North Carolina
Early Childhood Transition
Frequently Asked Questions and Answers

Question 1: **Answer 1:**	Who is responsible for conducting the Transition Planning Meeting? The Lead Agency (North Carolina Infant-Toddler Program) is responsible for scheduling and conducting this IFSP meeting with the Local Educational Agency (LEA). (The Early Intervention Service Coordinator usually schedules the meeting.) During the meeting, a transition plan will be developed and added to the IFSP. Information to be discussed in this meeting includes: • Special education procedures for an initial evaluation; • Explanation of informed parental consent for evaluation; • Preschool program eligibility determination process; • A description of the local program and possible services for the child if he/she is eligible; • Potential future service options; • Steps to help the child move to a new service delivery system; and • A timeline to complete the activities in the transition plan.	North Carolina Policies NC 1501-4.4(c) 34 CFR §300.124(c)]
Question 2: **Answer 2:**	When does the Early Intervention Service Coordinator schedule the Transition Planning Meeting (TPM)? The TPM may be scheduled as early as age 2 years 3 months but no later than 2 years, 9 months and prior to the child's third birthday. If the TPM occurs at 2 years, 9 months, the LEA must be prepared to do the written referral and obtain parental permission to test in order to complete the process by the child's third birthday.	NC 1501-4.4(b)(c) 20 USC 1437 §637(a)(9)(A)(ii)(II)]
Question 3: **Answer 3:**	Who are the required participants at the Transition Planning Meeting? The parents, the Early Intervention Service Coordinator, LEA staff member and others as appropriate (such as a service provider, family member, friend, and other LEA personnel).	NC 1501-4.4(c) 34 CFR §300.124(c)

Question 4:	Should the LEA written referral be completed at the Transition Planning Meeting?	
Answer 4:	The purpose of the Transition Planning Meeting is to develop a transition plan. The IEP, for eligible children, must be developed and implemented by the third birthday. Therefore, depending upon how early the meeting is scheduled prior to the child's third birthday, the written referral may or may not be completed. When the written referral is received, the 90-day timeline for the initial evaluation process begins.	NC 1503-2.2(c)
Question 5:	Which parent rights apply during the transition period, Part C or Part B?	
Answer 5:	The Procedural Safeguards in the Individuals with Disabilities Education Improvement Act Parts C and B are in effect during the transition period. The Early Intervention Service Coordinator provides the parent(s) with the Part C Procedural Safeguards. The Part C Procedural Safeguards remain in effect as long as the child receives services under Part C. The Part B Procedural Safeguards become effective upon the LEA's receipt of the written referral. The LEA must provide the parents with the Part B Procedural Safeguards (Handbook on Parents' Rights) when requesting informed parental consent for evaluation.	NC 1504-1.5
Question 6:	What is the difference between "Notification" and "Referral" when a child is transitioning from Part C to B services?	
Answer 6:	The IDEA requires Parts C and B to participate in Child Find. Part C personnel must notify the LEA about a child that may be eligible for special education and related services under Part B. Information received by the Part B program about transitioning children from the Part C program shall be defined as N*otification.* *Child Find Notification* contains contact information, the child's name and date of birth. Additional information about the child may be provided after parental consent for release of information is obtained by the Part C personnel. This shall be referred to as *Parental Consent Notification*. After this consent is obtained, more in depth information, including all current assessments, may be shared with the Part B personnel. The term *Referral* means the written referral for	NC 1503-2.2(b) 34 CFR §300.301

	evaluation for eligibility for special education and related services. This may be in the form of a letter from the parents or the DEC 1 Referral form. Either the parent of a child or the LEA can make a written referral. The IEP team completes the areas of concern, reviews existing data and determines what, if any, new data or information is needed. If the child will be evaluated informed parental consent for evaluation is obtained (DEC 2) and the parent is given the Part B Procedural Safeguards (Handbook on Parents' Rights). *Note: DEC on the forms refers to the Division of Exceptional Children.	
Question 7: **Answer 7:**	Do we have to comply with the timeline requirement for initial evaluations for children transitioning from Part C? Yes. There are two timeline requirements for children transitioning from Part C. First, the IEP must be developed and implemented by the child's third birthday. Second, the <u>North Carolina Policies Governing Services for Children with Disabilities</u> established the timeline for the completion of the initial evaluation process as 90 days from receipt of the written referral to placement decision, including the development of the IEP, if the child is eligible.	NC 1503-2.2(c) NC 1503-4.4
Question 8: **Answer 8:**	How is the timeline different for a child referred to the LEA who has not received services through the Part C Infant-Toddler Program? For children who have not received services from Part C, there is only one timeline. The LEA must adhere to the 90-day timeline for receipt of referral to placement decision, including the development of the IEP, if the child is eligible.	NC 1503-2.2(c)
Question 9: **Answer 9:**	Can the LEA begin assessments prior to a child's third birthday? Yes. If the child is transitioning from Part C the LEA **must** begin assessments prior to the third birthday because if the child is eligible for special education and related services the IEP **must** be developed and implemented by the third birthday.	NC 1501-4.4(b)
Question 10:	Can we write an IEP more than 30 days prior to the child's third birthday?	

