

## Opting Out of LEA Notification Policy

**Effective Date: November 3, 2009**

IDEA section 637(a)(9)(A)(ii) and Part C regulations in 34 CFR §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 or other appropriate services. Policies and procedures also must include how the Part C lead agency will notify the Local Education Agency (LEA – which means a local school system) for the area 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.

### **POLICY**

**MONITORING REVIEW EXPECTATION:** A service coordinator will assist families in developing a written transition plan by the time the child is **27 months of age** to prepare them for a seamless and smooth transition at age 3 to Part B services or other community placement options. This discussion and meeting must take place PRIOR to the transition planning meeting with the LEA. As part of this discussion with families, the service coordinator will inform families regarding future community placement options for the child at age three (3) including Part B programs, community child care settings, home care, etc.

If families do not wish to have limited contact information sent to the local school system about their children, they will be given an opportunity to “opt-out” of this notification. If families indicate they do not want limited contact information sent to the local school system, their choice to “opt out” will be documented by having them sign the “**Opting Out of LEA Notification**” form. If families do not sign the “**Opting Out of LEA Notification**” form, they will have ten (10) calendar days to decide on this option. If the appropriately signed “**Opting Out of LEA Notification**” form is not received by the ten (10) day deadline as specified, the **service coordinator will send limited contact information (name of parent, child’s name, address, telephone number, and date of birth) to their children’s local school systems as a way of notifying the LEAs of the children’s potential eligibility for special education services at age three (3).**

Should a family wish to continue to transition to the LEA and agree to have more personally identifiable information (eligibility information, copies of IFSPs, etc.) sent to local school system, a **Permission for the Release of Information/Records (EI 91-1)** will be signed and a subsequent **EI Notification to LEA Letter** sent to the appropriate local school system.