

# Understanding Early Childhood Transition: A Guide for Families and Professionals



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When the Guide was implemented throughout the state, NDDHS and NDDPI received valuable feedback from professionals and families regarding the early childhood transition process. In addition, in September 2011 the Part C regulations were finalized. The new regulations and great feedback provided an opportunity for NDDHS and NDDPI to begin the review and revision of the Guide.

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## INTRODUCTION

### What Does Transition Mean?

Change is a part of life and “transition” means changing from one place, stage, or relationship to another. Change happens frequently throughout life, and children go through many transitions. Some transitions will signal the start of a new set of activities. Examples of early transitions for a child include the move from the hospital to the home, from early intervention services to preschool services, and from preschool services to kindergarten. For some, change is viewed as a time of growth and opportunity; for others, change is stressful and overwhelming. One of the positive things that can be accomplished for a child is to teach them to manage change in their lives.

On a child’s third birthday, the responsibility for special education and related services for children with disabilities changes from the North Dakota Department of Human Services to the North Dakota Department of Public Instruction. In addition, children in early intervention are required to have a redetermination of eligibility for Developmental Disabilities Program Management if their parents choose to continue to receive Developmental Disabilities services. This transition between programs may mean that new people are providing services in different settings. These transitions will be easier with careful planning and preparation.

The transition for a child from early intervention services to early childhood special education services, or other community programs, will be enhanced by collaboration among the family, those who currently provide services, and those who will provide services in the future for the child. It is important that families and professionals have the information and resources necessary to make informed decisions through every step of the transition process. Other important components include mutual respect and understanding of each other’s perspective. When parents and professionals work together, incorporating these components, a positive transition experience will result that may also serve as a model for future transitions.

### How to Use This Guide

*Understanding Early Childhood Transition: A Guide for Families and Professionals* is designed to provide an outline of transition activities and timelines to address key questions that parents and professionals might have about the transition process. Transition steps presented in this document, include special considerations for planning and conducting meetings in which families and early intervention and special education early childhood staff must attend.

Worksheets and other resources are included in the appendices at the end of the document. Families might find these helpful when preparing for meetings and to use in developing questions or listing concerns. Several sections of the Guide will be useful for professionals and parents to review together. Other sections that provide a description of the activities at each of the time lines might be useful in forming the outline of the

transition planning meetings with families, early intervention staff, and Local Education Agency (LEA) staff.

The legal information in the Guide comes from the Individuals with Disabilities Education Improvement Act of 2004, commonly called the IDEA (<http://idea.ed.gov/>). The statute is divided into sections that provide legal requirements organized by a person's age. References to this law are provided throughout the Guide. It is important to note that the guidance in this document incorporates best practices to ensure collaboration and effective transitions for children and families.

### **A Parent's Perspective...**

*I remember being unsure about the big decision of transition. It seemed like she was just too little to have to decide something so important. I researched all my options for our daughter. It was hard to make a decision as everyone had their opinion on what would be best for her. In the end, I decided to follow my heart and what I knew my daughter needed. After many nights trying to decide which transition road to take, we finally made a decision. Once we made our decision, the transition process went very well, and I felt confident in the choices we made for our daughter, even if everyone didn't always agree with them. In looking back at transition, I realized that it was during this process that I learned that as a parent, I know my daughter best and need to follow my heart and mind when making decisions for her.*



## FOUNDATIONS FOR TRANSITION

### Legal Foundations

The Guide provides a description of the regulations and policies from the Part C and Part B sections of the IDEA law. The Part C section of the IDEA provides regulations for early intervention services for children from birth through two years of age who have disabilities. A lead agency in each state is responsible for implementation of the provisions of the Part C of the IDEA. In North Dakota, the Department of Human Services (DHS) administers early intervention programs and services for infants and toddlers through eight regional Human Service Centers. Early intervention could include Developmental Disabilities (DD) Program Management, Infant Development services, or other family supports.

The Part B section of the IDEA outlines services for children and youth with disabilities who are ages three through 21. Specific provisions are included for children ages three through five. Administration of these special education and related services is provided by the North Dakota Department of Public Instruction (DPI). These services are provided by the school district where the family home is located.

There are several differences in the federal law governing early intervention and early childhood special education services. It is helpful for parents and professionals to have a clear understanding of the similarities and differences between programs during planning for transition. The following chart provides a comparison of Part C and Part B programs and services in North Dakota.

### A Comparison of the IDEA Part C and Part B Programs

	<i>Early Intervention Program IDEA—Part C (Children birth– age 2)</i>	<i>Early Childhood Special Education Services IDEA—Part B (Children ages 3–5)</i>
<b>State Lead Agency</b>	Department of Human Services, Developmental Disabilities Unit	Department of Public Instruction, Office of Special Education
<b>Local Lead Agency</b>	Regional Human Service Centers, Infant Development Providers	Local Education Agency (LEA) i.e. Local Public School District
<b>Ages of Children Served</b>	Children, ages birth through age two with disabilities	Children, ages three through twenty-one years with disabilities

	<b>Early Intervention Program IDEA—Part C</b>	<b>Early Childhood Special Education Services IDEA—Part B</b>
<b>Eligibility Criteria</b>	<p>Infant and toddler services may be provided to children if there is evidence of a developmental delay or risk of developmental delay.</p> <p>Young children who have a high risk of becoming developmentally delayed, or are developmentally delayed, may receive program management services and be considered for services to meet specific needs.</p> <p><i>“High Risk”</i> means a child who has a diagnosed physical or mental condition and has a high probability of becoming developmentally delayed or who, based on informed clinical opinion and documented by evaluation data, has a high probability of becoming developmentally delayed.</p> <p><i>“Developmentally delayed”</i> is defined as performing 25 percent below age norms in two or more of the following areas:</p> <ul style="list-style-type: none"> <li>• cognitive development</li> <li>• gross motor development</li> <li>• fine motor development</li> <li>• sensory processing</li> <li>• communication development (receptive or expressive)</li> <li>• social or emotional development</li> <li>• adaptive development;</li> </ul> <p>Or who is performing at 50 percent below age norms in one of the following areas:</p> <ul style="list-style-type: none"> <li>• cognitive development</li> <li>• physical development (including vision and hearing)</li> <li>• communication development (including receptive and expressive)</li> <li>• social or emotional development</li> <li>• adaptive development</li> </ul>	<p>Based on results from the initial evaluation process, eligibility for early childhood special education services may be determined in the following categories:</p> <ul style="list-style-type: none"> <li>• Autism</li> <li>• Deaf-blindness</li> <li>• Deafness</li> <li>• Hearing-impairment</li> <li>• Other health impairment</li> <li>• Orthopedic impairment</li> <li>• Speech or language impairment</li> <li>• Visually impaired including blindness</li> <li>• Traumatic brain injury</li> <li>• Intellectual disability</li> <li>• Emotional disturbance</li> <li>• Specific learning disability</li> </ul> <p>For younger children in North Dakota, a “Non-Categorical Delay” (NCD) eligibility option may be used when a disability is not clearly identified, but delays are evident. This option may be used for ages three through nine. Additional information is located at:  <a href="http://www.dpi.state.nd.us/speced1/laws/NCDguidelines.pdf">http://www.dpi.state.nd.us/speced1/laws/NCDguidelines.pdf</a></p>



	<b><i>Early Intervention Program IDEA—Part C</i></b>	<b><i>Early Childhood Special Education Services IDEA—Part B</i></b>
<b>Individualized Plans</b>	Individualized Family Service Plan (IFSP): The IFSP identifies outcomes and strategies to address family focused concerns, priorities, and resources. Services are designed to be provided in natural environments and to support the child in their daily activities.	Individualized Education Program (IEP): The IEP is based on the child's present level of academic and functional performance. Goals are developed to meet the educational and functional needs of the child. Related services, needed adaptations and modifications are identified and services in the least restrictive environment are determined. The IEP process must reflect information from many sources such as parent input, the child's current IFSP, the child's interests and abilities and a comprehensive evaluation following a special education referral.
<b>Family Involvement</b>	The IFSP outlines the early intervention services for the child and family based on the needs of both child and family.	Parents are equal partners in making decisions. The team must consider information they provide regarding their child. The IEP is the program for the child's special education and related services.
<b>Primary Contact</b>	A Developmental Disabilities Program Manager (DDPM) from the regional Human Service Center will be assigned to coordinate services with the family.	A representative from the Local Education Agency (LEA) is the IEP Case Manager.
<b>Coordination of Services</b>	Service coordination is provided as a component of early intervention services and is called Developmental Disabilities Program Management (DDPM).	IEP case management is provided by the LEA to ensure provisions of the IEP are coordinated as stated in the IEP. Parents may need to be active in coordinating services between agencies and community programs. Some students may continue to receive services through Developmental Disabilities Program Management through the Department of Human Services.
<b>Where Services Are Provided</b>	Services are provided in "natural environments" in the home and community in order to enhance the child's natural learning opportunities within daily routines and activities of the child and family.	Special education and related services are to be provided in the "least restrictive environment" (LRE) and to the extent appropriate with children who do not have disabilities. These placement options may include Head Start, private community programs, preschool programs, childcare and/or home services.

	<b><i>Early Intervention Program IDEA—Part C</i></b>	<b><i>Early Childhood Special Education Services IDEA—Part B</i></b>
<b>Costs for Services</b>	A child’s eligibility for DD Program Management services means some services may be provided without costs to the family.	Federal law (IDEA) mandates the right for children with disabilities to a free and appropriate public education (FAPE) funded by the public school through a combination of federal, state, and local funding. Special education and related services are services that are determined through the IEP process by the child’s IEP team.
<b>Transition</b>	Early intervention personnel are required to provide a transition conference as part of overall transition planning with families for children exiting from early intervention programs. The schedules and timelines for each activity required in transition are provided in this guide. Transition planning must address program options, child and family preparation, the transfer of records, and referrals that should be made for future services.	Local Education Agency (LEA) personnel are required to participate in the Transition Planning Conference when they have been invited by the early intervention program for a child who may be eligible for special education and related services. Their participation is prior to the actual transition and should support ongoing planning activities. The LEA is required to provide assistance to assure the transition is a smooth process for the child and the family.

## Timelines for Transition

Effective planning will help reduce the stress of transitions for staff and families and will promote optimal access to services and supports for children. The planning process allows for the transfer of records, sharing of information, and responses to questions. Children benefit from the increased continuity, reduced stress, and improved access to services that result from the planning efforts.

Both federal and state regulations clearly identify steps in the process and timelines that must be met in order to ensure a smooth transition. Both the early intervention program and LEA have responsibility for providing information and resources throughout this process.

The transition from early intervention services to early childhood special education services or other community supports and services must occur by the child’s third birthday. Planning steps at the Individual Family Service Plan (IFSP) meeting prior to the child’s second birthday, at 2 years, 7 months, and at 2 years, 9 months, should provide the information and the activities necessary to develop the Individualized Education Program (IEP) that will support the child’s special education at the age of 3 years, if the child is determined to be eligible.

