A young child with curly hair, wearing a blue and white checkered shirt, is smiling and playing with colorful blocks. The child is in the foreground, and other children are visible in the background, also playing with blocks. The image is overlaid with a purple gradient.

# Parental Opt-Out Policy: For Those Children Potentially Eligible for Part B Special Education Preschool Services

ESIT/AQI Team

February 2024

## Internal

- ESIT State Leadership Team
- ESIT Provider Agencies
- County Lead Agencies
- DCYF Early Learning Division
  - Early Head Start/Head Start

## External

- Families
- School District Leaders-Special Education Teachers
- Partnerships for Action, Voices, and Empowerment (PAVE)
- Educational Service District Special Education Administrators
- State Agency Partners
  - OSPI
  - State School for the Blind
  - CDHY

# Informed Partners



# History

Presented to SICC; Internal and external comment; Research other states

2021

Received updated OSEP Q&A guidance, internal and external comment

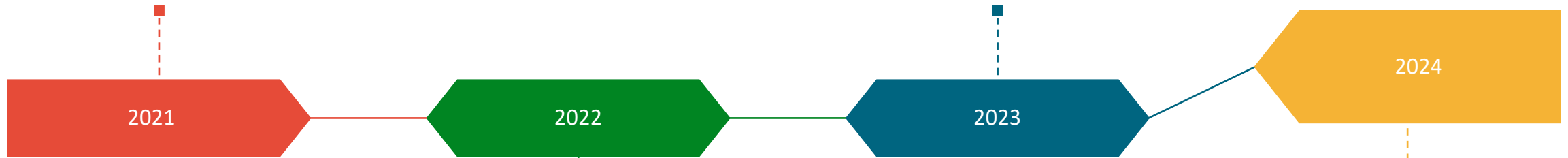
2022

2023

2024

OSEP Initial Review, Public Comment

Updated Opt-out Policy & Procedures, Parent form to align with guidance; OSEP second review: Roll out communication by April 2024



# Background

- **Federal IDEA Part C: 303.209(b)(1)(i)**
  - Requires SEA/LEA notification for children exiting Part C and potentially eligible for Part B services
  - **§303.401(e)** permits state adoption of a policy permitting parents to object to disclosure of personally identifiable information.





