

Janet T. Mills
Governor

Sara Gagné-Holmes
Commissioner



Maine Department of Health and Human Services
Child and Family Services
11 State House Station
2 Anthony Ave.
Augusta, Maine 04333-0011
Tel.: (207) 624-7900; Fax: (207) 287-5282
TTY: Dial 711 (Maine Relay)

MEMORANDUM

To: Licensed Child Care Providers
From: Office of Child and Family Services (OCFS)
Date: February 11, 2025
Subject: Transition of Preschool Special Education Services

In 2024, statutory language in the state budget directed the Maine Department of Education (DOE) to transition responsibility for early childhood special education from Child Development Services (CDS) to school districts by July 1, 2028. During this 4-year transition period, there will be a change in responsibility for early childhood special education services from Child Development Services (CDS) to school districts, which are called school administrative units (SAUs) in Maine. Through this memo, the Office of Child and Family Services hopes to begin to answer questions you may have as a provider of early care and education services in Maine.

The goal throughout this transition is for preschool-aged children to receive their services in a quality early learning setting, called a least restrictive environment. That setting might be the early care and education program you lead.

What is the FAPE mandate in early childhood special education?

FAPE stands for Free Appropriate Public Education. Special education must be provided at public expense, under public supervision, at no cost to the parent. For 3–5-year-old children, early childhood education is provided in a least restrictive environment, and the child's special education services deliver what is written in their individualized education program (IEP).

What is a Least Restrictive Environment (LRE)?

LREs are often early childhood education classrooms and programs where children with IEPs can learn alongside typically developing peers. This can include family child care programs, preschool classrooms in child care centers, YMCA preschool classrooms, Head Start preschool classrooms, and preschool classrooms in K-12 schools.

During the 2024–2025 school year, a cohort of 18 SAUs has assumed responsibility for the provision of Free Appropriate Public Education (FAPE) for children 3-5 years old who are eligible for special education services. As the work with Cohort 1 continues, DOE will be supporting a second cohort for the 2025-2026 school year.

In the coming months, in partnership with DOE, OCFS will be sharing more information on this transition process and the important collaborative role of early care and education programs in

local communities. Please [sign up for notices from OCFS](#) and DOE to receive updated information about this transition.

For more information on the SAU cohorts:

<https://www.maine.gov/doe/learning/cds/earlychildhoodspecialeducation>

For more information on CDS and the FAPE transition process:

<https://www.maine.gov/doe/learning/cds>

Thank you for partnering with the Office of Child and Family Services to ensure all Maine children and families are safe, stable, happy, and healthy.