## **A Parent's Perspective . . . Feeling Timid in Transition**

*Timid? I can only say that I was lacking in self confidence. Transition, for me, was a scary time. I have twins who were just two and a half year's old. "What! What do you mean enroll my children in special education preschool?" was my reaction when transition was initially mentioned. My train of thought to that point had been just to get my children to be functional walkers and to be able to function in daily life. I knew they had developmental delays . . . but they had two more years before they were old enough to go to school . . . or so I thought.*

*I had never heard of a child beginning school when they turned three, and I had so many questions. How was my son going to get around with his walker, forearm crutches, and backpack when he could barely walk independently? How was my daughter supposed to carry a backpack that was almost as big as she was?*

*During the transition process, the early intervention staff and our Developmental Disabilities Program Manager were essential to the process. They answered questions, provided information, coordinated meetings, and assisted with the referral to the Special Education Preschool. I felt that the transition team addressed both the areas of strength as well as areas of delay each of my children had and were helpful in developing an IEP for each child that was a continuation of the services my children received during early intervention.*



## **Being Part of a Team**

An important step in planning for transition is deciding who will be members of the transition and IEP teams. Members in transition planning, evaluation planning, and IEP development may be the same people. As the needs of the group change, the membership could also change. For more complete information on who must attend specific meetings, refer to other sections of this Guide. For all meetings, the membership could include but is not limited to:

- Parents and/or legal decision-makers for the child
- DD Program Manager (Service Coordinator)
- Infant Development and other early intervention staff
- Person(s) directly involved in conducting assessments
- Representatives from the LEA
- Other professionals who might be providing IEP services
- At the discretion of the parent or the LEA, other individuals who have knowledge or special expertise regarding the child.

Initial team leadership in the transition process is generally provided by the Infant Development program, but if a family has chosen not to receive Infant Development

services, the DD Program Manager will facilitate transition activities. As a child approaches age three, LEA staff will also become involved in facilitating transition activities. Once the LEA initiates services, such as the evaluation process to determine Part B eligibility and the development of an IEP, they will facilitate the planning process.

Building relationships takes time, effort, trust, mutual respect, and communication. Here are some tips for working on a team that may help everyone involved work together as they plan for transition.

- **Each team member brings different expertise, values, and resources.**
- **Seek Information.** It is okay to say “I don’t know” or “I don’t understand” or to ask for assistance or more information.
- **Share information that will help team members to understand everyone’s opinions.** Do not be afraid to state an opinion, answer questions, and discuss priorities.
- **Listen to each member of the team.** Try to identify the reasons for each person’s specific needs or recommendations.
- **Generate multiple suggestions to address each issue discussed and identify the pros and cons of all suggestions before selecting one.**
- **Remember that differences of opinion are okay and are to be expected.** Team meetings are an opportunity to listen to all points of view and make decisions together.
- **If time runs out and things still need to be done, request that the meeting continue at a future date.**
- **When meeting minutes are kept, make sure that parents and each agency receive a copy of the minutes.**
- **Check to make sure that discussion or decision points are included and complete.**
- **It will be helpful to plan the membership of each team and keep a record of the names and contact for each person on the team.**



## Special Tips for Families Speaking Up for Your Child

Speaking up for your child is an important part of your role as part of a team. You are the constant in your child's life and a constant member of the team while other team members will change. You may find that sometimes you will need to remind the team of what is best for your child. The information that you provide about your child and your family's strengths, values, and challenges is as important as evaluation data provided by professionals and is vital to planning effective programs for your child.

Remember that families and professionals must work together as the job cannot be done by either alone. Keeping an open mind to look at all the possible options will facilitate decision-making and enhance the team process.

You may build relationships with other team members by:

- Clearly making your thoughts known,
- Respectfully listening to others' perspectives,
- Understanding the law, knowing your rights, and basing your suggestions on these foundations,
- Emphasizing the positives and expressing your appreciation when appropriate,
- Being persistent and focused on what is best for your child, and
- Understanding that others have times when they are unsure of the correct course of action and offer support without judgment.

### **From a Coordinator. . .**

*We've found that by starting the transition process early we can get to know the child and the family and build a relationship with them that helps them leave the support of the early intervention program. So many stressful situations have been alleviated when we really know the child and can talk with the family about their questions long before concerns become problems.*



## CHILD'S AGE: 2 YEARS

### Beginning the Process of Transition

When children and families enter early intervention, an important outcome is to prepare for the transition to future activities, services and programs. The process of transition starts with discussions and planning steps long before the formal process begins. There will be several discussions about concerns, needs, and opportunities in preparation for the meetings and activities of transition.

#### Early intervention Role

- Share information about community supports and services that may be available or may be developed as the child's needs are identified
- Provide the family with this Transition Guide
- Assist the family with questions and concerns about transition
- Assist the family in determining what information might be helpful to gather and share with the Transition Team
- Consider developing transition outcomes with the family

#### Family's Role

- Work with the team to gather any information that will be helpful and might prepare for transitioning
- Write down any questions about leaving early intervention services
- Review the Guide and ask questions

### **A Parent's Perspective...**

*"Never be afraid to ask questions and to talk about those issues about your child that matter most to you. Sometimes everybody else is worried about their agendas and their paperwork, but you need to go ahead and get your needs met. That's the most important."*



### What Happens Next?

Now the work begins to prepare child, family, and staff for moving ahead to the next program and new possibilities. It is a time to explore community settings and services and talk with others about preschool experiences. A worksheet for parents called *Information about My Child* is included in Appendix A. This worksheet can help parents and other family members organize their thoughts about a child's abilities and preferences.



## Special Tips for Families Sharing Information

All members of the team will find it helpful to hear about your child's past experiences, strengths and needs, likes and dislikes, as well as any special relationships your child has developed. You can help the members of your child's planning team to understand your child as an individual. Following are some tips and resources that may help you prepare to share information about your child.

Prior to each meeting, collect and write down information that you want to share, any changes that you want to make or questions that you want to ask so that your concerns are not forgotten.

Complete the parent worksheet in Appendix A of this Guide "Information about My Child." Consider copying this form to give to others during the meeting. Prior to each meeting, obtain an agenda and list of participants. This should be provided to you with a Notice of Meeting form. Let the meeting organizer know who will attend the meeting with you and what topics you would like to discuss so your concerns can be included in the agenda.

It is helpful to have regularly scheduled times to share ideas and communicate about your child with program staff. You may want to establish a communication schedule that is quick to use and efficient for communicating important information between meetings. When a child begins to attend a regular classroom program, some early childhood programs and families have found that sending a notebook to and from preschool, regular e-mails, weekly phone calls or visits to the program enhance communication. A positive relationship with the professionals that work with your child will be enhanced by consistent communication.

### Parent-to-Parent Support and Family Support

It is important to recognize that families may need additional resources during and after transition that they have not had in place prior to their child turning two. Families may want information and emotional support from another parent that has experienced some of the same things that they are going through and who could also assist them after their child has turned three.

North Dakota early intervention has a network of Experienced Parents who have had children in early intervention. Experienced Parents can be matched up with families in early intervention at any time. The Experienced Parent's ability to assist a family decreases after they leave early intervention services, so it is important to assure that families have an alternate support network once their child turns three. Some of the statewide family-based, family support organizations in North Dakota are:

**Family Voices of North Dakota** – [www.fvnd.org](http://www.fvnd.org) – Established by families for families providing information around supporting children with special health care



needs in all arenas of their lives. In addition, Family Voices provides the North Dakota Parent to Parent Program and assists in matching families with other families around similar issues, interests and concerns.

**Pathfinder Parent Center** – [www.pathfinder-nd.org](http://www.pathfinder-nd.org) – Funded through the federal Department of Education to provide parents with information and support around accessing special education services for their child.

**North Dakota Federation of Families** – [www.ndffcmh.org](http://www.ndffcmh.org) – Established by families for families providing information and support around children who have mental health challenges.

In addition to these statewide organizations, there are a number of family-based diagnosis specific resources, as well as national supports that can be offered to families. North Dakota early intervention Experienced Parent staff members are connected to these supports and can offer their assistance.



## CHILD'S AGE: BETWEEN 2 YEARS, 3 MONTHS AND 2 YEARS, 7 MONTHS

### Making Decisions about Current and Future Services

#### The Transition Plan

Transition looks different for every child. Children can transition to a variety of settings, such as community preschools, daycare settings, or early childhood special education services. To ensure the transition goes as smoothly as possible and that the child is successful, early intervention staff and parents develop a Transition Plan. The Transition Plan is a time for everyone currently involved with the child, and those potentially involved with the child, to come together and talk about the opportunities available to the child.

Every child participating in early intervention will have a Transition Plan written as part of their IFSP. Early intervention staff will begin discussing transition with families around the time the child is 2 years old. Early intervention staff will start the development of the Transition Plan no later than when the child turns 2 years, 6 months and assist the family to finalize the plan no later than when the child turns 2 years, 9 months. This Plan is individualized and addresses any unique family circumstances.

#### **IDEA Part C—§ 303.209 Transition to preschool and other programs.**

- (d) The State lead agency must ensure that for all toddlers with disabilities –
- (1)(i) It reviews the program options for the toddler with a disability for the period from the toddler's third birthday through the remainder of the school year; and
  - (ii) Each family of a toddler with a disability who is served under this part is included in the development of the transition plan.
  - (2) It establishes a transition plan in the IFSP not fewer than 90 days – and, at the discretion of all parties, not more than 9 months-before the toddler's third birthday; and
  - (3) The transition plan in the IFSP includes, as appropriate-
    - (i) Steps for the toddler with a disability and his or her family to exit from the part C program; and
    - (ii) Any transition services that the IFSP Team identifies as needed by the toddler and his or her family.

Transition planning activities continue between 2 years, 3 months and 2 years, 7 months, when the Transition Planning Conference occurs. The Transition Plan may be developed as part of the Transition Planning Conference or during an IFSP meeting. For more information about the Transition Planning Conference, refer to the section **Child's Age: 2 Years, 7 Months**. Before the Conference happens, it is important for early intervention to obtain parental consent before communicating with the LEA. According to federal law, early intervention must inform the LEA regarding the children who are "potentially eligible" for early childhood special education services.

## **Parent Opt Out of Disclosure of Information, Notification and Referral**

Parents who have a child on an active Individual Family Service Plan and are two years, five months and older, have the right to opt out of having the LEA informed that their child will be turning three years old. This will be discussed at a team meeting, such as an annual IFSP meeting or periodic review, between age two years, three months and two years, five months.

If a parent chooses to opt out of the referral to Part B, they must sign the *Opt Out of Notification to the State Department of Public Instruction (DPI) and the Local Education Agency (Public School) Form*. The signed Form must be returned within ten days or no later than the time their child is two years, five months old. If the Form is not returned, early intervention will assume that the parent has decided not to opt-out and notification information will be sent.

