



April 2023

Alert to Special Education Directors and Preschool Program Administrators:
[Preschool Transition](#) Requirements FAQ

The Arizona Department of Education, Exceptional Student Services (ADE/ESS) has received numerous questions about a district's responsibilities when preschool-aged children transition from Arizona's Early Intervention Program (AzEIP) into the district's preschool program. This Hot Topic is meant to assist with the most commonly asked questions. It is not intended to be a comprehensive listing of all procedural requirements of the Individuals with Disabilities Education Act (IDEA) for preschool-aged children.

ADE/ESS's Program Support and Monitoring (PSM) and Early Childhood Special Education (ECSE) units are available to aid with questions related to preschool-aged students with disabilities. If you have IDEA compliance questions, please contact the [PSM Specialist assigned to the district](#). For program implementation and best practice questions, please contact the assigned [ECSE Specialist](#).

Q: What is required when a child is referred late from AzEIP (defined as after the child turns 2.9 years old)?

The district that receives the referral (the district where the child lives) must evaluate and, if determined to be eligible, provide an IEP before the child turns three.

Q: What happens if a child moves out of the district after an AzEIP referral was made?

The district that received the referral is responsible for completing the evaluation, determining eligibility, and developing the IEP (if the child is found to be eligible) before the child's third birthday. The PEA that received the referral and the new district of residence are encouraged to work together to ensure the timely completion of the evaluation.

Q: Is the District of Residence (DOR) required to attend the AzEIP's transition conference?

Yes. The DOR is required to send a representative to the transition conference. This requirement was recently reaffirmed in a [Policy Letter from OSEP](#). AzEIP is required to schedule the transition conference at a time and place agreeable to the family while also working with the other team

members to schedule the transition conference. ADE/ESS will review data associated with meeting attendance for compliance purposes.

Q: Can the AzEIP transition conference be used as a formal evaluation meeting?

It depends. If the DOR has provided requisite notice and has the required team members present, the AzEIP transition conference can be used to conduct a review of existing data (RED) and/or eligibility determination.

Q: Must a child be enrolled before an offer for a Free and Appropriate Public Education (FAPE) is made to the family?

No. When the child is found to be eligible, the DOR must make an offer of FAPE before the child's third birthday. The offer of FAPE is not contingent upon the child being enrolled.

Q: What constitutes an offer of FAPE?

IDEA regulations refer to the offer of FAPE as the required development of an IEP by the child's third birthday.

Q: Must a child found to be eligible be enrolled before providing services?

Yes. All children should be enrolled with the DOR to receive the services in the child's IEP, regardless of whether the child is participating in a comprehensive preschool program or only receiving a service.