

# **Transition from Early Intervention**

Presented to Cohort 1

Aug 7, 2024

# Presentation Objective

- To familiarize school district leaders with the activities to meet requirements for Transition from Early Intervention to Early Childhood Special Education.

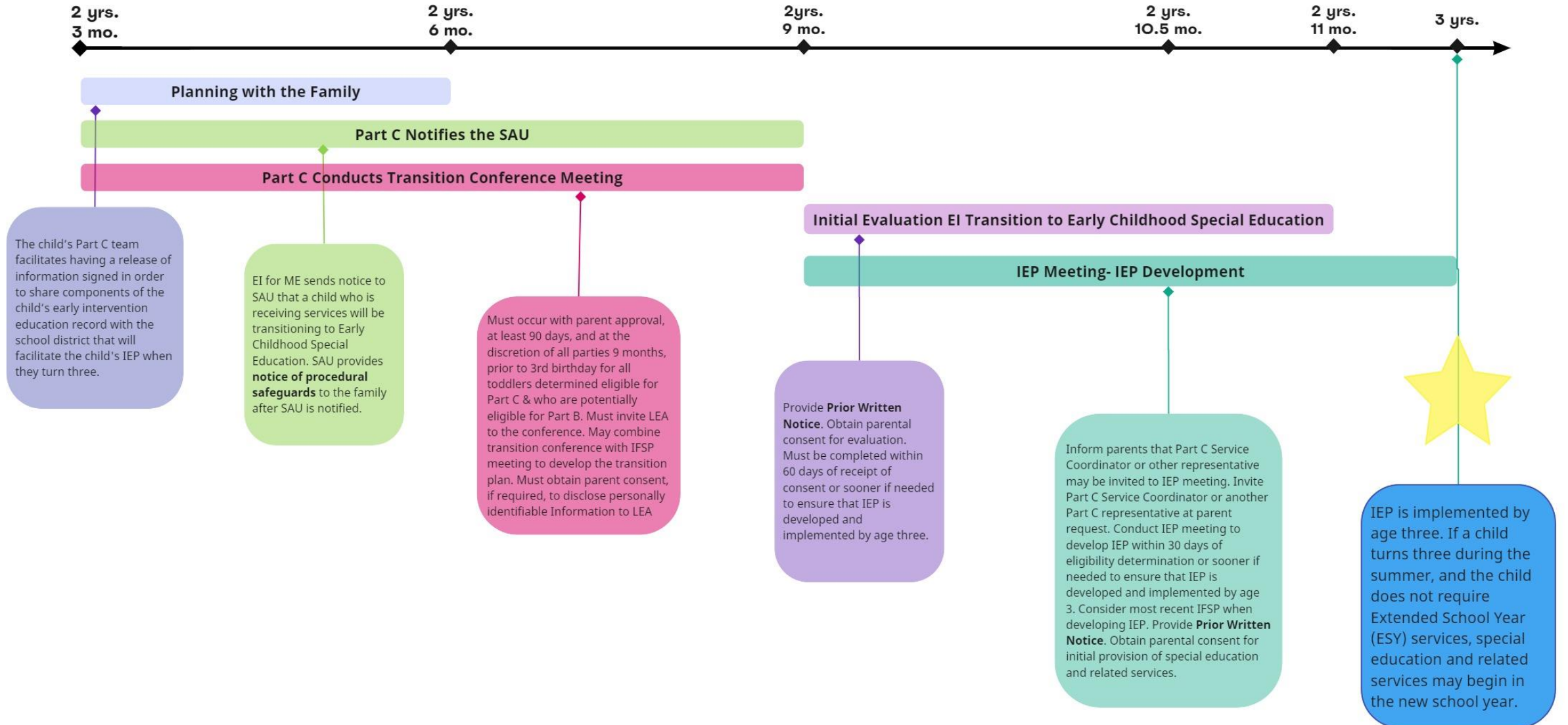
# Agenda Topics:

1. Smooth Transitions (IDEA required)
2. SAU Notifications
3. Participation in the Transition Conference
4. Evaluation Timelines
5. IEP Timelines
6. Summer Birthdays
7. Data to the SEA

# Smooth Transitions

- States must have in effect policies and procedures to [ensure seamless transitions](#) for children and their families as they leave Part C and other early childhood programs, so they have timely access to appropriate services. Families need to move smoothly from one program or system to another, or among services within a program or system.