If a parent who has signed an opt out form changes their mind regarding LEA involvement and possible Part B eligibility determination, early intervention will assist the family in making the appropriate notification to the LEA, as well as initiating the next transition steps as appropriate. This could occur at any time prior to a child's third birthday.

### **Notification**

North Dakota defines children who might be potentially eligible for special education services as any child being served by Part C on an active IFSP at the age of 2 years, 6 months or older.

Part C early intervention will refer children potentially eligible for Part B services by 2 years, 6 months to the LEA where they live. The notification of potentially eligible children is a legal requirement for the Part C program. The information sent to the SEA and the LEA includes the child's name, date of birth, and parent's contact information which includes their name, address and phone number.

The notification taking place by 2 years, 6 months, along with the Joint Prior Notice, serves as an invitation to the Transition Planning Conference. Early intervention staff will ensure families have information about Part B early childhood special education services and have thoughtful conversations about their child's abilities, strengths, and needs and family's future plans.

The LEA must participate in the Transition Planning Conference for any child that is potentially eligible for Part B services, if the parents have not chosen to opt out of Part B services. The participation of LEA personnel at the Transition Planning Conference provides a valuable opportunity for parents to learn more about early childhood special education services. Parents can ask the LEA representative questions directly and get more information. Inviting an LEA representative to the Transition Planning Conference is very important and does not mean that there is consent for the initial evaluation process to occur or for services to begin. The Conference is a time to learn more about Part B services so that parents can make informed decisions.

## Including the LEA in the Transition Planning Conference

The early intervention staff will work with parents to get a release of information signed so that the child's IFSP, assessments, and any additional reports can be sent to the LEA. In addition, a Joint Prior Notice will be sent to parents, the LEA, and additional people that parents may want at the meeting. It is a "Joint Prior Notice" because it meets both Part C and Part B's procedural safeguard requirements regarding this meeting.

Procedural safeguards are put into place through federal and state regulations to protect the rights of children with a disability and their parents or guardians. DPI has developed two guidance documents to assist parents in developing a clear understanding of IDEA and their procedural safeguards. These rights must be reviewed with the parents/guardians during the transition process. Additional information relating to procedural safeguards can be obtained through the LEA and at the following website: <http://www.dpi.state.nd.us/speced1/laws/PWNPCP.pdf>

Parents should receive the *Parental Rights for Public School Students Receiving Special Education Services: Notice of Procedural Safeguards* either before or at the Transition Planning Conference. It is important for the family to know that the LEA will open a record for the child on the state school data system and the laws relating to records privacy will apply.

## Making Decisions about Developmental Disabilities Program Management

Because there is a different set of eligibility criteria that is used for anyone over the age of 3, a parent's relationship with their Developmental Disabilities Program Manager may end the day before the child's third birthday. Any services their child is receiving through the Developmental Disabilities Home and Community Based Services waiver will end the day before the child's third birthday. It is the right of every child in early intervention to apply for eligibility after 3, but it is important to know that the criteria for eligibility is different and a child's delays and/or disabilities are assessed differently. During this time of transition, the DD Program Manager will help a parent decide whether or not to have their child considered for ongoing Developmental Disabilities Program Management.

- **If parents decide to have their child considered for ongoing Developmental Disabilities Program Management**, they will work with their DD Program Manager (DDPM) to decide if any additional testing is needed. It is possible that they will be able to use the current testing that is available through assessment in early intervention or the testing that may have been done for determining if the child is eligible for early childhood special education services. It is important to note that eligibility for early childhood special education services (Part B services) and DD Program Management are completely different and not related

to one another. It is possible that the child may be eligible for early childhood special education services and not be eligible for DD Program Management. In some cases, it may be determined that further testing is needed. If that is the case, the DDPM will work with parents to get the testing that is needed for their child.

Parents will also have discussions with their DDPM about what types of services may be needed for their child. This is important because the child may be eligible for DD Program Management but not meet the criteria to access services from the Home and Community Based Waiver(s). In order to meet the criteria for the Home and Community Based Waiver, in addition to DD Program Management, a child must have a need and qualify for one of the waived services at least on a quarterly basis. Being eligible and using the waiver services is the only way that a child can continue to be eligible for the income and asset disregard for Medicaid. Some of the services that are included under the various waivers for children include the following:

#### **Intellectual Disability—Traditional Waiver**

- In-home supports (respite)
- Travel Reimbursement
- Behavioral Consultation
- Environmental Modifications
- Equipment and Supplies

#### **Autism Waiver (For more information about this waiver refer to Appendix D)**

- Intervention Coordination
- In-home supports
- Environmental Modifications
- Equipment and Supplies

#### **Medically Fragile Waiver**

- In-home Supports
- Travel Reimbursement
- Environmental Modifications
- Equipment and Supplies

Parents can expect that their DDPM will keep them informed of how their child's eligibility decision is progressing. Parents may ask to attend their child's eligibility meeting at their regional human service center and will be made aware of the decision by mail. There will be information included in the letter about parental rights to appeal any decision that parents do not agree with.

If the child is found eligible and meets the criteria to qualify for additional waiver services, DD Program Management and any additional waiver services will continue

without interruption, and the DDPM will continue to work with parents on any additional paperwork needed to get the services the family and child need.

- **If parents decide not to pursue ongoing DD Program Management**, their early intervention team will work with them to understand how this may impact their child and family. It will mean that they will not have access to the income and asset disregard that may currently assist a child to be eligible for Medicaid, if income and assets are too high to qualify through other means. The DDPM will work with parents to determine when their child's Medicaid will terminate. Parents can choose to reapply on behalf of the child but if income and assets are too high, parents will incur a recipient liability. They will need to decide, with the county eligibility worker, if this is a benefit to the family or not. In addition, the county eligibility worker can look at other medical coverage programs that may be available to families.

If parents were receiving any other supports or services through the Home and Community Based Waiver, such as in-home supports, travel reimbursement, behavioral supports, environmental supports, and/or equipment and supplies, their ability to use these will end when their child turns three.

#### **Early Intervention Role**

- Begin the discussion regarding a transition goal and plan
- Discuss the parent's option to opt-out
- Ensure that parents have the opt-out form
- If parents want referral to LEA, send child find information
- With parent consent, contact LEA to schedule the Transition Conference
- Send Joint Prior Notice upon scheduling the Transition Conference

#### **LEA's Role**

- Participate in the scheduling of the Transition Conference
- Inform the family of their rights in special education if appropriate
- Review child find information

#### **Family's Role**

- Think about what services are needed/desired after the child turns 3
- Participate in the development of a transition outcome and the beginnings of the transition plan
- Review the opt-out policy and form
- Decide whether a referral to LEA should be made
- With EI staff decide on participants in the Transition Conference

## CHILD'S AGE: 2 YEARS, 7 MONTHS



### **A Parent's Perspective...**

*"If I had been given a chance to keep my child in early intervention, I would have made that choice in a heartbeat, but since I had no choice but to move him to Part B services, I made the move. What I came to find out was that it was the best solution for him all around. He was ready for more intervention and truly benefited from it."*

### **Transition Planning Conference**

The first joint conference with early intervention, LEA staff, and parents will occur by the time the child is 2 years, 7 months old. The purpose of this meeting is to begin to share information between the family and the two agencies about the needs of the child and to formalize the activities that will be necessary to complete prior to determining eligibility for early childhood special education services.

A very important topic for this Conference is to identify the steps of the evaluation process that will determine a child's eligibility for early childhood special education services. Before a LEA can begin the evaluation process, the parent must provide written consent for the initial evaluation process. Once consent is given, the LEA has 60 days to complete the evaluation process. Gathering the evaluation information from early intervention, medical services, observations of parents and other family members will be a foundation for determining what new information will need to be collected during this time.

After this meeting with the LEA representative, parents may choose not to proceed with an initial evaluation for determining their child's eligibility for special education. It is important for parents to understand that if they change their mind, a referral can still be made to their LEA.

### **Who Will Attend?**

Members of this team are the same as required for an IFSP team. Parents may invite additional family members and others to attend. Additional information regarding the members of a team is provided throughout this Guide.

### **What Will Happen?**

At this meeting, several important activities should occur:

- Parents will be informed of their rights under the law (IDEA Part B Procedural Safeguards) and have their rights explained by a representative of the LEA.
- A transition timeline will be finalized.

- The child's current IFSP, assessments, and other relevant records will be reviewed.
- An evaluation process will be planned with any needed additional assessments scheduled to determine eligibility for the early childhood special education services, redetermination of eligibility for Developmental Disabilities Program Management, and provide important information about the child's present level of performance and educational and functional needs.
- The LEA may use the results from any current early intervention assessments as part of this process.
- Potential services and settings will be discussed and opportunities to visit programs may be planned for the family.

**Early intervention Role**

- Invite a representative from the LEA to attend
- Arrange for the meeting in a location agreeable to all team members, preferably in one of the child's current environments
- Provide a Joint Prior Notice of the meeting to the family with copies sent to the LEA and early intervention staff
- Send assessment results and other early intervention records promptly to the LEA with parent consent
- Review and revise existing Transition Plan including services and action steps as well as plans for additional assessments
- Assist families in learning more about programs, settings and services as part of the IFSP Transition Plan

**LEA's Role**

- Inform the family of their rights in special education
- Consider the family's concerns about the transition
- Obtain parent's consent to begin the initial evaluation process
- Review existing information including the IFSP
- Determine whether additional information will be needed
- Determine steps and activities to obtain any needed assessment information across a variety of environments in a timely manner
- Assist families in understanding information on how the LEA can work with the child and family in different settings

**Family's Role**

- Provide written permission for the release of the child's records to the special education unit to share evaluations, IFSP, and relevant information
- Share hopes and dreams for the child
- Review parental rights information
- Participate in planning and completing the transition process at a level that feels comfortable
- Share questions and concerns about anything that is unclear
- Participate in the planning where any further evaluation procedures will occur
- Sign necessary consent forms for evaluation
- Work with the team to learn more about programs and placement options for the child





## Special Tips for Families Making Decisions

Important decisions about the services your child will receive and the location in which those services will be provided are made during the transition process. The extent to which you are involved in these decisions is up to you and you may participate at different levels for the various decisions and topics considered. The decision-making process will be more comfortable if you have adequate information on which decisions may be based.

Gathering information will be a first step in preparing for your child's transition. It may be necessary to learn about laws, talk with school personnel and research placement options. You may find it helpful to keep a written record or notebook of your activities and correspondence for your reference. Types of information can include:

- Laws and regulations that affect children with disabilities. Your early intervention team or the Special Education Unit Director in your community should be able to provide these. They can also be found through the ND Department of Public Instruction, Office of Special Education at the following website: <http://www.dpi.state.nd.us/speced1/index.shtm>
- Information about available services, placement options and contact information for other school personnel in your district that may be available to work with your child.
- You may wish to ask the program about their approach to teaching young children.
- Get ideas from "experienced" parents and service providers about other similar situations and transitions.
- Look into other resources available from your child's early intervention program, preschool programs, and other government agencies.

