive approval from the New York State Education Department (NYSED). The NYC Department of Education (DOE) central office is responsible for submitting an application to NYSED to open additional preschool SCIS classes in district schools and Pre-K Centers based on determined [regional need](#).

The DOE central office will gather necessary documents, submit an application to NYSED, and receive authorization prior to a SCIS class opening. The DOE central office will work directly with district schools and Pre-K Centers to gather necessary documentation and offer appropriate supports. All district schools and Pre-K Centers will receive official notification upon approval by NYSED.

If programs are interested in opening preschool SCIS classes, district schools should email [districtprekplanning@schools.nyc.gov](mailto:districtprekplanning@schools.nyc.gov) and Pre-K Centers should email [pkcsupport@schools.nyc.gov](mailto:pkcsupport@schools.nyc.gov).

### Hours of Operation

Each preschool student with a disability must be provided with the amount and duration of services described in the student's IEP. A full day session means that, within the 6 hour and 20-minute school day, there should not be less than five hours of instruction or services by a certified special education teacher or related service provider for preschool students with disabilities. For special classes, rest/nap time is not considered instruction. Outdoor play can be included in instructional time only if it contains supervised activities from a certified special education teacher and should be scheduled for a period of time that does not exceed thirty minutes. As per the [October 2020 NYSED guidance](#), mealtime may be included when calculating instructional time.

During the 10-month school year, each preschool program must be in operation for not fewer than 180 days between September 1 and June 30.

If a district school or Pre-K Center is approved to operate a 12-month program (also known as Extended School Year (ESY) program), the preschool special education program must be in operation for not fewer than 30 days between July 1 and August 31.

For questions or additional information, email [EarlyChildhoodPolicy@schools.nyc.gov](mailto:EarlyChildhoodPolicy@schools.nyc.gov) or see the “Pre-K for All Days and Hours of Operation” section of the [3-K for All and Pre-K for All Policy Handbook for District Schools and Pre-K Centers](#).

### **Staffing Requirements**

Special education instruction must be provided by staff appropriately certified or licensed pursuant to [Part 80 of the Regulations of the Commissioner of Education](#) (200.6(b)(4)). Coverage of special classes during staff absences or prep/lunch must also be provided by appropriately certified or licensed staff.

### **Chapter 408 of the New York State Education Law**

In accordance with Chapter 408 of the New York State Education law, all professionals who provide services or supports to students with IEPs are required to be duly informed of their specific roles and responsibilities prior to implementing those services. Principals should select a designee and ensure that the designee meets with each teacher and provider to discuss the teacher or provider’s role in implementing the student’s IEP.

For compliance purposes, schools must also maintain an ongoing record of the completed Chapter 408 implementation forms, which must be kept confidential in a secure, locked area; schools may use these [verification form templates](#) for this purpose. These forms and more information about Chapter 408 requirements, including a memo to principals that describes the steps outlined above in more detail, are available on the [InfoHub](#).

School staff who are responsible for implementing IEPs should access their students’ IEPs in SESIS prior to implementation, and review the [“Preschool IEP Distribution” guidance document](#); the guidance provides information regarding implementing IEPs, including access, storage, and other best practices. Schools must take these steps throughout the school year each time a new IEP is developed or amended or a new student with an IEP enrolls in the school, prior to providing program and/or services to any student with an IEP.

## **Placement and Enrollment Processes**

### **Age Requirements**

Children can begin receiving preschool special education services during the calendar year when they turn three. The exact date depends on the child’s birth date. Children who turn three between January 1st and June 30th are first age-eligible for preschool special education services on January 2nd of the year they turn three. Children who turn three between July 1st and December 31st are first age-eligible for preschool special education services on July 1st of the year they turn three, if recommended for an extended school year (ESY) program. Otherwise, children who turn three between July 1st and December 31<sup>st</sup> are first eligible for preschool special education services on September 1<sup>st</sup> of the year they turn three.

The chronological age range within special classes serving preschool students cannot exceed 36 months unless granted special approval by NYSED based on documented educational justification. If there is a need to request a variance for this age requirement, the DOE central office will work directly with a school to request a variance from NYSED. The school may not place the additional student in the class until after the variance procedure has been followed and they receive notification of approval from the DOE central office.

Please reach out to the DOE SEO at [4410Oversight@schools.nyc.gov](mailto:4410Oversight@schools.nyc.gov) with any questions or to request a variance.

The age requirement set out by Chancellor's Regulation A-101 does not apply to special classes. All DOE-approved preschool special education programs must welcome all students placed in special classes who have IEP recommendations for special classes.

### Classroom Ratios

DOE preschool special classes may be approved to operate either a **6:1+2** (6 students: 1 special education teacher + 2 paraprofessionals) ratio, **8:1+2** (8 students: 1 special education teacher + 2 paraprofessionals) ratio, or **12:1+2** (12 students: 1 special education teacher + 2 paraprofessionals) ratio.

Classroom ratios are state-mandated and important for ensuring a balance that supports all children's learning and development. Schools and Pre-K Centers must maintain the appropriate classroom ratio at all times. **This means that the special education seats in a SCIS classroom may not be filled with general education students at any point during the school year.**

When a new special class is approved to operate in your program, you will receive a notification with the approved ratios from the Division of Early Childhood Education (DECE) central office.

