

Parents' Rights During the Transition from Preschool

As the parent of a student entering Kindergarten, you have numerous rights:

- The right to consent or to withhold your consent to any new assessments that the IEP team determines are required.
 - Note: If your child has a preschool IEP and the IEP team makes efforts to obtain your consent and you do not respond, the assessments may be conducted without your consent.
- The right to request that specific assessments be conducted by writing to your NYC Public Schools representative.
- The right to provide the IEP team with copies of privately conducted assessment reports and to have the IEP team review and consider these reports.
- The right to be an equal member of your child's IEP team and to participate meaningfully in decision-making through attendance at all IEP meetings.
- The right to invite other individuals with knowledge or special expertise about your child to attend IEP meetings, to help in the decision-making process.
- The right to receive copies of your child's assessments and progress reports before IEP meetings and receive copies of your child's IEP within two weeks of your child's IEP meeting.
- The right to request another IEP meeting, mediation, or an impartial hearing, or file a complaint with New York State, if you disagree with decisions made about your child by visiting <https://www.schools.nyc.gov/learning/special-education/due-process-impartial-hearings-and-mediation>
- The right to revoke (withdraw) your consent for all special education programs and related services at any time by writing a letter to the IEP team. If you do, your child's educational record will indicate that your child received preschool special education services.

You have the right to interpretation at special education meetings, and translation of IEPs, assessments and notices. You can request language access services by speaking with a member of your child's IEP team. You can also request a translation of your child's IEP by visiting schools.nyc.gov/IEPHello or by calling 718-935-2013. If you have concerns regarding language access services, please follow the escalation process described on the NYC Public School's website (at schools.nyc.gov/connect-with-us). If your concern is not resolved at the school or district level, you may file a complaint. Details on how to file a complaint are explained on the NYC Public School's website (at <https://www.schools.nyc.gov/school-life/school-environment/get-help/parent-complaints-and-appeals>).

You have the right to receive notification about special education placement and services within specific timeframes. For a student who will turn 5 years old this calendar year and who will enter kindergarten in the Fall:

If a referral is received...	...placement must be offered by:
From September 2 nd through March 3 rd	June 16
From March 4 th through April 1 st	July 15
From April 2 nd through May 12 th	August 15
From May 13 th through August 29 th	60 school days from the date of the referral

This means that if your child had a preschool IEP before March, or if you refer your child for special education evaluation before March, the NYC Public Schools must notify you about services and placement for September by June 15. The NYC Public Schools will specify the services that will be provided to your child and will name the school where your child will receive these services.

- Please call 311 or email T5Placement@schools.nyc.gov if you have not received a placement offer by mail within a few days of the deadlines listed above. If the IEP recommends a special class and the NYC Public Schools does not offer the recommended placement within the timeframes in the chart above, you may

have the right to place your child in an appropriate program in a New York State Education Department-approved non-public school, at no expense to you. You have the right to request an independent assessment paid for by the NYC Public Schools if you do not agree with an evaluation conducted by the NYC Public Schools. You must notify the NYC Public Schools of this request in writing. The NYC Public Schools will either agree to pay for an independent assessment or will file for an impartial hearing to show that its evaluation is sufficient.

- You have the right to an independent assessment paid for by the NYC Public Schools, if the NYC Public Schools did not complete the assessment(s) within the timeline in the table below (unless the NYC Public Schools was not responsible for the delay).

If a request for a reevaluation is received...	...the evaluation must be completed by:
From September 2 nd through March 3 rd	June 2
From March 4 th through April 1 st	July 1
From April 2 nd through May 12 th	August 1
From May 13 th through August 29 th	60 school days from the date of the referral

For more information about the rights of parents of students with disabilities, see our *Family Guide to Special Education School-Age Services* available [online](https://schools.nyc.gov/special-education/help/contacts-and-resources) at <https://schools.nyc.gov/special-education/help/contacts-and-resources> and the New York State Education Department's *Procedural Safeguards Notice: Rights for Parents of Children with Disabilities, Ages 3-21* (Statement of Family's Rights) available [online](https://schools.nyc.gov/special-education/help/your-rights) at <https://schools.nyc.gov/special-education/help/your-rights>. Both documents are also available in schools.