### **A Parent's Perspective. . .**

*The array of supports that will help your child learn and grow may be very different from what will be right for another child. Remember that the plan can change when needed.*



### **Evaluation Process**

An important part of the Transition Plan is the completion of an evaluation to determine whether the child is eligible to receive early childhood special education services. Eligibility for early intervention services in the early intervention program does not automatically transfer to eligibility for early childhood special education services at age three, nor does any specific diagnosis automatically qualify a child for special education and related services at age three. It is the responsibility of the LEA to complete a comprehensive evaluation, with assistance from the early intervention staff and parents,



and to coordinate the activities of the evaluation which can be included in the Transition Plan.

The involvement of the parents and early intervention staff is vitally important in planning and conducting a comprehensive evaluation. The team will need to work together in planning and conducting the required components of the evaluation process. This process will involve reviewing exiting information about the child including assessments and information provided by the parents of the child, the current IFSP, and resources provided through the early intervention assessment process. On the basis of that review, the team must identify what additional information, if any, is needed to determine whether the child has a disability and whether the child needs special education and related services. If the team identifies that additional information is needed, the team must work together to develop a plan to gather and analyze the additional information.

The plan might include a need to complete an assessment(s) or an observation(s) in the following areas of a child's development.

- Hearing and Vision
- Health and Medical History
- Developmental History
- Thinking and problem solving (intellectual/cognitive development)
- Talking, listening, and understanding (communication development)
- Movement—gross motor and fine motor (physical development)
- Independence, activities of daily living at home, school, and in the community (self care)
- Getting along with others (social-emotional development and behavior)
- Assess the need for a piece of equipment or system that is used to increase, maintain, or improve the functional abilities of the child (assistive technology)
- Home/family, neighborhood, community (environmental influences)
- Specific assessments may be considered that relate to the disability of the child

The NDDPI Office of Special Education provides a comprehensive guide of the evaluation requirements and recommendations for the planning process. The *Guideline: Evaluation Process* is available at: <http://www.dpi.state.nd.us/speced1/laws/evalproc.pdf>

### **Team Approach to the Evaluation Process**

In addition to family members and early intervention staff, the early childhood special education professional and other related service providers (e.g. occupational therapist, speech therapist, physical therapist, etc.) will come together with others who are integrally involved in the child's life to plan the evaluation process. The team works together to understand the child's current information and to develop a meaningful evaluation plan.

Sometimes the process is considered a joint assessment, which means that the early intervention staff conducts some assessments and the LEA conducts additional assessment measures. An interdisciplinary assessment is an approach in which members of a team (including both early intervention and LEA staff) employ their own perspectives and materials but who reach decisions collaboratively. Another model sometimes used is arena assessment, which is a process by which all members observe the child in a set of activities to determine the child's strengths and weaknesses in all developmental areas.

The model for evaluation should be carefully and individually planned to provide the most complete picture of the child. Members of the team need to work together in completing observations, conducting the assessments and analyzing the information the team collects. All of this information is important in supporting the decisions regarding the nature and extent of the special education and related services the child needs.

### **Questions to Ask During the Evaluation Process**

- What will be done and why?
- What information can the team expect to learn?
- What can the family expect to learn about the child?
- How long will it take?
- How can the family help?
- Who will gather the information?
- How will information be gathered?

### **Ways to Complete the Evaluation**

- Observation of the child with parents, staff, or other children
- Review of records
- Evaluation appointment with individual teacher or specialist
- Team evaluation
- Parent observation checklist
- Medical evaluation
- Screening results

### **What Happens Next?**

Assessment appointments will be scheduled at convenient locations and times for the child, family, and staff. Parents can help by assuring that their child has eaten and rested before appointments. Parents will have questions during this process and also need to be prepared to talk about the child's routines, skills, and areas of concern.

This is a good time to begin discussions of potential services and visits to various settings that might be appropriate for the child's early childhood experiences so that considerations of services at age three can be discussed at the next meeting. Staff from the early intervention and LEA programs will be helpful in setting up meetings for visits.



## Special Tips for Families Visiting Programs

You will gain valuable information if you are able to visit the local preschools and other possible settings. Some things to look for include:

- The physical arrangement of the environment
- Routines followed (length of time children stay in one group, degree of independence needed, etc.)
- How frequently the children move about or talk with each other
- The activities the children are engaged in and where modifications may be necessary to allow your child to participate
- Staff experience in supporting children with special needs.
- The distance your child would need to travel to attend specific programs
- If children without disabilities also participate

Before visiting programs, it is important to make an appointment with the classroom teacher or program director. Someone from the early intervention program or someone on your child's team will help you set up the visit and if you wish, may go with you. Obtain the names of the teacher and other staff members you will be visiting. Stop at the main office, introduce yourself and you may need to sign-in stating your reason for visiting.

Think ahead about the information that you want to share about your child and the things that you want to ask the staff. If class is in session, plan ahead with the teacher for the activities you would like to observe and schedule your visit accordingly. Ask the teacher how he or she would like for you to participate with other children or how to respond to children if they approach you. Find out when it would be best to ask your questions and plan your time to talk with the staff when they are not busy engaging directly with children.

## CHILD'S AGE: 2 YEARS, 9 MONTHS

### Special Education Eligibility Determination and IEP Development

At 2 years, 9 months, a meeting will be held to discuss the child's eligibility for early childhood special education services and Developmental Disabilities Program Management. This meeting is held to meet the LEA responsibility for completing the initial evaluation within 60 days after parents provide consent for evaluation (2 years, 7 month meeting). Also during this time, the Transition Plan will be updated to ensure steps are included to support and help prepare children and their families for the upcoming transition.

As part of the Part B eligibility determination process, the assessment results will be reviewed and the child's eligibility for early childhood special education services will be decided. The criteria for eligibility for services through the local education agency are defined by federal law. It is very important for the early intervention to share observations and previous assessment information throughout this process. The involvement of parents in the evaluation process is critical.

#### **IDEA Part B—§ 300.323 When IEPs must be in effect.**

(c) *Initial IEPs; provision of services.* Each public agency must ensure that—

- (1) A meeting to develop an IEP for a child is conducted within 30 days of a determination that the child needs special education and related services; and
- (2) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child's IEP.

If the child is found eligible for early childhood special education services, a meeting to develop the initial IEP must be conducted within 30 calendar days from the date of the meeting during which it was determined that the child has a disability. In some situations, the eligibility determination and IEP meetings may be combined, and in other cases, separate meetings will address each process.

The development of an IEP for an eligible child turning three who has been in early intervention is the responsibility of the LEA. At the time the IEP meeting is initiated, the LEA must notify the family of their rights in special education and the purpose of the meeting. The participation of early intervention staff in the IEP development is at the invitation of the parent and is encouraged in order to continue the coordinated planning efforts on behalf of the child. Also, this will be a time to continue to pursue important questions about the options for services and placement, concerns that the family has identified and other issues important to the transition process.

#### **IDEA Part B—§ 300.321 IEP Team.**

(f) *Initial IEP Team meeting for child under Part C.* In the case of a child who was previously served under Part C of the Act, an invitation to the initial IEP Team meeting must, at the request of the parent, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services.

## Who Will Attend?

Family members and other participants at the request of the family, such as their DD Program Manager, early intervention staff, representatives of the LEA, including special education personnel, regular education personnel, and related service personnel may attend this meeting. Personnel who have been a part of the evaluation process are important participants at this meeting.

### Early intervention Role

- Attend the eligibility determination meeting
- Respond to invitation to attend the IEP meeting by the LEA at the request of the parent
- At the eligibility and IEP meetings, provide any updated assessment information, most recent IFSP, and knowledge of the child's strengths, needs and styles of learning
- Conduct IFSP review and update Transition Plan to include early childhood special education eligibility information and review eligibility re-determination for Developmental Disabilities Program Management

### LEA Role

- Determine a mutually agreed upon time and place for the meeting
- Provide Joint Prior Notice of the eligibility determination and IEP meetings to the family
- Review the information with the team and the family regarding assessment results, the current IFSP and issues of concern
- Develop an integrated written assessment report (IWAR) with the team
- LEA informs family that they may invite Early Intervention staff to the IEP meeting

### Family's Role

- Communicate with the preschool staff regarding any necessary additional information
- Consider and/or visit the placement options and provide recommendations
- Share information important for those working with your child to know
- Invite early intervention staff to participate in the IEP meeting

## The Individualized Education Program

The Individuals with Disabilities Education Improvement Act (IDEA) has established the Individual Family Service Plan (IFSP) as the structure for planning child and family outcomes and services for infants and toddlers with disabilities. Under the same IDEA, the Individualized Education Program (IEP) provides the structure for planning and implementing goals and services for children with disabilities starting with services at the age of three.

### Comparison of the IFSP/IEP

There are some similarities in how these plans are developed and written, but there are also many important differences. Understanding the differences between the intent of these plans and the content will be helpful for both early intervention and the early childhood special education staff when supporting families through the transition.

	<b>Components of the IFSP</b>	<b>Components of the IEP</b>
<b>Statement of Present Levels</b>	<ul style="list-style-type: none"> <li>• A statement of the child's present levels of physical, cognitive, communication, social or emotional, and adaptive development, based on objective criteria.</li> <li>• Information on the child's strengths and needs.</li> </ul>	<ul style="list-style-type: none"> <li>• A description of the child's present levels of academic and functional performance including how the disability affects the child's participation in age appropriate activities.</li> </ul>
<b>Outcomes/Goals</b>	<ul style="list-style-type: none"> <li>• A statement of the major outcomes expected to be achieved for the child and family.</li> <li>• Individualized and measurable criteria to determine if outcome is achieved.</li> <li>• Activities to support child and family.</li> </ul>	<ul style="list-style-type: none"> <li>• A statement of measurable annual goals related to how the child will be involved and participate in appropriate activities, as well as how the child's educational needs that result from the disability will be met.</li> </ul>
<b>Family Information</b>	<ul style="list-style-type: none"> <li>• A statement of the family's resources, priorities, and concerns relating to enhancing the development of the child with a disability.</li> </ul>	<ul style="list-style-type: none"> <li>• The IEP team must consider parents' concerns and information they provide regarding their child.</li> </ul>
<b>Services</b>	<ul style="list-style-type: none"> <li>• A statement of specific early intervention services necessary to meet the unique needs of the child and family and help the child accomplish the outcomes identified.</li> </ul>	<ul style="list-style-type: none"> <li>• A statement of the special education and related services, modifications, and supplementary aids and services to be provided to the child or on behalf of the child.</li> </ul>
<b>Environments/Placement</b>	<ul style="list-style-type: none"> <li>• A statement of natural environments in which early intervention services will be provided, including a justification of the extent, if any, to which services will not be provided in natural settings.</li> <li>• Other details of where the services will be provided, when and how often these services will be provided, what the funding source will be, and who will be involved.</li> </ul>	<ul style="list-style-type: none"> <li>• The IEP team must discuss placement options which will meet the child's specific identified needs. This placement will be provided in the Least Restrictive Environment.</li> </ul>