The IEPs of preschool students who have special class recommendations will state "Special Class" as the special education program under "Recommended Special Education Programs and Services" on the IEP. The exact classroom ratio – e.g., 6:1+2 – will be listed under "Service Delivery Recommendations".

A preschool student with a disability must be provided with special education programs and services in accordance with their IEP. This means that special class ratios must be maintained, and a certified special education teacher must be in the classroom during the required five hours of instruction within the school day. For more information on instruction in a preschool special education class, refer to "[Hours of Operation](#)".

### Over-Enrollment / Variance

DOE preschool special classes may not enroll more students than allowed in their approved ratios. If there is a need to temporarily exceed the approved class size, the DOE central office will work directly with a school to request a variance from the SED. The school may not place the additional student in the class until after the variance procedure has been followed and they receive notification of approval from the DOE central office.

Please reach out to the DOE Special Education Office at [4410Oversight@schools.nyc.gov](mailto:4410Oversight@schools.nyc.gov) if you have any questions regarding over-enrollment or to request a variance.

## Placement

The CPSE is responsible for the placement of preschool students with IEPs that contain special class recommendations. The CPSE will reach out to district schools and Pre-K Centers to arrange placement.

**Programs must accept all placements into their program as long as they have available seats. Programs may not turn away any families or assess whether the student is a ‘good fit’ for their program. This is critical as we move towards welcoming more and more families to DOE preschool settings.**

Families may want to visit and tour programs with their child before finalizing placement with the CPSE. This family visit or tour is not required and the CPSE may offer and authorize a student’s placement in a school without a family visit or tour. District schools and Pre-K centers should make every effort to welcome and accommodate families and children. This includes providing the opportunity for children and families to visit classes during school hours, meet staff, and tour the building. District schools and Pre-K Centers should designate an individual(s) on site who will be responsible for working with the CPSE to schedule visits and tour families.

Again, district schools and Pre-K Centers may not perform any screening process by district schools or Pre-K Centers. The CPSE will notify the district school or Pre-K Center once the student is authorized to attend the DOE school, and the notification should include a copy of the “DOE Approval and Authorization to Receive Preschool Special Education Program/Service(s)” (A-1P) notice or the “Authorization of the IEP- No Change” (AR-1P) or “Authorization of the IEP-Change” (AR-2P) notices. District schools and Pre-K Centers should check the notice for the date when services are to begin for the preschool child and to make sure that their school is listed as the location for the preschool child to receive special class services.

Upon notification of the student’s authorization to attend the district school or Pre-K Center, the school should immediately enter the required session time for the child in the [Pre-K Rider System](#) so that transportation can begin. Please see the section below for “[Transportation](#)”.

Children may be placed by the CPSE in special classes in district schools or Pre-K centers at any time during the school year.

## Enrollment

After a student is placed by the CPSE in a special class, the school should enroll the student on the school’s register in ATS using the grade codes in the table below. ATS class codes for special classes should use letters that correspond to the appropriate physical location +9 +1. For example, in District 21, if special classes are in building K787, the first class would be B91 and the second would be B92. Under CAP class, enter “SG6,” which is a general CAP code for all 359 classes across the city.

Aside from the special grade, class, and CAP codes, all other ATS functions remain the same for students in special classes.

For ATS technical support, district schools and Pre-K Centers should open a help desk ticket and call 718-935-5100.

For additional enrollment support, district schools and Pre-K Centers should reach out to the Office of Student Enrollment at [ESEnrollment@schools.nyc.gov](mailto:ESEnrollment@schools.nyc.gov).

Special Education Class	ATS Grade Code
6:1:2 Special Class	971
8:1:2 Special Class	972
12:1:2 Special Class	973

## Transportation

All preschool students with IEPs that recommend special class and who attend a NYSED-approved preschool special education program (including at a district school or Pre-K Center) are provided curb-to-curb school bus transportation to and from the recommended special class program. These students will appear in the [NYC Office of Pupil Transportation \(OPT\) Pre-K Rider System](#) the next school day after placement at the school is authorized in CAP by the CPSE.

District schools and Pre-K Centers should call OPT at 718-482-3800 to obtain a username and password in the [Pre-K Rider System](#).

Upon access to the system, district schools and Pre-K Centers should enter the required session time for children in the Pre-K Rider System so that transportation can begin. Once the session time has been entered and saved, the information is sent electronically to the appropriate transportation provider.

If a district school or Pre-K Center requires assistance or guidance in accessing or utilizing the [Pre-K Rider System](#), they may contact the OPT Pre-K customer service hotline by calling 718-482-3800.

## Working with the Committee on Preschool Special Education (CPSE)

### The IEP and the CPSE Meetings

If a preschool-age child is determined to be eligible for services, the CPSE will develop an IEP. An IEP is a plan that discusses a child's abilities and outlines the services the DOE will provide to meet the child's educational needs. The IEP will include present levels of performance (PLOP), measurable annual goals, recommended special education programs and services, and accommodations and modifications. The IEP may recommend a special education program of special class.

The child's IEP will be reviewed at least once each year at a CPSE meeting (or annual review). The purpose of this meeting is to review the child's progress and consider the continuation, modification, or termination of recommended special education programs and services.