## Transition Activities for Children Referred to EI for ME at Least 90 Days Before the Third Birthday



# Graphic (Accessible): Transition Timelines

- **Age of Child: Between 2 yrs. 3 mo.'s and 2y 6 mo.'s**
- **Planning with the Family** The child's Part C team facilitates having a release of information signed in order to share components of the child's early intervention education record with the school district that will facilitate the child's IEP when they turn three.
- **Age of Child: Between 2 yrs. 3 mo.'s and 2y 9 mo.'s**
- **Part C Notifies the SAU** EI for ME sends notice to SAU that a child who is receiving services will be transitioning to Early Childhood Special Education. SAU provides **notice of procedural safeguards** to the family after SAU is notified.
- **Age of Child: Between 2 yrs. 3 mo.'s and 2y 9 mo.'s**
- **Part C Conducts Transition Conference Meeting** Must occur with parent approval, at least 90 days, and at the discretion of all parties 9 months, prior to 3rd birthday for all toddlers determined eligible for Part C & who are potentially eligible for Part B. Must invite LEA to the conference. May combine transition conference with IFSP meeting to develop the transition plan. Must obtain parent consent, if required, to disclose personally identifiable Information to LEA
- **Age of Child: Three Years Old**
- **Child who is eligible for Special Education** IEP is implemented by age three. If a child turns three during the summer, and the child does not require Extended School Year (ESY) services, special education and related services may begin in the new school year.
- **Age of Child: Between 2y 9 mo.'s and 2y 11 mo.'s**
- **Initial Evaluation EI Transition to Early Childhood Special Education** Provide **Prior Written Notice**. Obtain parental consent for evaluation. Must be completed within 60 days of receipt of consent or sooner if needed to ensure that IEP is developed and implemented by age three.
- **Age of Child: Between 2 Yrs. 9 mo.'s and 3 years**
- **IEP Meeting- IEP Development** Inform parents that Part C Service Coordinator or other representative may be invited to IEP meeting. Invite Part C Service Coordinator or another Part C representative at parent request. Conduct IEP meeting to develop IEP within 30 days of eligibility determination or sooner if needed to ensure that IEP is developed and implemented by age 3. Consider most recent IFSP when developing IEP. Provide **Prior Written Notice**. Obtain parental consent for initial provision of special education and related services.

# IEP By Three Requirement

- By the time the child reaches age 3, an Individualized Education Program (IEP) has been developed and is being implemented for the child.
- IEP implementation is not required to occur outside of the regular school year however the development of the IEP constitutes the offer of FAPE.

# SAU Notifications

- Early Intervention for ME/Part C is required to notify each school of children who are potentially eligible for Part B Early Childhood Special Education services. Notification is required at least 90 days prior to child's birthday, unless the family opts out of the notification.
- Best practice is that the notification takes place when the child is between 2y 6 months and 2y 9 months.
- The notification is treated as an initial referral. The SAU will provide the family with their procedural safeguards and request the parent's consent to conduct an initial evaluation if a disability is suspected.

34 C.F.R. § 303.209(b)(1)(i), 34 C.F.R. § 300.504(a)(1)



# Transition Conference

- Each affected SAU will participate in transition conferences arranged by Early Intervention for ME / Part C (CDS).
- Early Intervention for ME convenes a conference among the EI provider, the family and the LEA, not fewer than 90 days and at the discretion of all parties, not more than 9 months before the toddler's third birthday to discuss any services the toddler may receive under Part B.
- Early Intervention for ME must provide written notice of the transition conference to the family and other participants, which includes the LEA, early enough before the meeting date to ensure that they will be able to attend.

34 C.F.R. § 300.124(c), 34 C.F.R. § 303.209(c)(1), 34 C.F.R. § 303.342(d)(2)

# Evaluation Procedures and Timelines

- The SAU must conduct the initial evaluation of a child suspected of having a disability under IDEA in accordance with the specified procedures and within the 60-day timeline.
- To conduct the evaluation, the SAU may utilize assessment and IFSP information provided by Part C and the parent to determine that the child is eligible for Part B, however additional information may be necessary to complete the evaluation.

34 C.F.R. § 300.8, 34 C.F.R. § 300.301

# IEP Timelines

- A meeting to develop the IEP for a child must be conducted within 30 calendar days of an eligibility determination that the child has a disability and needs special education and related services.
- As soon as possible following development of the IEP, special education and related services must be made available to the child in accordance with their IEP.

34 C.F.R. § 300.323(c)

# Summer Birthdays

- FAPE must be available to all children residing in the State between the ages of 3 and 21. Each State must ensure that: (i) the obligation to make FAPE available to each eligible child residing in the State begins no later than the child's third birthday;
- IDEA requires that a child referred from EI for ME be evaluated and FAPE provided by the child's third birthday. This may necessitate the SAU to conduct evaluations and develop IEPs over the summer. IEP implementation is not required to occur outside of the regular school year however the development of the IEP constitutes the offer of FAPE.

34 C.F.R. § 300.101

# Data to the SEA

- Annual data submission of number of children referred by Early Intervention for ME is to be submitted at the end of each school year.
- School districts will develop a method to track the referrals, eligibility, and IEP dates, and the reasons the child was not determined eligible, or an IEP was not made available by the time the child turns three years of age.

34 CFR §§ 300.157 and 300.601(b)



# Questions and Next Steps

- Data tracking sheets
- Professional Development for Early Childhood Special Education School Teams