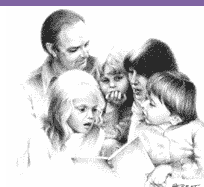
	Components of the IFSP	Components of the IEP
<b>Review and Progress Reporting</b>	<ul style="list-style-type: none"> <li>• When the IFSP will be reviewed and who will be part of that review.</li> <li>• The criteria, procedures, and times used to determine the degree to which progress toward achieving the outcomes is being made and whether modifications or revisions of the outcomes or services are necessary.</li> </ul>	<ul style="list-style-type: none"> <li>• A statement of how the child's progress toward the annual goals will be measured, including how the child's parent will be regularly informed. This includes the extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year.</li> </ul>
<b>Program Management-Service Coordination</b>	<ul style="list-style-type: none"> <li>• Developmental Disabilities Program Management provides Service Coordination.</li> </ul>	<ul style="list-style-type: none"> <li>• Special education case management supports the coordination of IEP services. Case management for other services may continue through DD Program Management or other community supports.</li> </ul>
<b>Parent Signature</b>	<ul style="list-style-type: none"> <li>• Parent signature on the IFSP means informed written consent is given for the services listed in the IFSP.</li> </ul>	<ul style="list-style-type: none"> <li>• Parent name recorded on the IEP indicates that the parent attended the meeting and participated in the development of the IEP. Informed written consent must be given by the parent for the initial provision of special education and related services under Part B as outlined in the IEP.</li> </ul>

### What Happens Next?

Preparing for transition can involve visiting new settings, meeting new people, completing enrollment information, and talking about the transition with the child. Riding the bus might be a new challenge to practice, or learning the names of new service providers might help the child get ready. Early intervention services will continue, at the parent's discretion, until the child turns three.

#### **A Teacher's Perspective...**

*Transitions are stressful, even for teachers! Sometimes I'm not sure how to help the families adjust. Children are so accepting of children who are different. Perhaps we just need to follow their lead.*





## The Least Restrictive Environment

After the child is determined eligible for early childhood special education services, the team writes an IEP and considers the placement options where the services will be provided. By law, the child's placement for Part B services must occur in the least restrictive environment (LRE) in which the goals can be met. LRE is a term used in the IDEA that means children with disabilities are educated with children who are nondisabled to the maximum extent appropriate.

The disability category of a preschool age child should not determine the location or services to be provided to meet the child's needs. Location and services should be individually determined based upon the IEP team's consideration of a child's present levels of performance, abilities, and needs.

The LRE continuum for preschool age children with disabilities includes those early childhood settings designed primarily for children without disabilities. These environments allow children with disabilities to participate in appropriate activities and opportunities that support children achieving age-relevant abilities and skills. Depending on the IEP goals, the team will need to consider necessary modifications, supplementary aids, services, and supports that may be needed. Examples might include training for the staff, changes in surroundings or equipment, or specially chosen materials to help the child learn in the new environment.

Unless the IEP requires other arrangements, the location of early childhood special education services must be:

- as close as possible to the child's home,
- in the setting the child would attend if nondisabled, and
- a team decision.

### Where Services Can Occur

Each community has different possibilities for places where early childhood special education services can be provided. Families may want to consider some of these options if they are available in their community:

- Child Care Center/Preschool
- Child's Home
- Cooperative Play Group
- Family Child Care
- Head Start
- Preschool Classroom
- Title I Preschool

Additional NDDPI guidance regarding the least restrictive environment can be found at:

<http://www.dpi.state.nd.us/speced1/laws/iep/index.shtm>

<http://www.dpi.state.nd.us/speced1/childhood/settingsdecisiontree.pdf>



**Part B Sec. 300.114 LRE Requirements**

(2) Each public agency must ensure that--

- (i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
- (ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

**Sec. 300.115 Continuum of alternative placements.**

(a) Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

(b) The continuum required in paragraph (a) of this section must--

- (1) Include the alternative placements listed in the definition of special education under Sec. 300.38 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and
- (2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

**Sec. 300.116 Placements.**

In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must ensure that--

(a) The placement decision--

- (1) Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
- (2) Is made in conformity with the LRE provisions of this subpart, including Sec. 300.114 through 300.118;

(b) The child's placement--

- (1) Is determined at least annually;
- (2) Is based on the child's IEP; and
- (3) Is as close as possible to the child's home;

(c) Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;

(d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and

(e) A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

## **An Early intervention Provider's Perspective...**

As an interventionist working in the rural area, the transition process is often dependent on availability of services or what can be created. The transition meetings may be similar to those held in a large city or urban area, but the transition outcome may be unique. Small communities may not have an existing preschool, private or public. I am fortunate in working with a multi-county special services unit whose director has created a preschool setting within the public school setting, actually bringing in children from the community to provide peers for the transitioned child. Daycare settings and one-to-one programs within the home or in the school setting have also been sites for a "created" preschool program following transition. As a rural early interventionist, a bond forms between the family, child, and myself that often remains intact for years, especially if it's a child that lives within my home community. With that personal connection, the transition process doesn't end when the child turns age three...age six...age twelve. Maybe that's what rural early intervention and transition is all about.



## **Extended School Year (ESY)**

Children with disabilities who have their third birthday during summer months are not automatically entitled to receive special education and related services during the summer. The LEA must provide services during the summer only if the IEP team determines the child needs Extended School Year (ESY) services in order to receive a free and appropriate public education (FAPE). The LEA must either assume responsibility for planning and directly implementing services to be initiated on the child's third birthday or contract for these services directly with the local Infant Development service provider or other private providers.

For more information about Extended School Year, refer to the NDDPI *Guideline: Individualized Education Program Planning Process - Appendix F* located at: <http://www.dpi.state.nd.us/speced1/laws/iep/index.shtm>

### **§ 300.106 Extended school year services.**

#### **(a) General.**

- (1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE, consistent with paragraph (a)(2) of this section.
- (2) Extended school year services must be provided only if a child's IEP Team determines, on an individual basis, in accordance with §§ 300.320 through 300.324, that the services are necessary for the provision of FAPE to the child.
- (3) In implementing the requirements of this section, a public agency may not—
  - (i) Limit extended school year services to particular categories of disability; or
  - (ii) Unilaterally limit the type, amount, or duration of those services.

#### **(b) Definition.** As used in this section, the term extended school year services means special education and related services that—

- (1) Are provided to a child with a disability—
  - (i) Beyond the normal school year of the public agency;
  - (ii) In accordance with the child's IEP; and
  - (iii) At no cost to the parents of the child; and
- (2) Meet the standards of the SEA.

## Summer Transition Meetings

Teams need to work closely together when a child's transition planning meetings occur in the summer or shortly before the end of the school year. It is important that local teams have procedures in place to ensure that the necessary transition planning meetings are met according to the timelines described for meetings at age 2 years 7 months, 2 years 9 months, and the development of the IEP.

## When the Child isn't Eligible for Early Childhood Special Education

Some children receiving early intervention and approaching their third birthday may not be referred to early childhood special education at the parent's request and others may be evaluated but not meet the eligibility requirements for special education. This could mean that the child and family are left with limited supports and options. Early intervention programs must try to assist families in determining and arranging for other options to meet the child's and family's needs through the development of a transition plan with steps and activities within the child's IFSP.

The team may want to develop activities supporting the child's development at home. Some examples include simple exercises, games, or projects. The team could also consider providing a checklist or simple assessment that the parents can use at home to monitor the child's progress. It is important that the parent knows who to contact if a concern arises in the future.

Parents should be made aware of the community resources that are available in the area. Every community varies in what they may have available, but with some creativity and effort, opportunities can be found. Early intervention staff may want to provide a list of local programs that are available in the community and share this with families. Here are some suggestions for places to start: Head Start programs; private preschool facilities; library activities for young children, such as story time or craft lessons; summer recreation programs; and YMCA classes such as swimming or gymnastics.

The team may schedule a follow-up meeting in the near future to "touch base" and make sure that the child's development is staying on track.

### **Part C Regulation 303.209(a)(2)(c)(2)—Transition Conference for Children Not Eligible for Part B**

(2) If the lead agency determines that a toddler with a disability is not potentially eligible for preschool services under part B of the Act, the lead agency, with the approval of the family of that toddler, makes reasonable efforts to convene a conference among the lead agency, the family, and providers of other appropriate services for the toddler to discuss appropriate services that the toddler may receive.

## CHILD'S AGE: 3 YEARS AND BEYOND

### PUTTING THE TRANSITION PLAN AND THE IEP INTO ACTION

#### Getting Started

After the IEP has been written and placement decisions made, it is time to put the program into action. This is an exciting time of new beginnings for the child and family. As with anything new, many questions will arise. It is important for all members of the IEP team to discuss and answer these questions together, share information, and make decisions that are in the best interest of the child.

Other topics may have been discussed as part of the IEP process and will need to be considered so that the transition is successful. Visits with the new service providers, practicing bus or van rides, and/or bringing a familiar toy from home can be part of the transition.

The key to a good beginning is close communication among all that know and care for the child. As the team works together, each member will think of many creative ideas to help the child enjoy the steps ahead.

#### Topics to Be Reviewed with New Program

- Health records and immunizations
- Special health care needs, allergies
- Medications
- Special diet, any specific food preferences
- Transportation arrangements
- Staff orientation or training
- Emergency contacts and procedures
- Other unique needs and special factors

#### The following documents may need to be provided for school enrollment:

- Birth certificate
- Social Security card
- Current immunization and health records
- Vision and hearing screening results
- Program records
- Medicaid number and copy of card
- Dates of child's developmental milestones
- Proof of residence

#### Questions Families May Ask About the New Program

- Can we do a trial run on the bus or van?
- What school supplies will my child need?
- Are meals and snacks provided?
- Does the teacher understand the times when my child will need special help?
- What types of discipline are used?
- When and how does the teacher prefer to communicate with parents?
- What activities are there for families at the new program?
- What supplies should the family provide (such as diapers, wipes, extra clothes)?
- When can I come to visit?

**The Early Intervention Program will do the following—**

- Ask questions
- Share information with the family and the new program(s)
- Help the child prepare for the new program

**The LEA will do the following—**

- Ask questions
- Arrange for the IEP to be carried out
- Consider the family's needs in making decisions
- Continue to communicate with the family and service providers
- Welcome the child and family
- Provide regular progress reports

**Questions Children May Ask**

- Who are all these people?
- Can someone I know stay with me for a while?
- Can I play with all these toys?
- Can I bring my blanket or a toy to school?
- What if I get tired or hungry?
- Who will help me?

**A Parent's Perspective. . .**



*The most difficult experience that I had was letting go during the three hours a day that my child went to Preschool. He was my baby who needed me. However, the school was very receptive to my visiting and popping in whenever I felt the need.*

**Child's Age: 4 Years—Annual Review Meeting**

The school district or special education unit is responsible for an annual review of the IEP. At that time, the IEP team will review the child's progress and the current services provided for the child. New goals may be developed and if changes in placement are needed these will be discussed. The need for any extended school year services over the summer months will also be reviewed annually.