In addition to the annual review, if the educational or related service needs warrant a reevaluation (including as a result of the student's improved academic achievement and/or functional performance), the school should work with the family and submit a written request to the CPSE for a requested review of the IEP or reevaluation to the CPSE. Note that the CPSE is required to recommend services in the least restrictive environment (LRE), and if a child in a special class demonstrates progress, the program and CPSE should consider a change in program recommendation to a less restrictive setting, such as Special Class in an Integrated Setting (SCIS).

Progress reports must be sent to the CPSE before the scheduled CPSE meeting. See "[Progress Reports](#)" for specific instructions.

## CPSE Meeting Documentation for Annual Review, Requested Review, or Reevaluation

In preparation for CPSE meetings, classroom teachers and related service providers should provide the documentation set out below to the CPSE responsible for the child's home district. For an annual review meeting, this documentation should be submitted at least **thirty days** before the review. For reevaluations, this documentation should be submitted to the CPSE located in the child's home district **within twenty school days** of the parent's consent for reevaluation.

Required documentation:

- Most recent progress report(s) or reevaluation assessment report(s)
- Draft Present Levels of Performance (PLOP), IEP annual goals, and short term instructional objectives and/or benchmarks that will be reviewed and finalized at the CPSE meeting
- If the student has a recommendation for an IEP-assigned paraprofessional, a rationale to support need
- If the student has a recommendation for ESY (12-month service and/or program), a rationale **and data** to support this recommendation
- If a recommendation for ESY is being considered, a rationale **and data** to support that the child has demonstrated documented substantial regression after school breaks
- If the CPSE meeting is to review the results of a reevaluation, the reevaluation assessment report(s) and progress reports for the recommended programs and all services.
- As applicable, data and report regarding a student's Functional Behavioral Assessment (FBA) and/or Behavior Intervention Plan (BIP)

District schools and Pre-K Centers should work with classroom teachers and related service providers to collect all required documentation to send to the CPSE prior to meetings. It is a recommended best practice for leadership to review classroom teacher and related service provider reports prior to submission.

## Role of Teacher in Developing Individualized Education Plans (IEPs)

Preschool teachers are part of the CPSE team and play an important role in developing high-quality IEPs. Teachers spend a lot of time with students and regularly observe their strengths, needs, and interests. As IEPs are being developed, teachers provide a unique and valuable perspective because they hold a rich amount of knowledge about children and their development, classroom interventions and student responses, and how children progress (or could progress) toward IEP goals in the classroom. Teachers also hold expertise in curriculum, instruction, and the day-to-day workings of the classroom.

The IEP must describe how, through specially designed instruction, different supports will be provided to the child, which would not occur if the child were without an IEP. It describes how the child will be able to make progress within the general education curriculum, or gains educational benefit. Parents may request that various professionals in their child's life attend a CPSE meeting, including teachers. If parents request for teachers to attend a CPSE meeting where the IEP will be developed, it is very important that teachers be there. At the CPSE meeting, teachers should collaborate with the CPSE administrator, parent, and other team members, to ensure that classroom information is transferred to support the development of high-quality, holistic IEPs.

For children in SCIS and special classes, teachers must prepare documentation in advance of a CPSE meeting. This should include, in addition to submitting [progress reports](#), drafting Present Levels of Performance (PLOP), IEP annual goals, and short-term instructional objectives and/or benchmarks that will be reviewed and



finalized at the CPSE meeting. The CPSE uses an [IEP template](#) in alignment with NYSED; it is a Word document, which includes fields to enter typed information. It is recommended that leadership reviews teacher documentation prior to submission.

### CPSE Offices

Schools should work with a child's affiliated CPSE office as needed. CPSEs work with families in the district in which a family lives, regardless of where children receive services or go to preschool. CPSE contact information is available [here](#).

The Community Coordinator at the CPSE office is responsible for family engagement which includes communicating with parents of preschool students referred for a special education evaluation to ensure they understand the process; helping parents navigate the evaluation process; listening and resolving parent concerns; and ultimately helping preschool students with disabilities to receive access to timely special education services. CPSE Community Coordinator information is available [here](#).


District schools and Pre-K Centers with approved preschool special education classes must implement IEPs, discuss any changes in a child's needs with the family and CPSE, submit a written request to the CPSE for a requested review of the IEP or reevaluation, and participate in CPSE meetings.

### Student Records

#### Special Education Student Information System (SE SIS)

Preschool IEPs are managed by the CPSE. They are developed on paper and uploaded into SESIS as attachments. Designated DOE school staff can view these attachments and print documents as needed. However, staff cannot make changes to a child's IEP in SESIS.

DOE administrators, including the principal or SESIS role assigner of a DOE school, or the principal of a Pre-K Center, can grant or revoke access to SESIS by following the following steps:

- Login to Galaxy at <https://mygalaxy.nycenet.edu/> and locate the staff member's name in the Table of Organization.
- Right-click the people () icon next to the staff member's name.
- From the pop-up menu, click "Assign Role", then click "SE SIS". The Role Access Assignment page should appear.
- Check the box next to each SESIS role that you wish to assign to the staff member. Most individuals already have one or more roles checked based on their job title. You may choose multiple roles, as applicable, for each individual.
- Click the "Save" button. A confirmation page will appear.
- Review the roles you selected and click the "confirm" button. If you need to make a correction, click the "Back" button to make the necessary revisions.
- A final confirmation pop-up will appear. Click the "OK" button. Please note that it may take up to 48 hours for the change to be reflected in SESIS.

