



Book	Board of Trustees Policy
Section	100 Programs
Title	TRANSITION FROM PRESCHOOL EARLY INTERVENTION PROGRAMS TO CHARTER SCHOOL KINDERGARTEN OR FIRST GRADE PROGRAMS
Code	117
Status	Active
Last Revised	October 6, 2022

Agora Cyber Charter School

Board of Trustees Policy

TRANSITION FROM PRESCHOOL EARLY INTERVENTION PROGRAMS TO CHARTER SCHOOL KINDERGARTEN OR FIRST GRADE PROGRAMS

The Board of Trustees of the Agora Cyber Charter School ("Charter School"), recognizes that Act 212 of 1990, the Early Intervention Systems Act, established Early Intervention services in Pennsylvania for eligible children from age three to the "age of beginners". Age of beginners is defined as the minimum age established by each school district's board of directors for admission to the school district's first grade under 22 Pa. Code 14 §14.101. A transition, without interruption in program, and with appropriate procedural protections, is required under 20 U.S.C. §1419 (IDEA).

To assist in this transition process, the Pennsylvania Department of Education ("PDE") Bureau of Special Education ("BSE") and the Bureau of Early Intervention Services ("BEIS") have developed standardized procedures and forms to be utilized by the Preschool Early Intervention programs, school districts and charter schools throughout the process. If Parents choose to enroll their child in the Charter School or complete the Intent to Register and select the Charter School, then the Charter School must fulfill the following responsibilities for a successful transition for the new school year.

By February 1st of each year, preschool Early Intervention programs must identify the children in their programs who are approaching the age for kindergarten or first grade. During the transition meetings in February, if parents intend to register their child with the Charter School, the following options should be considered by parents and the Charter School team:

(1) Parents and the Charter School can agree to adopt and implement the child's preschool Early Intervention Individualized Education Program for the new school year and, if so, the Charter School would then issue the Notice of Recommended Educational Placement/Prior Written Notice ("NOREP/PWN"), indicating this recommendation. However, the NOREP/PWN should indicate that the IFSP, as adopted, will serve as interim supports for the student, for a period of time of a maximum of sixty (60) days, while the Charter School, as the new LEA, decides on whether to accept, in part or whole, the entire recommended special education program in the IFSP. The Charter School will then determine, through a review of Early Intervention records, if school-age instruments were used to develop the IFSP and if not, then issue a PTE to conduct an evaluation using necessary school-age instruments.

(2) Parents and the Charter School can decide to adopt the preschool Early Intervention Individualized Education Program with revisions. The Charter School and parents would discuss the proposed revisions. The Charter School would then issue the revised Individualized Education Program and Notice of Recommended Educational Placement/Prior Written Notice indicating this recommendation.

(3) Parents and the Charter School will decide if a reevaluation is necessary. the Charter School may conduct a reevaluation consisting of a review of existing data and information prior to the development of an Individualized Education Program. The Charter School is not required to issue the Prior Written Notice and Request for Consent for Reevaluate form to obtain parental consent prior to a reevaluation limited to a review of existing data. The Charter School will notify the parents in writing within a reasonable amount of time after receipt of the Intent to Register form. Charter schools may conduct a reevaluation and develop Individualized Education Programs in accordance with the timelines mandated in 22 Pa. Code Chapter 711. The Charter School and the parents may agree to waive a required reevaluation that is allowed under 34 CFR §300. 303(b)(2), or may agree to implement the existing evaluation or Individualized Education Program.

(4) The Charter School may notify parents using a letter/notice developed by the Charter School. If the team is meeting to review existing evaluation data, the Invitation to Participate in the Individualized Education Program Team Meeting or Other Meeting notice can be used, noting that the meeting is to review data as part of a reevaluation. This review of existing data should commence within a reasonable amount of time after receipt of the Intent to Register.

The Reevaluation Report will summarize the data reviewed during reevaluation, the decision about whether additional evaluation data are needed, and a determination about the child's continued eligibility for special education services. If, through the review of existing evaluation data the Individualized Education Program team as described above determines that additional data are needed, the Charter School will issue the Prior Written Notice and Request for Consent to Reevaluate Form to obtain parental consent to collect the additional data. Within 60 days of the date the Charter School receives

parental consent (not including summer days) to collect additional data, the parents will receive a copy of the Reevaluation Report.

(5) Waiving the reevaluation is not part of the reevaluation process. Waiving the reevaluation is recommended by the Charter School, not the Individualized Education Program team. The parents must be in agreement with the determination to waive the reevaluation. Parent signature is required on the Agreement to Waive Reevaluation form.

Within a reasonable period of time from the receipt of the signed Intent to Register form but no later than April 15th, the Charter School will notify parents in writing and initiate one of the options as noted above. Regardless which option is chosen, an Individualized Education Program will be implemented no later than 10 school days after its completion, in order to ensure that the special education programs of young children with disabilities are not interrupted when they transition from preschool Early Intervention programs to school-age programs.

All children currently eligible for special education in preschool Early Intervention and registered with the Charter School will remain eligible for special education in the Charter School unless the Charter School or preschool Early Intervention program completes a reevaluation that determines the child is no longer eligible for special education. If no longer eligible for special education services, the Charter School or preschool Early Intervention program must issue a Notice of Recommended Educational Placement/Prior Written Notice. If parents disagree with the Individualized Education Program offered by the Charter School and initiate a due process hearing or both parties agree to mediation, children who will transition into kindergarten or school age programs must continue to receive the services described in their preschool Individualized Education Program (ensuring "status quo") pending completion of dispute resolution options of mediations or due process hearings.

It is recommended that the records of children who will be transitioning to the Charter School be requested by the Charter School for transfer from the preschool Early Intervention program in time for the transition meeting. If a transition meeting is not held, the records will be transferred upon the child being registered with the Charter School or when the child is no longer receiving preschool Early Intervention services.

The CEO shall ensure that this transition process is carried out through the Director of Student Services/Special Education Coordinator and any questions should be directed to this latter person.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.