The IEP may be reviewed at any time upon request by the parents or the LEA. This request for a review can be made any time there is a change in the child's needs, a problem that needs to be discussed, or a need for a revision in how services are provided.

**Child's Age: 6 Years or Earlier—Reevaluation**

Reevaluation must take place at least every three years for children receiving special education services. The purpose of the reevaluation is to determine if there is a change in the child's functioning or skills, if the child continues to be eligible for special

education or if there is new information about the child that would indicate changes in services. Parent notification for this reevaluation is required. It is important for parents to participate actively in this process by contributing information about how the child functions at home and in the community. Additionally, pertinent medical history and information gathered from other sources and/or testing should be shared.

## Conclusion

It is hoped that this Guide has provided useful information to parents, early intervention staff, LEA staff and other early childhood community partners regarding the legal requirements and recommended practices for the transition of young children from Part C to Part B programs in North Dakota. When parents and professionals work together, incorporating the transition steps within this Guide, a positive and smooth transition experience will result that may serve as a model for future transitions.

**All transitions are more successful when families and service providers work through the process together, sharing their views of the child and their creative ideas. This will help to make a free and appropriate public education a reality for every child and family.**

# Appendices

## Appendix A - Tools for Families

- Information about My Child
- Transition Timelines Checklist
- Program Roles and Responsibilities for Transition

## Appendix B - ND Early Childhood Transition Process - Timelines and Activities

## Appendix C - Terms and Definitions

## Appendix D - ND Autism Spectrum Disorder Waiver

## Appendix E - National Centers and Resources

## Appendix F - ND Early Childhood Transition Process - Late Referral to Part C

APPENDIX A - TOOLS FOR FAMILIES

### Information about My Child

As part of preparing for the transition process, you may be asked to think about and share ideas about your child’s abilities and preferences. It is a time to think about plans for your child’s future and prepare for next steps and new programs. This worksheet is designed to help you prepare for participation in meetings and allows you to think through some of the issues that might come up during this time of transition. Examples of answers are only provided to share ideas for how you might respond to the questions. This is a resource to assist in organizing thoughts about your child and does not have to be shared with others. However, it can be given to agency personnel as a resource to help them better understand your child’s strengths, likes and needs.

Questions	Example	Your Thoughts
Some things that my child really enjoys...	<i>Wrestling with his brother Watching construction equipment Dancing with her sister</i>	
Things that please me the most about my child...	<i>She signs thank you without me telling her to He likes to sit and listen to books He will try all kinds of food</i>	
Three things my child has recently learned to do....	<i>Waving bye-bye Counting to 5 Climbing up the slide on our neighborhood playground</i>	
Out of the things you listed that your child just learned, what helped your child to learn this....	<i>He made a little friend at the playground that could use the slide and he wanted to follow him up.</i>	
Some things that my child needs help with everyday....	<i>Cutting up her food into bite-size pieces Washing his hands after going to the bathroom Using her communication book</i>	
Three things my child is working to learn right now...	<i>Getting on and off the swing at our park Going potty in the toilet Drinking out of a regular cup</i>	



Questions	Example	Your Thoughts
What is causing the most difficulty for your child in learning these new things you just listed above...	<i>She can't hold the cup properly because of how her hands are</i>	
What helps my child the most to learn...	<i>Watching someone do something first Having lots of practice Seeing a picture or using a sign to label something</i>	
These are some things that would be helpful right now...	<i>Having new staff watch my child at daycare Talking to her new classroom teacher Talking to another parents that has had a child in preschool Learning about what an IEP is</i>	
The best way to communicate with me about my child is....	<i>I can respond quicker to any text, but I also like to use email. I want to know what happens every day with my child because she doesn't talk I would like someone to come with me to the meetings because I get nervous being by myself.</i>	
What do I need to keep in mind about our family's schedule....	<i>My child naps every day for 2 -3 hours in the afternoon We have private therapy scheduled 3 days a week in the morning My daycare serves lunch early so I need to figure out how this will work with my child's bus ride</i>	
Other questions or issues important to you...		

## Transition Timelines Checklist

This checklist is designed to help parents and other family members keep track of steps and procedures in the transition process.

Activity	Done	Date
<b>Childs Age: Two Years</b>		
I have reviewed the “Understanding Early Childhood Transition Guide.”		
I have started thinking about our values and priorities for the transition.		
I have started writing down questions about leaving early intervention services.		
I have looked at and have begun using the worksheet called “Information about My Child”.		
I have been informed of family support and information organizations.		
I have been informed of other options potentially available through Medicaid waivers.		
<b>Child’s Age: Between 2 Years, 3 months and 2 years, 7 months</b>		
I have been working with my team to develop a Transition Plan in my child’s IFSP with steps and services described.		
I have been told about the disclosure of information regulation called Notification and understand that Notification means a referral to my child’s LEA.		
I have reviewed the form that describes the policy for opting out of the notification to my child’s LEA and have made a decision whether <u>to sign</u> or <u>not sign</u> the form.		
My child has been referred to our LEA. (Write N/A if you signed the form to opt out of the notification)		
I have signed releases of information to share evaluation/assessment information and my child’s IFSP with the LEA. (Write N/A if you signed the form to opt out of the notification)		

Activity	Done	Date
I have received and read the Joint Prior Notice for the Transition Planning Conference and a date for the conference has been set. (Write N/A if you signed the form to opt out of the notification)		
A date for my child's Transition Planning Conference has been set but the LEA will not be participating because I signed the form to opt out of notification.		
My child's DD Program Management continued eligibility has been discussed and planned, if appropriate.		
<b>Child's Age: 2 years, 7 months</b>		
The Transition Planning Conference has been held. We have discussed future service options, shared information, reviewed current assessments and planned additional assessments, if needed. The Transition Plan in my child's IFSP was developed or updated.		
I have received a copy of my procedural safeguards and the LEA staff helped me understand them. (Write N/A if you signed the form to opt out of the notification)		
I have signed consent for the initial evaluation process and assessments have been scheduled with LEA staff and EI staff. (Write N/A if you signed the form to opt out of the notification)		
I have been exploring early childhood programs in my community and have even begun visiting early child programs that might be considered for my child (preschool classroom, Head Start, community programs, etc.).		
<b>Child's Age: 2 years, 9 months</b>		
My child's DD Program Management eligibility has been determined.		

Activity	Done	Date
I am working on outcomes in my child's Transition Plan.		
I understand the status of my child's medical assistance.		
<p><b>Child's Age: 2 years, 9 months</b>            (Skip this section or write N/A if you signed the form to opt out of the notification to the LEA)</p>		
I have received and read the Joint Prior Notice for the 2 years 9 month meeting.		
My child has participated in any other needed assessments.		
I have received a copy of my child's special education eligibility determination evaluation report.		
If my child is not eligible for special education services, I have discussed other options with my child's team.		
I have received a prior notice from the LEA for my child's IEP meeting.		
I have been told that I may invite my Early interventionist and DD Program Manager to the IEP meeting.		
The IEP meeting has been held to determine educational needs, goals, special education and related services, and location of services.		
I have signed Consent for Initial Placement in Special Education.		
The IEP team has discussed any concern or need for extended school year provisions and the decision has been included in the IEP as necessary. This is especially important for children who are turning three during the summer months.		
I have gathered copies of records and information needed for school registration.		
I have obtained contact information for those individuals who will be working with my child.		
Transportation arrangements that are necessary have been made.		

Activity	Done	Date
<b>Child's Age: 3 years and older</b>		
I have visited with my child's new service providers and have determined if a plan for communication is needed for the next year.		
I have prepared my child for their changes in service providers.		
My child's IEP has been implemented as planned.		

## Program Roles and Responsibilities for Transition

Several people will play roles in helping your child and family transition from your current early intervention program to preschool and other service options when your child turns three. Following are brief descriptions of the roles these individuals are assigned in the process and space for you to include names and contact information.

### **INFANT DEVELOPMENT STAFF (Primary Early Intervention Professional/Home Visitor)**

This person will:

1. Begin a discussion with you about what will happen during transition and how this will affect the services your child is receiving when your child turns three.
2. Together with you and your family, develop a Transition Plan with steps and services for your child that is part of the Individual Family Service Plan.
3. Discuss your option to Opt Out of the referral for Part B services.
4. Request your written permission to release information to your local school district as your local school or special education unit will provide services to children with disabilities at age three. The information that will be shared will include evaluations, diagnostic information and current program information such as the IFSP.
5. Attend all meetings about your child's transition with you and provide information about the transition process, preschool and other placement options, continue to provide services for your family and child until your child turns three.

My child's Primary Early Intervention Professional: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail \_\_\_\_\_

Mailing & Office Address: \_\_\_\_\_

**DEVELOPMENTAL DISABILITIES PROGRAM MANAGER**

This person will:

1. Provide you with information about how eligibility for Developmental Disabilities (DD) Program Management changes when your child turns age three.
2. Explain the process and assist you with the re-determination of eligibility for DD Program Management when your child is age three.
3. Attend all meetings about your child's transition with you and provide information about the transition process, preschool and other placement options, continue to provide services for your family and child until your child turns three.
4. Provide you with information about the supports and services available for your child within your community.

My child's Developmental Disabilities Program Manager: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Mailing & Office Address: \_\_\_\_\_



## LOCAL EDUCATION AGENCY

This individual may be from the local school district or the regional special education unit. This person will:

1. Maintain the confidentiality of information about your child.
2. Attend the planning meetings for your child's transition and regarding services after your child is three years of age.
3. Provide you with information about the service options available through the school district and assist you in researching those options by arranging visits to the classrooms, meeting therapists, etc.
4. Be responsible for putting your child's first Individualized Education Program (IEP) into action and assist in resolving any concerns that come later in the process.

Other teachers and related service providers may provide direct and supportive services that assist your child to benefit from their IEP. There may be a best way to contact each of these people and you will want to keep note of when and how to contact them and how to get in touch with personnel when there is an emergency.