Email [4410Oversight@schools.nyc.gov](mailto:4410Oversight@schools.nyc.gov) to contact the SESIS team for additional support with access.

For step-by-step instructions in SESIS see ["How Pre-K Programs use SESIS to Access Student IEPs."](#)

District schools and Pre-K Centers should ensure that all services indicated on each child’s IEP begin and are monitored so that each child at the school is served in accordance with his or her IEP.

### **Confidentiality of Student Records**

In accordance with the Family Educational Rights and Privacy Act (FERPA) and New York’s Education Law Section 2-d, all DOE schools must preserve the confidentiality of personally identifiable data, information or records pertaining to all preschool students with disabilities. Schools must ensure that all confidential records are kept in a secure, locked area and are only made accessible to staff with a legitimate educational interest. (See [“Chapter 408 of the New York State Education Law”](#).) All staff should make sure that confidential conversations regarding students are held in a private location and only include staff with a legitimate educational interest.

As a best practice, schools should educate staff about protecting confidential information of students.

### **Related Services**

#### **Arranging Related Services**

Related services for preschool students should be provided by DOE providers whenever possible. Both school-based and itinerant DOE providers, including physical therapy (PT), occupational therapy (OT), speech providers, and counselors may serve preschool students.

#### ***District Schools***

For DOE district 1-32 schools, PT, OT, speech, counseling and paraprofessional mandates should be assigned to providers at the school by the principal in collaboration with the OT, PT and/or Speech supervisor. Related service providers who have a New York State license for grades K-12 must provide services to preschool students with disabilities. If a district school does not have capacity to provide one or more of these related services to preschool students, the school should:

1. Reach out immediately to their assigned OT, PT and/or Speech supervisor for support.
2. If the supervisor determines that there is no DOE provider available to serve, the school should contact the [CPSE responsible for the child’s case](#) (based on the student’s home district) and request assistance in identifying a contract provider.

All other related services, including orientation and mobility, hearing, vision, and nursing services, will be arranged by the CPSE and will be served by a DOE provider or through a contract agency.

Ultimately, district schools must work with relevant DOE staff, including providers at the school, district related service supervisors, and CPSE staff, to ensure that related services are in place as required by the student’s IEP.

District schools and Pre-K Centers can contact their OT, PT and/or speech supervisor using the [Office of Related Services Directory](#) (found under Resources).

#### ***Pre-K Centers***

DOE Pre-K Centers are assigned PT, OT, and speech therapy providers who are responsible for working exclusively with the special classes consistent with the funding allocated to the school for that purpose.

Additional services, including counseling, orientation and mobility, hearing, vision, and nursing services, are arranged by the CPSE and will be served by a DOE provider or through a contract agency. If an OT, PT, or speech provider does not have capacity to provide OT, PT, and/or speech services to fully serve all preschool students enrolled in the special classes, or if any students are not receiving their additional services, including counseling, orientation and mobility, hearing, vision, and nursing service, the DOE Pre-K Center should:

1. Reach out immediately to their assigned OT, PT, and/or Speech supervisor for support.
2. If the supervisor determines that there is no DOE provider available to serve, the school should contact the [CPSE responsible for the child's case](#) (based on the student's home district) and request assistance in identifying a contract provider.

Ultimately, Pre-K Centers must work with relevant DOE staff, including the assigned OT, PT and/or Speech Supervisor and CPSE staff, to ensure that related services are in place as required by the student's IEP.

Please email questions regarding preschool related services to [relatedservices@schools.nyc.gov](mailto:relatedservices@schools.nyc.gov).

District schools and Pre-K Centers can contact their OT, PT and/or speech supervisor using the [Office of Related Services Directory](#) (found under Resources).

### **Allocating Space for Related Services**

Adequate school building space should be allocated to provide related services to preschool students with disabilities. Determining the amount of space to be allocated for related services should be based on the number of staff and students using the room, activities to be conducted (e.g., group or individual therapy, counseling, physical therapy), and equipment to be used.

### **Parent Counseling and Training**

Parent counseling and training is a related service. If recommended, it will be listed on the IEP under "Recommended Special Education Programs and Services". The IEP recommendation will include frequency, duration, location, and projected start date for this service.

"Parent counseling and training" means assisting parents in understanding their child's special needs, providing parents with information about child development, and helping parents acquire the skills necessary to support the implementation of their child's IEP.

Examples of activities that can be provided as parent counseling and training include:

- Providing parents with specific developmental information – such as cognitive and speech and language development – to better understand a child's strengths and needs, how the child learns, and what strategies work best to support the child;
- Counseling the parents about how to respond at home to a student's behavior in a manner consistent with the in-school behavior plan;
- Instruction and demonstration of the use of assistive technology to promote consistent use in the home or outside school;
- Sign language training to assist the child with language development and learning; or
- Parent support groups or workshops that focus on specific content and/or strategies related to student needs and/or IEP goals.

The guidance counselor, school social worker, school psychologist, special education coordinator, or the student’s special education service provider should implement parent counseling and training with the parents whose children’s IEPs recommend this service. Schools may also refer parents to relevant parent workshops hosted by external organizations. Schools also should maintain a log of all efforts to provide parent counseling and training services.

Questions regarding preschool related services can be emailed to [relatedservices@schools.nyc.gov](mailto:relatedservices@schools.nyc.gov). CPSE contact information is available [here](#).