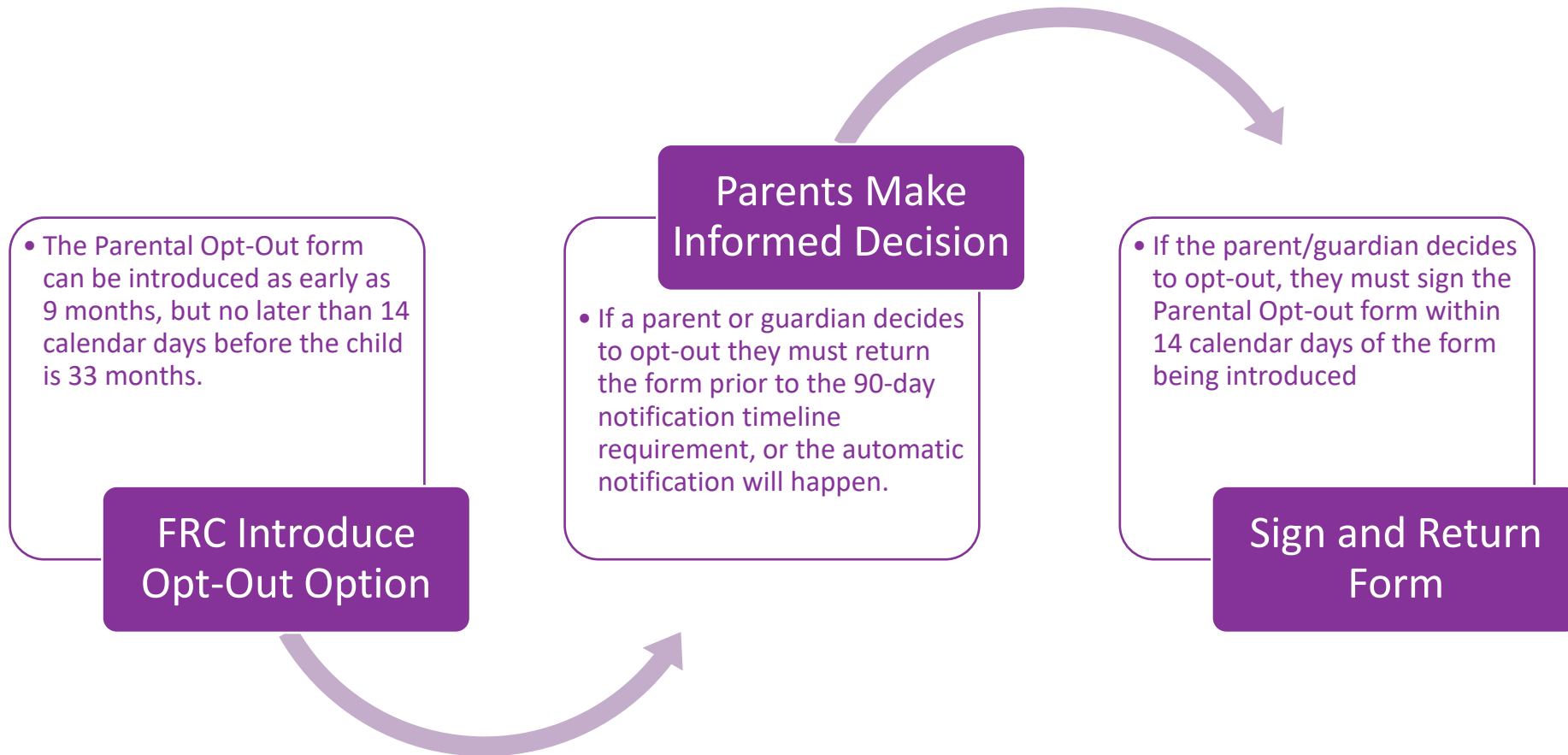
# Parental Opt-Out Policy

## 12.A.6 Early Childhood Transition Parental Opt-Out

- Opportunity to opt-out of the notification to part B special education service.
- If the parents/guardians do not sign the Parental Opt-out form personally identifiable information will be transmitted to the SEA and LEA.
- If the parent signs the opt-out form and subsequently decides to opt-in to the referral to Part B Developmental Preschool and/or related services, the Family Resources Coordinator (FRC) must aid the parent to process their child's referral to their local school district.



# Opt-Out Flow Chart



# Parental Opt-Out Form Preview

## Parental Opt-Out Form: Notification to Part B

Child Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Transition Notification Date/ Date Form is Due: \_\_\_\_\_

*The purpose of this form is to provide parents the option to decline the notification to begin the transition process from Part C early intervention to Part B developmental preschool and/or related services.*

Your child's Individualized Family Service Plan (IFSP) team has determined that your child is potentially eligible for developmental preschool and/or related services from the school district.

**Developmental Preschool/Special Education** means specially designed instruction that addresses the unique needs of a student eligible to receive special education services. Special education is provided at no cost to parents and includes the related services a student needs to access her/his educational program by creating an Individual Education Program (IEP).

The notification to the school district must be made at least 90 days before your child's third birthday. Parents have two weeks from when they receive this form to decide if they want to opt-out and sign this form. **Unless parents decline notification prior to this timeline, the following information will automatically be shared with the school district: Your child's name and date of birth, parent's names, address, and telephone numbers.** (34 Code of Federal Regulations [§303.401 \(d\) \(1\)](#))

**By signing this form, I am declining notification to the school district, and I understand:**

- My information will not be shared with the school district.
- My child will continue to receive ESIT services until the age of three.
- I have the right to change my mind before my child turns three. However, a delay in eligibility for Part B Developmental Preschool and/or related services may occur. (34 Code of Federal Regulations [§303.209](#)).

Parent/Guardian Name: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**If you change your mind before your child turns three**, please reach out to your Family Resources Coordinator (FRC) or ESIT provider agency staff at: \_\_\_\_\_

**If you change your mind after your child turns three** please contact your school district at: \_\_\_\_\_



# Next Steps

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OSEP Informal Review



Proposed roll out date: July 1, 2024

90-day notification, training, and technical assistance period



Proposed effective date: Oct 1, 2024





# Questions and Input

Tammy McCauley, Accountability & Quality Improvement  
Manager: [tammy.mccauly@dcyf.wa.gov](mailto:tammy.mccauly@dcyf.wa.gov)



Washington State Department of  
**CHILDREN, YOUTH & FAMILIES**

*The mission of the Early Support for Infants & Toddlers Program is to build on family strengths by providing coordination, supports, resources, and services to enhance the development of children with developmental delays or disabilities through everyday learning opportunities.*