The Special Education Director: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

My child's Special Education Teacher: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

My child's General Education Teacher: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

Related Services Provider: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

My child's Bus Driver: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

Other Transportation Support Contacts: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

Speech Language Pathologist: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

Occupational Therapist: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

Physical Therapist: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

Other: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

Other: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

Other: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Mailing and Office Address: \_\_\_\_\_

APPENDIX B

## North Dakota Early Childhood Transition Process Timelines and Activities

<u>TIMELINE</u>	<u>ACTIVITY</u> <small>The initials following each activity represent the agency or agencies responsible for the activity. EI-Early intervention (Infant Development and/or Developmental Disabilities) <i>*Infant Development has primary responsibility if the child is enrolled in the ID program.</i> DD-Developmental Disabilities LEA-Local Education Agency</small>
2 Years and older	<ul style="list-style-type: none"> <li>• Share “Understanding Early Childhood Transition” Guide at the IFSP meeting or review Guide at meeting closest to the child’s 2<sup>nd</sup> birthday - EI</li> </ul>
Between 2 years, 3 months and 2 years 7 months	<ul style="list-style-type: none"> <li>• Early intervention program shares opt out option and informs the family they have ten days to decide – EI</li> <li>• Parents, with the assistance of the IFSP team, will discuss the process for determining the child’s eligibility for Early Childhood Special Education and/or DD Program Management - EI</li> <li>• Development of Transition Plan in the IFSP with services and steps - EI</li> <li>• Family decides to opt out, form is signed and no notification sent to LEA - EI</li> <li>• Family decides to <u>not</u> opt out, potentially eligible child’s name, date of birth, and parent contact information sent to LEA - EI                             <ul style="list-style-type: none"> <li>○ Parent signs a release of information - EI</li> <li>○ Information sent to LEA may include assessment reports, child’s IFSP, etc. - EI</li> <li>○ In consultation with parents and LEA, schedule Transition Planning Conference - EI</li> <li>○ EI sends the Joint Prior Notice which serves as the invitation to the Transition Planning Conference - EI</li> </ul> </li> </ul>
2 years 7 months	<p>Transition Planning Conference is held for children considered potentially eligible for Early Childhood Special Education services to:</p> <ul style="list-style-type: none"> <li>• Review the Part B Procedural Safeguards - LEA</li> <li>• Discuss eligibility criteria and requirements for Part B - LEA</li> <li>• Discuss continuum of services and visits to placement options - LEA/EI</li> <li>• Discuss eligibility re-determination of DD Program Management - DD</li> <li>• Review current assessments and child’s IFSP - LEA/EI</li> <li>• Update the child’s Transition Plan steps and services, if appropriate - EI</li> </ul>

<b><u>TIMELINE</u></b>	<p align="center"><b><u>ACTIVITY</u></b></p> <p align="center">The initials following each activity represent the agency or agencies responsible for the activity.                      EI-Early intervention (Infant Development and/or Developmental Disabilities)  <i>*Infant Development has primary responsibility if the child is enrolled in the ID program.</i>                      DD-Developmental Disabilities                      LEA-Local Education Agency</p>
	<ul style="list-style-type: none"> <li>• Parent(s) sign consent(s) for initial evaluation process - LEA</li> <li>• Determine need for additional assessments or information - LEA/DD</li> <li>• If additional evaluations are needed, jointly develop assessment plan - LEA/EI</li> <li>• Transition Planning Conference is held for all children including those whose families do not choose to pursue Part B services - EI</li> </ul>
<p>Prior to child turning 2 years 9 months</p>	<ul style="list-style-type: none"> <li>• Assist family in implementing IFSP outcomes in the Transition Plan - EI</li> <li>• Conduct initial evaluation with considerations for joint assessment with EI - LEA</li> <li>• DD program management eligibility re-determination completed - DD</li> <li>• In consultation with parents, schedule the 2 year, 9 months meeting - LEA/EI</li> <li>• Joint Prior Notice sent to family and team members - LEA</li> </ul>
<p>Child is 2 years 9 months of age</p>	<p>2 year 9 month meeting is held to:</p> <ul style="list-style-type: none"> <li>• Share DD program management eligibility results - DD</li> <li>• Determine eligibility for special education under IDEA Part B - LEA</li> <li>• If the child is determined eligible, the IEP meeting is held - LEA                             <ul style="list-style-type: none"> <li>○ Review IDEA Part-B Procedural Safeguards - LEA</li> <li>○ Attend IEP meeting if invited with parent approval - EI</li> <li>○ Write IEP - LEA/EI</li> <li>○ Parents sign consent for placement if eligible for Part B special education services - LEA</li> </ul> </li> <li>• Update the Transition Plan in the IFSP, including documenting steps and services for all children - EI</li> </ul>
<p>By the child's 3<sup>rd</sup> birthday</p>	<ul style="list-style-type: none"> <li>• If the child is determined eligible under IDEA Part B, receive services through Early Childhood Special Education - LEA</li> <li>• If the child is not eligible or if the family did not provide approval for the referral to Part B, transition services will be provided to other community supports and services - EI</li> </ul>

## APPENDIX C

# TERMS AND DEFINITIONS

Many terms have different meanings across States and programs. The following, to the maximum degree possible, follow federal definitions.

**Caregivers:** The people who spend significant amounts of time with the child, such as parents, childcare providers, and teachers.

**Child Find:** A component of IDEA that requires the State to have policies and procedures to ensure that all children with disabilities residing in the State, who are in need of special education and related services, are identified, located and evaluated.

**Developmental Disability (DD):** A substantially limiting physical or mental impairment that affects basic life activities such as hearing, seeing, speaking, walking, caring for oneself, learning, or working.

**Developmental Disabilities Program Management:** The purpose of DD Program Management is to provide information, referral, and support to eligible individuals so they can access needed services and achieve agreed upon, identified outcomes. DD Program Management provides an interface or connection between individuals with disabilities and the system of public-funded and generic services and supports, and promotes services that meet reasonable standards of quality that lead to outcomes for individuals. The DD Program Manager has primary responsibility to facilitate the integrated delivery of all services and supports the individual is receiving.

**Early intervention (EI):** A collection of services provided by public and private agencies and designed by law to support eligible children and families in enhancing a child's potential for growth and development from birth to age three. In North Dakota Early intervention includes Developmental Disabilities Program Management and Infant Development.

<http://www.nd.gov/dhs/services/disabilities/earlyintervention/>

**Extended School Year (ESY):** The delivery of special education and related services provided during the summer vacation or other periods when school is not in session. The purpose for ESY services is to assist a child with a disability in maintaining skills that allow continued placement in the least restrictive environment. The IEP team must consider the need for Extended School Year annually and must describe those services specifically with goals and objectives. Not all special education students require an extended school year. Extended school year services must be individually determined.

**Free and Appropriate Public Education (FAPE):** An individualized education program that is designed to meet the child's unique needs and from which the child receives educational benefit. The educational services must be at no cost to the family.

**Head Start:** A federal program started in 1965 aimed at providing a comprehensive preschool program for children ages three to five from low-income families. Planned activities are designed to address individual needs and to help children attain their potential in growth and mental and physical development before starting school. Ten percent of enrollment is required to be for children with disabilities.

<http://www.acf.hhs.gov/programs/ohs/>

**Health Insurance Portability Accountability Act (HIPAA):** Federal law that outlines the confidentiality and protection of medical records.

<http://www.hhs.gov/ocr/privacy/hipaa/understanding/index.html>

**Individuals with Disabilities Education Improvement Act (IDEA):** The federal law that provides the legal authority for early intervention and special education services for children birth to age 21. Part B outlines services for children ages three to 21. Part C outlines services for children birth to age three.

<http://idea.ed.gov/>

**Individualized Education Program (IEP):** The IEP is the result of a process that is essential to ensure that individuals with disabilities have appropriate educational planning to accommodate a child's unique instructional needs, and that these needs are met in an appropriate learning environment. It is required by the Individuals with Disabilities Education Improvement Act (IDEA) for all children eligible for special education and related services.

**IEP Team:** The IEP is made up of the child's parents, special education teacher, a general education teacher, and a representative of the LEA. Other team members may include related service providers, professionals who evaluated the child and others with knowledge or special expertise regarding the child. The members of the team develop the initial IEP and meet subsequently to review progress and make changes in the written program.

**Individual Family Service Plan (IFSP):** The written document that defines the early intervention services provided to the child (age birth to three) and family. The program is designed meet the needs of the child and the family, and is based on family-identified priorities.

**Infant Development:** The service in North Dakota that employs Primary Early intervention Professionals (PEIP) who are often referred to as home visitors.

**Natural Environment:** The natural or everyday settings for the child. These are places where the child would be if they did not have a special developmental concern. It is where all children would be (for example, home, childcare, parks, etc.)

**North Dakota Department of Human Services:** This agency manages a variety of programs and is responsible for Developmental Disability Services which include Autism



Waiver services, Developmental Disabilities provider licensing, Developmental Disability Waiver services, Family Support, and Infant Development services.

<http://www.nd.gov/dhs/>

**North Dakota Department of Public Instruction:** This state agency enforces state statutes and federal regulations related to the establishment and maintenance of public schools and related programs.

<http://www.dpi.state.nd.us/>

**Office of Special Education Programs:** OSEP is an office in the US Department of Education responsible for the implementation of early intervention and special services as defined by the Individual's with Disabilities Education Act (IDEA). This office focuses on improving results for infants, toddlers, children and youth with disabilities ages birth through 21 by providing leadership and financial support to assist states and local districts.

<http://www2.ed.gov/about/offices/list/osers/osep/index.html>

**Part B Case Manager:** Local school policies and procedures identify the case manager who arranges and convenes IEP meetings, maintains contact with parents, gathers information from team members, and prepares and distributes the finalized document. Typically, a special education provider is assigned case management responsibility. However, other persons may fulfill that role, including building administrators, counselors, general education personnel, or relates services

**Primary Early intervention Professional (PEIP):** The home visitor from the early intervention provider which in North Dakota is also referred to as Infant Development

**Related Services:** Transportation and such developmental, corrective, and other supportive services determined by an IEP team as required to assist a student with a disability to benefit from special education. Such services could include speech-language pathology; audiology services; interpreting services; psychological services; physical and occupational therapy; recreation, including therapeutic recreation; early identification and assessment of disabilities in children; counseling services, including rehabilitation counseling; orientation and mobility services; and medical services for diagnostic or evaluation purposes. The term also includes school health services and school nurse services; social work services in schools; and parent counseling and training.

**Screening:** The process of looking at a child's development to find out if there are any areas of concern. It is used to recommend children for more in-depth evaluation.

**Section 504 of the Rehabilitation Act:** A federal law that protects the civil rights of individuals with disabilities. This law is closely intertwined with IDEA. Children with disabilities who are not eligible for special education may qualify for accommodations under Section 504.

<http://www.hhs.gov/ocr/civilrights/resources/factsheets/504.pdf>

**Service Coordination:** The responsibility of the professional most immediately relevant to the infant's, toddler's or family's needs to ensure the implementation of the IFSP and coordination with other agencies and persons, including transition services.

**Special Education:** Specially designed instruction, at no cost to the parents, to meet the unique needs of a student with a disability.

**State Education Agency (SEA):** The ND Department of Public Instruction or other agency responsible for the State supervision of public elementary and secondary schools.

<http://www.dpi.state.nd.us/>

**Transition:** The movement from one service, location, or program to another. Young children with disabilities may transition at age three from early intervention to preschool special education services. Children may transition at age five from early childhood special education services to a public school or kindergarten program.

## APPENDIX D

### **North Dakota Autism Spectrum Disorder (ASD) Waiver**

The North Dakota Autism Spectrum Disorder (ASD) Waiver is a Medicaid funded waiver that is administered through the North Dakota Department of Human Services, Developmental Disabilities Division. This waiver provides service options for individuals living with a primary caregiver. The goal of the waiver is to support the primary caregiver to maximize the child's development and may help to prevent out of home placements. This waiver is currently available to children who have a diagnosis on the Autism Spectrum, are the ages of birth through 4, and have a need for one of the ASD waiver services. North Dakota currently has a limited number of slots to serve this population of children. Children must be referred to the regional Developmental Disabilities Program Management units and be found eligible in order to qualify for this waiver. All eligible children will receive program management services through the regional Human Service Center.