### **Assistive Technology**

Assistive Technology (AT) refers to devices and/or services that the CPSE team determines are necessary to help the student communicate effectively, access instructional materials, meaningfully benefit from their educational program, and achieve their goals.

If the DOE school believes that AT may be required to help a child access their educational program and meet their individual educational, communication and/or environmental needs, they should work with the parent to submit a written request for an AT evaluation to the CPSE.

If the CPSE team determines that a student has a need for AT, the student’s IEP will include specific information about the recommended AT service and/or device(s). Documentation will include:

- a check mark in the AT boxes on the IEP to confirm that AT is recommended and whether it is recommended to be used at home; and
- a rationale and specific recommendations for AT.

AT may also be addressed in other sections of the IEP, including:

- the present levels of performance (PLOP),
- the recommended special education programs and services; and
- the measurable annual goals and benchmarks.

For general questions regarding AT, contact [catteam@schools.nyc.gov](mailto:catteam@schools.nyc.gov).

Additional information can be found [here](#) on the DOE website.

## **Oversight and Operations**

### **Attendance**

DOE preschool special education programs must keep a record of students’ daily attendance.

If a preschool student fails to establish enrollment, or is absent for five (5) consecutive days, the district school or Pre-K Center must attempt to determine the reason and whether there is a legal excuse.

The form, “Request for Determination Regarding Student Status/Notification of Student Absence without Legal Excuse” (RDNA form), must be completed by the program if any one of the following circumstances arise regarding a preschool student with a disability:

- Enrollment has not been established within five (5) school days of the date the school was authorized to begin serving the student. Enrollment can be established by physical presence or by a [legally excused absence](#).
- Enrollment was established by a [legally excused absence](#), but the student was not physically present within the following twenty (20) school days.
- Student was absent for five (5) consecutive school days and [no legal excuse](#) for the absence has been established for the absences.

In any of these circumstances, the district school or Pre-K Center must complete the RDNA form, which requires schools to document efforts to gather relevant information as to why the student has failed to establish or maintain enrollment. The completed RDNA form must be submitted to the CPSE.

The district school or Pre-K Center may not discharge the student. The CPSE will review the information on the RDNA form and will respond as to whether or not the student should be discharged. Only the CPSE can make that determination.

#### ***During Remote Learning Only:***

During remote learning, preschool program staff are expected to have at least two meaningful interactions with each family in their class per week. Programs are expected to capture interactions on a weekly basis in STARS Interaction Tracker. For additional guidance around remote attendance policies, please view resources on the Principals Hub and review DECE's suggestions for checking in with families/caregivers about remote learning.

#### **Notification of Change in Student Information**

If the district school or Pre-K Center is notified or becomes aware of a change in the student's name, address, etc., or if the school is made aware of the parent/guardian's intent to withdraw the student from the CPSE recommended program or services, the CPSE must be immediately notified. The district school or Pre-K Center must complete the Student Information (T-2P) Notice and submit it to the student's current CPSE.

#### **Suspension/Expulsion or Truncated Schedule**

A preschool student with a disability may not be suspended, expelled, or otherwise removed by a district school or Pre-K Center from an approved preschool special education program or service because of the student's behavior. The instructional day for a preschool student with a disability in a special class may not be shortened or truncated because of the student's behavior. If a district school or Pre-K Center has concerns regarding whether a child's current services meet their needs, they should work with the parent and should submit a written request for a requested review of the IEP or reevaluation to the CPSE.

#### **Medicaid Consent**

Each year, the DOE receives reimbursement from the federal government for some of the related services that are provided to students with IEPs. In order to ensure that the DOE receives federal reimbursement for services, you must distribute and collect Medicaid Reimbursement Parent Consent forms from families of all students with IEPs who have not already provided their consent. Note that you only need to collect the form once—a family's consent remains active throughout the child's enrollment. Please consult the [MEDL](#) or [RSEM](#) screens in ATS (directions provided below) to verify a student's consent status.

- **Inform Families Who Have Already Given Consent:** As noted above, families of students with IEPs who completed a Medicaid Reimbursement Parent Consent Form previously do not need to sign a new

form. Please check the [MEDL](#) and [RSEM](#) screens in ATS to determine which students already have a form with a "SIGNED" status. You must print and send home this [Annual Written Notification](#) to families of students with a "SIGNED" status; note that families do not need to respond or return the notification.

- **Distribute Medicaid Reimbursement Parent Consent Forms to Families of Students with IEPs Who Do Not Have a Signed Form on File:** Families of students with IEPs, who do not have a consent status of "SIGNED" on the [MEDL](#) or [RSEM](#) screens in ATS, will need to complete a form. After checking the [MEDL](#) and [RSEM](#) screens in ATS to identify students who do not have a "SIGNED" consent form, you must print the Medicaid Reimbursement Parent Consent form from the [MEDL](#) screen in ATS and backpack or mail it to the parents of these students. As in years past, you or a designee should scan returned forms into your ATS scanner, which will cause the automatic upload of relevant data into ATS.

If you communicate with families electronically, you may share the link for the [Medicaid Consent and CIN Collection Portal](#), which allows families to securely provide electronic consent.

For questions, email [medicaidops@schools.nyc.gov](mailto:medicaidops@schools.nyc.gov) or call 855-740-5928.

### **Budget**

The School Allocation Memorandum (SAM) provides resources to support the implementation of preschool programs at district schools and Pre-K Centers.

#### ***District Schools***

According to [District Schools SAM No. 26](#), each special class in a district school receives funding for:

- One special education classroom teacher;
- Two classroom paraprofessionals;
- Absence coverage;
- Shared planning time for teachers and classroom paraprofessionals; and
- \$1,650 in additional allocation.

Each district school operating special classes also receives funding for a team of related service clinicians. The DOE's Office of Related Services team will hire all related service clinicians for special classes in district schools.

In addition to the above, each district school receives funding to support in-classroom coverage.

SAM No. 26 is available [here](#). Questions regarding the SAM and coverage should be directed to the District School Expansion Team [districtprekplanning@schools.nyc.gov](mailto:districtprekplanning@schools.nyc.gov).

#### ***Pre-K Centers***

According to [Pre-K Center SAM No. 27](#), each special class receives funding for:

- One special education classroom teacher;
- Two classroom paraprofessionals;
- Absence coverage;
- Shared planning time for teachers and classroom paraprofessionals; and
- \$1,650 in additional allocation.

Each Pre-K Center site operating special classes also receives funding for a team of related service clinicians. The DOE's Office of Related Services team will hire all related service clinicians for special classes in Pre-K Centers.

In addition to the above, each Pre-K Center site receives funding to staff additional teachers and paras to support in-classroom coverage. Funding is allocated according to the Pre-K center teacher and para coverage model (see Table 8 in [SAM No. 27](#)). The coverage model considers both general and special education classes.

SAM No. 27 is available [here](#). Questions regarding the SAM and coverage should be directed to the Pre-K Center Support Team at [PKCSupport@schools.nyc.gov](mailto:PKCSupport@schools.nyc.gov).

### **IEP-assigned Paraprofessionals**

An IEP-assigned paraprofessional works with a preschool student with an IEP, either one-on-one or in a small group. Prior to recommending an IEP-assigned paraprofessional for a child, state regulations require CPSE teams to consider certain factors and document those factors on the student's IEP.

NYSED approved preschool programs offer a very broad range of services to meet the needs of preschool students, including those with severe disabilities. Staffing ratios are developed and funded based on the described needs of the population to be served and, in general, preschools should not accept and CPSEs should not place students who cannot be served in accordance with a program's approved populations and levels of service. In the rare situation where the additional supports of an IEP-assigned paraprofessional are required, the IEP should include goals that, when achieved, will result in increased student independence and the reduction or elimination of the need for the IEP-assigned paraprofessional.

At the CPSE meeting, the team should ensure that the parent is aware of the range of alternative strategies to meet the student's goals, as well as both the positive and negative consequences of the intensity of IEP-assigned paraprofessional services.

The IEP must clearly document the need for and purpose of any IEP-assigned paraprofessional, as well as a process for progress monitoring. The determination that a paraprofessional is appropriate for a child must be based upon a documented need identified in the PLOP. Whenever an IEP-assigned paraprofessional is being recommended, the CPSE team must determine the level of service required. This includes consideration of the intensity of service (i.e., the specific times/activities for which an IEP-assigned paraprofessional is required, as well as the ratio of students to staff).

### ***How to Secure Funding for IEP-assigned Paraprofessional***

For any student recommended to attend a Special Class in a district school or Pre-K Center with an IEP-assigned paraprofessional, the CPSE Administrator will send an email notification to the district school or Pre-K Center, specifying the complete IEP or partial service program and service recommendation. If a program believes that a student has an IEP or a partial service program and service recommendation, but cannot locate the document in SESIS, they should reach out to the [CPSE office for support](#). See [Preschool IEP Distribution and Best Practices for District Schools and Pre-K Centers](#) for more information.

### ***Requesting Funding for an IEP-assigned Paraprofessional***

Upon registration or enrollment of a preschool student requiring an IEP-assigned paraprofessional:

- The principal or appropriate district school or Pre-K Center staff must notify their [Administrator of Special Education](#) (ASE) by sharing a copy of the student’s IEP, or a Partial Service Notice for those students whose IEPs do not include an IEP-assigned paraprofessional but require one as part of a partial service. The [Borough/Citywide Office \(BCO\) Budget Point](#) must be copied on the message as well.
- The ASE will review the IEP and verify the mandate, or required partial services, in a follow up message. The ASE will work with the principal or appropriate district school or Pre-K Center staff to ensure that any existing mandated IEP-assigned paraprofessionals are maximized to their full capacity before additional paraprofessionals are assigned.
- Once verified, the BCO Budget Point will take the appropriate steps to initiate the transfer of funds for the necessary IEP-assigned paraprofessional(s).

District schools and Pre-K Centers will be reimbursed for staff costs incurred in advance of this process based on when the IEP was verified and the date that a paraprofessional was first assigned.

Directors of Special Education and/or Directors of Finance and HR may be included for urgent requests or when experiencing significant delays in correspondence.

***Confirming that IEP-assigned Paraprofessional Services are in Place***

The principal or appropriate district school or Pre-K Center staff must notify the CPSE Administrator via email as to when the IEP-assigned paraprofessional has started working with the student, so that CAP data entry can be completed. The CSE Chairperson must also be copied on the message.