As part of the eligibility determination process for the Autism Waiver, children must be evaluated through the North Dakota Evaluation and Diagnosis Team (EDT). Currently, this team is being organized and managed through the North Dakota Center for Persons with Disabilities out of Minot State University. Reaching a decision on the diagnosis of an autism spectrum disorder is the main purpose of the evaluation. While a child may already have a diagnosis from another source, they will still need to be seen by the EDT. The evaluation occurs at the child's home with their family present.

There are a number of services that are available to children who are on the ASD Waiver, including these:

- Intervention Coordination - This service is being provided by regional Infant Development providers. This means that some Infant Development providers can serve children over 3.
- Environmental Modifications
- Equipment and Supplies
- In-Home Supports (respite care)

The description of the Autism Waiver within these Guidelines is relevant because it serves as a reminder that the same transition procedures still apply to the children on this waiver who are under age 3 and that there may be some additional procedures that apply. These are summarized below:

- Children under 3 can be on the Autism Waiver and the rules and regulations relating to Part C of the Individuals with Disabilities Act relate to these children. Those providing Intervention Coordination and DD Program Management are responsible for making sure that all of the transition activities take place.

- The exception is that children on the Autism Waiver will not need to have a redetermination of eligibility for DD Program Management at 3 as they can continue to stay on the Autism Waiver. This discussion about continuing supports from DD Program Management and possible waiver services must take place prior to the time the child turns 4 years, 9 months.
- Children over 3 who are on the Autism Waiver will potentially have both services through their local special education services and the Autism Waiver. This means they will have both an Individual Education Plan and an Individual Family Service Plan. They may be enrolled in a preschool program through their local school district and also continue to have home-based supports through Intervention Coordination.
- It is important that local schools, DD Program Management, and Intervention Coordination providers work together to create a streamlined plan for children and their families.
- For children that are approaching the age of 5, the following needs to occur:
  - Transition activities are included in the Individual Family Services Plan starting at 4 years of age.
  - Collaboration should occur with the school on transition meetings/activities; however DD Program Managers and Intervention Coordination providers should assure that meetings are held at 4 years, 7 months and 4 years, 9 months to address needed transition activities.
  - Redetermination for DD Program Management should occur prior to the child turning 4 years, 9 months.
  - Referrals to additional parent-to-parent and/or family support organizations should occur with parent permission around the time the child is 4 years, 9 months.

## APPENDIX E

### NATIONAL CENTERS AND RESOURCES

**CONNECT** (The Center to Mobilize Early Childhood Knowledge) has developed web-based, instructional resources for faculty and other professional development providers that focus on personnel working with young children and their families in a variety of learning environments and inclusive settings. A module on effective transition practice is available.

<http://connect.fpg.unc.edu/>

**Data Accountability Center** provides information and technical assistance for states to improve the quality of all state-reported data required by the Individuals with Disabilities Education Act (IDEA). The Center's web site provides public access to data about children and youth with disabilities served under this law.

<https://www.ideadata.org/default.asp>

**Early Head Start National Resource Center** is the technical assistance center for Early Head Start programs in states. The Center provides a variety of resources for both families and the personnel working with infants and toddlers.

<http://www.ehsnrc.org/>

**Early intervention Family Alliance** is a national group of family leaders dedicated to improving outcomes for infants and toddlers with disabilities and their families.

<http://www.eifamilyalliance.org/>

**Head Start Early Learning and Knowledge Center** is a service of the federal Office of Head Start to provide information on the program requirements as well as provide training and information resources on a variety of topics. Links to other Head Start national centers are provided.

<http://eclkc.ohs.acf.hhs.gov/hslc>

**NECTAC** (National Early Childhood Technical Assistance Center) supports the national implementation of the early childhood provisions of the IDEA by working with state agencies responsible for those services. Resources are available on a variety of topics including specific resources are maintained on transition.

<http://www.nectac.org/>

**NECTC** (National Early Childhood Transition Center) was funded to examine and research factors promoting successful transitions between infant/toddler programs, preschool programs, and public school programs for young children with disabilities and their families. The center provides publications, a tool kit and evidence-based practice resources.

<http://www.ihdi.uky.edu/nectc/>

**National Early Childhood Transition Initiative** supports state and local capacity to address transition issues, implement improvement activities, and demonstrate progress in meeting the requirements of the State Performance Plan (SPP) and Annual Performance Reports (APR) for the Early Childhood Transition Indicators C8 and B12. The initiative was a collaborative technical assistance effort of OSEP, the Regional Resource Center Program (RRCP), the National Early Childhood Technical Assistance Center (NECTAC), the National Early Childhood Transition Center (NECTC) and the Data Accountability Center (DAC).

<http://www.nectac.org/topics/transition/ectransitionta.asp>

**NICHCY** (National Dissemination Center for Children with Disabilities) serves as a source of information on disabilities in infants, toddlers, children, and youth. State Resource Sheets provide contact information for the disability agencies and organizations.

<http://nichcy.org/>

**NPDCI** (National Professional Development Center on Inclusion) was funded to create a system of high quality, cross-agency, accessible professional development for early childhood personnel relating to inclusion. Resources for examining and designing personnel development resources are provided.

<http://npdci.fpg.unc.edu/resources/topics/professional-development>

**NPTAC** (The ALLIANCE National Parent Technical Assistance Center), a project of PACER provides Parent Centers, Parent Training and Information Centers (PTIs) and Community Parent Resource Centers (CPRCs), with technical assistance and resource to build the capacity of Parent Centers to improve results for children with disabilities ages 0–26.

<http://www.parentcenternetwork.org/national/aboutus.html>

**OSEP** (Office of Special Education Programs), is an office in the US Department of Education that administers the Individuals with Disabilities Education Act (IDEA).

<http://www2.ed.gov/about/offices/list/osers/osep/index.html>

OSEP maintains the **IDEA Legacy** web site devoted to the IDEA: <http://idea.ed.gov/>

**PACER Center** operates a large number of projects designed to offer individual assistance, workshops, publications, and other resources to help families make decisions about education and other services for their child or young adult with disabilities.

<http://www.pacer.org/>

**PEAK Parent Center** (Region 5 Parent Technical Assistance Center) provides training, information and technical assistance to provide families of children birth through twenty-six including all disability conditions with strategies to advocate successfully for their children.

<http://www.peakparent.org/index.asp>

**RRCP** (Regional Resource Center Program) is funded by OSEP and provides services to all states as well as the Pacific jurisdictions, the Virgin Islands, and Puerto Rico through six regional program centers. The Program assists state agencies responsible for implementing the IDEA in the systemic improvement of programs, practices, and policies that affect children and youth with disabilities.

<http://www.rfccnetwork.org>



APPENDIX F

## North Dakota Transition Process Late Referral to Part C

<u>TIMELINE</u>	<u>ACTIVITY</u> The initials following each activity represent the agency or agencies responsible for the activity. EI-Early intervention (Infant Development and/or Developmental Disabilities) <i>*Infant Development has primary responsibility if the child is enrolled in the ID program.</i> DD-Developmental Disabilities LEA-Local Education Agency
Late referral to Part C between 45 to 90 days before the child's third birthday	<ul style="list-style-type: none"> <li>• Conduct evaluation to determine eligibility for Part C services - EI</li> <li>• If determined eligible, conduct initial IFSP meeting to develop initial IFSP - EI                             <ul style="list-style-type: none"> <li>• Transition Plan is not required, but transition outcomes must be included in the IFSP - EI</li> <li>• Parents, with the assistance of the IFSP team, will discuss the process for determining the child's eligibility for Early Childhood Special Education and/or DD Program Management - EI</li> <li>• Early intervention shares opt out option and informs the family they have ten days to decide - EI</li> </ul> </li> <li>• Family decides to opt out, form is signed and no notification sent to LEA - EI</li> <li>• Family decides to <u>not</u> opt out, potentially eligible child's name, date of birth, and parent contact information sent to LEA - EI</li> <li>• Transition notification to SEA and LEA of residence is required and occurs as soon as possible if child is determined eligible, unless the parent has opted out of notification.</li> <li>• Parent signs a release of information - EI                             <ul style="list-style-type: none"> <li>• Information sent to LEA may include assessment reports, child's IFSP, etc. - EI</li> </ul> </li> <li>• Transition Planning Conference is not required - EI</li> <li>• In consultation with parents and LEA, schedule a meeting to discuss eligibility under IDEA Part B - EI                             <ul style="list-style-type: none"> <li>• EI sends the Joint Prior Notice which serves as the invitation to the meeting - EI</li> </ul> </li> <li>• Meeting is held for children considered potentially eligible for Early Childhood Special Education services to:                             <ul style="list-style-type: none"> <li>• Review the Part B Procedural Safeguards - LEA</li> <li>• Discuss eligibility criteria and requirements for Part B - LEA</li> <li>• Discuss continuum of services and visits to placement options - LEA/EI</li> <li>• Discuss eligibility re-determination of DD Program Management - DD</li> <li>• Review current assessments and child's IFSP - LEA/EI</li> <li>• Update the child's transition outcomes, if appropriate - EI</li> </ul> </li> </ul>

<p><b><u>TIMELINE</u></b></p>	<p><b><u>ACTIVITY</u></b></p> <p>The initials following each activity represent the agency or agencies responsible for the activity.                      EI-Early intervention (Infant Development and/or Developmental Disabilities)  <i>*Infant Development has primary responsibility if the child is enrolled in the ID program.</i>                      DD-Developmental Disabilities                      LEA-Local Education Agency</p>
<p>Late referral to Part C between 45 to 90 days before the child's third birthday (continued)</p>	<ul style="list-style-type: none"> <li>• Parent(s) sign consent(s) for initial evaluation process - LEA</li> <li>• Determine need for additional assessments or information - LEA/DD</li> <li>• If additional evaluations are needed, jointly develop assessment plan - LEA/EI</li> <li>• If the child is found to be eligible, the IEP meeting is held:                             <ul style="list-style-type: none"> <li>• Review IDEA Part-B Procedural Safeguards and write IEP - LEA</li> <li>• Attend IEP meeting if invited with parent approval - EI</li> </ul> </li> <li>• Parents sign consent for placement if eligible for IDEA Part B services - LEA</li> </ul>
<p>Late Referral to Part C between 45 days and third birthday</p>	<ul style="list-style-type: none"> <li>• Eligibility for Early Intervention services will not be completed - DD</li> <li>• Family makes an informed decision as to whether they wish to pursue adult DD Program Management eligibility - DD</li> <li>• DD Program Managers will assist parents in becoming aware of the community resources that are available in the area and may provide a list of local programs that are available in the community, including the LEA – DD</li> </ul>