The message to the CPSE must include:

- The program first attend date
- The first attend date for all related services following the date of the last CPSE meeting, or IEP amendment with or without a CPSE meeting, and associated authorizations for all services, including the IEP-assigned paraprofessional
- The first attend date for the IEP-assigned paraprofessional
- The name of the IEP-assigned paraprofessional

For systems access requests related to this process (ATS, CAP, SESIS, Galaxy), please write to [systemsaccess@school.nyc.gov](mailto:systemsaccess@school.nyc.gov).

To troubleshoot systems issues, please open a [help desk ticket](#) and follow up as needed.

**Behavior Supports**

**Positive Behavior Supports**

All DOE schools operating approved preschool special education classes must establish and implement a program-wide system of positive evidence-based practices to support social-emotional competence and teach social-emotional skills to preschool students, which should include:

- Universal supports for all children through nurturing and responsive relationships and high quality environments;
- Practices that are targeted social-emotional strategies to prevent problem behaviors; and
- Practices related to individualized intensive interventions.



For more information, see the DECE's [Statement on Positive Behavior Guidance](#).

DECE Social Workers are trained to work with your staff and families to support children and families' social-emotional, behavioral, and mental health needs. If you are assigned a DECE Social Worker, please reach out to them for additional support related to behavior, social emotional development, staff wellbeing, and family engagement.

Please note, DECE Social Workers will not provide direct therapeutic or psychological services to children or families, including any of the mandated services for a preschooler with a disability as listed on their IEP. Please see "[Related Services](#)" for more information about how programs arrange IEP-mandated related services, including speech, OT, PT and counseling.

### **Functional Behavior Assessment & Behavioral Intervention Plan**

A Functional Behavioral Assessment (FBA) is a process of determining why a child engages in certain behaviors that impede learning, what function the behavior serves, and how the child's behavior relates to the environment. The results of an FBA may indicate that a Behavioral Intervention Plan (BIP) is warranted. A BIP is based on the results of an FBA and is designed to reduce this behavior and/or increase more adaptive behaviors.

The CPSE will open an evaluation process for an FBA. The parent-selected evaluator (which may be the DOE) will conduct the FBA. If the selected evaluator is not the DOE, the special education provider(s) in the school will participate in the FBA process and will need to provide data and information to the professional(s) at the evaluation agency.

DOE schools are responsible for identifying on-site personnel who will conduct FBAs at their school for preschool students as part of this process. The school must also ensure that identified staff have received training on FBAs and BIPs.

The CPSE team, which includes the parent and program staff, will review the FBA and determine whether a BIP is warranted. The primary goal of a BIP is to increase appropriate behavior and prevent and decrease challenging behavior. The implementation of a student's BIP must include regular progress-monitoring of the frequency, duration, intensity and latency of the behavioral interventions at scheduled intervals, as specified in the BIP and in the student's IEP. The BIP is implemented and monitored by the program-based staff where the child is receiving their preschool special education services.

Please note, for children without an IEP who would benefit from an individualized behavior plan, you can consult with your DECE assigned Social Worker who is able to support staff and families in creating a Behavior Support Plan before implementing a formal FBA/BIP process as described above. If you do not have a DECE Social Worker assigned to your program, please reach out to [DeceMHW@schools.nyc.gov](mailto:DeceMHW@schools.nyc.gov) to inquire about options for support.

### **Curriculum**

Classrooms are highly encouraged to use a curriculum that supports and advances the [New York State Prekindergarten Learning Standards](#). The curriculum must support all students to have rich and varied early learning experiences that prepare them for success in K-12 and beyond.

Principals will provide teachers with a curriculum in a manner consistent with the United Federation of Teachers (UFT) and DOE collective bargaining agreements. This curriculum will be developed and used to:

- Advance students’ learning and development across all domains of the New York State Prekindergarten Learning Standards
- Support and advance the guiding principles of the New York State Prekindergarten Learning Standards and draw on research-based practices about how young children develop and learn
- Integrate information regarding students’ learning and developmental progress collected with one of three authentic assessment systems approved by the DECE. Please see the “Authentic Assessments” of the [3-K for All and Pre-K for All Policy Handbook for District Schools and Pre-K Centers](#).
- Support and advance all elements of the [Early Childhood Framework for Policy \(EFQ\)](#) including:
  - Adopt culturally responsive instruction and family engagement practices, and encourage children to engage with culturally and linguistically diverse learning materials
  - Differentiate strategies and activities to meet the individualized needs of all children in the classroom, and provide opportunities for children to demonstrate learning in multiple ways
  - Facilitate play-based learning and inquiry
  - Use an age-appropriate research-based curriculum to support children’s learning across all areas of development
  - Extend children’s thinking and communication skills through intentional interactions

Many schools opt to use the research-based [Pre-K for All Units of Study](#) and [3-K for All Explorations](#), which were developed by the DECE. It is recommended that special education classes implement the same curriculum as the general education classes at the school. Additionally, schools that also have the support of a DECE Instructional Coordinator (IC) can work with the IC to support alignment of curricular implementation across classroom settings. ICs are well-versed in the DECE’s curricular resources, including the Pre-K for All Units of Study and 3-K for All Explorations, and use a Practice-Based Coaching approach to support curricular planning and individualized instruction, classroom set-up and organization, data reflection and analysis, and ongoing reflection of teaching and learning practices.

### Progress Monitoring

Preschool special education programs must conduct regular progress monitoring of student achievement data over time. Progress monitoring should be used to adjust, as appropriate, the student’s instructional program. It should also be used to request meetings of the CPSE to consider changes to the student’s IEP, when appropriate.

Requests for a review of the IEP or a reevaluation should be in writing and directed to the student’s CPSE. CPSE contact information is available [here](#).

### Progress Reports

District schools and Pre-K Centers that operate special classes must provide three (3) written reports of progress per year for preschool students receiving 10-month special education services and four (4) written reports of progress per year for preschool students receiving ESY or 12-month special education services, as required under regulations (200.4(d)(2)(iii)(c)).

Progress reports should be distributed to the child’s parent and should contain, at a minimum:

- A review of the educational/related service(s) IEP goals and objectives and the student’s current levels of performance in achieving the goals;
- A review of the educational/related service(s) to which the report pertains, including a description of the student’s response to the service and/or current levels of performance; and
- The extent to which progress is sufficient to enable the child to achieve the annual goals and the extent to which that progress is sufficient to enable the student to achieve the goals by the end of the IEP period.

Progress reports may be discussed during CPSE meetings and transition to kindergarten (“Turning 5”) IEP meetings.

Progress reports for annual and requested reviews must be sent to the CPSE at least 30 days before any scheduled review. Progress reports for “Turning 5” IEP meetings must be uploaded into SESIS by February 1.

For support in developing preschool progress reports, see this [guidance](#) and use this [sample template](#).

A suggested schedule for progress reports is as follows:

- Students recommended for 10 month services: (1) Early November, (2) End January, (3) Early June
- Students recommended for 12 month services: (1) Early November, (2) End January, (3) Early June, (4) Early August

### **Multidisciplinary Team Meetings**

Collaboration is critical in helping to support all children in their progress and development. A multidisciplinary team meeting is a group of individuals from multiple disciplines who meet to share important information designed to examine a child’s progress toward IEP goals and to develop a plan of support as needed. The team usually will consist of the special education teacher and teacher assistants, an administrator, related service providers, and a school-based psychologist or social worker. The meeting provides an opportunity to discuss progress, share concerns, and develop a plan of support.

As a best practice, district schools and Pre-K Centers may want to schedule ongoing team meetings for preschool children at the start of the school year. Sample meeting forms can be found [here](#).

### **Best Practices**

The DOE is committed to creating truly inclusive preschool classrooms that provide access, appropriate supports and services, and a solid foundation for future success. The following resources are available to deepen best practices for supporting students with IEPs in preschool classrooms:

- [Family engagement and preschool special education](#)
- [Using IEP goals in the pre-K classroom](#)
- [Collaborating with preschool special education providers](#)
- [Accommodations and modifications for preschool children](#)

## Contacts

- [Preschool Special Education Resources and Contacts](#)
- For any questions related to special education regulations and best practices, email [4410Oversight@schools.nyc.gov](mailto:4410Oversight@schools.nyc.gov).
- For all questions related to funding and operations, and opening special classes, district schools should reach out to the District Schools Expansion Team ([districtprekplanning@schools.nyc.gov](mailto:districtprekplanning@schools.nyc.gov)) and Pre-K Centers should reach out to Pre-K Center Support ([PKCSupport@schools.nyc.gov](mailto:PKCSupport@schools.nyc.gov)).

## Enrollment/Placement Checklist for Preschool Students with IEPs

The following checklist pulls information from across this document and may be used as a tool to ensure programs are following needed steps when children are initially placed in a special class:

- o Spoke to CPSE administrator about placement of student in program
  - o Date of contact: \_\_\_\_\_
  - o CPSE admin. Name: \_\_\_\_\_
  
- o Ensure that the following paperwork is received from the CPSE administrator
  - o IEP (complete with recommended class ratio and mandated related services)
  - o “DOE Approval and Authorization to Receive Preschool Special Education Program/Service(s)” or A-1P notice – Check notice for the date when services are to begin for the preschool child and to make sure that your school is listed as the location for the preschool child to receive special class services.
  - o “Final Notice of Recommendation” or C-7P (parent consent form)
  
- o Confirm enrollment/placement with CPSE administrator
  - o Date of contact: \_\_\_\_\_
  
- o Complete ATS enrollment (see section [“Enrollment”](#))
  
- o Complete Pre-K rider information (see section [“Transportation”](#))
  
- o Assign related service provider(s) (see section [“Arranging Related Services”](#))
  
- o Ensure that designated school staff is able to view the child’s IEP in SESIS. (see section [“Special Education Student Information System \(SEGIS\)”](#))
  
- o Distribute and collect completed Chapter 408 forms (see section [“Chapter 408 of the New York State Education Law”](#))
  
- o Distribute and collect Medicaid Reimbursement Parent Consent forms from families of all students with IEPs (see section [“Medicaid Consent”](#))
  
- o Send first attend date (FAD) to CPSE administrator once student begins program
  
- o Complete the RDNA form (see section [“Attendance”](#)) and submit to CPSE administrator if a student fails to establish enrollment; established enrollment by legal excuse, but failed to be physically present within the following twenty (20) calendar days; or the student has been absent for five (5) consecutive days and the school cannot establish a legal excuse for the absence
  
- o Complete the T2P notice (see section [“Notification of Change in Student Information”](#)) and submit to the CPSE administrator if the school is notified or becomes aware of a change in the student's name, address, etc., or made aware of the parent/guardian's intent to withdraw the student from the CPSE recommended program or services.