Answer 10:	Yes. It is recommended that IEPs be completed between 2 years 9 months and 2 years, 11 months in order to ensure the development and implementation of the IEP by the child's third birthday. If an IEP is written several months prior to the third birthday, the service provider should monitor the IEP goals to determine whether the IEP team needs to review and revise the IEP, if appropriate.	
Question 11: **Answer 11:**	Who may serve as the regular education teacher at the IEP team meeting for a preschool child receiving services in the home? If the purpose of the IEP team meeting is to determine eligibility and develop the initial IEP, then a Birth-Kindergarten (B-K) licensed teacher would serve as the regular education teacher. If the purpose of the IEP team meeting is to review/revise the IEP for a child already placed in special education and the current setting is home, one cannot assume the child will continue to receive services in the home. The federal regulations require no less than one regular education teacher of the child (if the child **is or may be**, participating in the regular education environment). [34 CFR §300.321(a)(2)]	NC 1503-4.2(a)(2)
Question 12: **Answer 12:**	Do all of the IEP team members have to attend every meeting and can changes be made without a meeting? An IEP team member does not have to attend all or part of a meeting if his/her area of the curriculum or related service **is not** being discussed **and** the LEA and parent agree to this in writing. An IEP team member does not have to attend all or part of a meeting if his/her area of the curriculum or related service **is** being discussed **and** the LEA and parent consent to this in writing. The member must submit his/her input into the development of the IEP to the team and the parent prior to the meeting. After the annual review of the IEP, the parent and the public agency may agree, in writing, to make changes without conducting an IEP team meeting, and may develop a written document to amend or modify the child's current IEP. The public agency must ensure that the child's IEP team is informed of the changes.	NC 1503-4.2(e) NC 1503-5.1(a)(4) NC 1503-5.1(6)

	NC *Policies* require that the public agency provide the parent with a revised copy of the IEP and the changes.	
Question 13: **Answer 13:**	Can the Birth-Kindergarten or preschool add-on licensed teacher serve as the LEA representative, the regular education teacher, and the special education teacher at an IEP meeting? No. When the Birth-Kindergarten or preschool add-on licensed teacher (provisional or permanent) is designated as the LEA representative, he/she can only serve in one other role; either the regular or special education teacher. The LEA representative must meet all three (3) requirements in the Federal Regulations. A representative of the public agency: 1. Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; 2. Is knowledgeable about the general education curriculum; and 3. Is knowledgeable about the availability of resources of the public agency. Being knowledgeable about the availability of resources includes being able to commit those resources.	NC1503-4.2(a)(4)
Question 14: **Answer 14:**	May LEAs conduct screenings for children who are transitioning from the Infant-Toddler Program prior to completion of the written referral? Yes. Screenings may be conducted particularly when the transition team suspects the child may not be eligible for preschool services. However, conducting a screening may NOT delay the transition process. Parents must be informed of the screen results and given the right to pursue a written referral, if desired. This would be considered a Child Find activity. *Note: If the LEA conducts a mass screening then parental notification is not required. If the LEA conducts individual screening then parental notification is required and depending upon the instrument used, consent may be needed.*	
Question 15:	For children with a late spring/summer birthday, may a school district have a policy that they will only admit preschool aged children in the fall?	

Answer 15:	No. An LEA may not have a policy that it will only admit preschool aged children in the fall. The child's IEP must be developed and implemented by his/her third birthday, if transitioning from the Part C Program. If the child's birthday occurs prior to the end of the school year, services would be provided until the last day of school. If the child's birthday occurs after the end of the school year, services would commence at the beginning of the next school year. However, if during the development of the IEP, the team determines that Extended School Year (ESY) services are required in order to provide FAPE, services would be provided during the summer.	NC 1501-4.4(b)
Question 16: **Answer 16:**	For a child whose third birthday is late spring/summer, may extended school year (ESY) services be provided without using a regression formula for school-aged children? Yes. The IEP team must determine, on an individual basis, the need for ESY services in order to provide FAPE for the child. The IEP team must consider: 1. Whether the student regresses or may regress during extended breaks from instruction and cannot relearn the lost skills within a reasonable time; or 2. Whether the benefits a student gains during the regular school year will be significantly jeopardized if he or she is not provided with an educational program during extended breaks from instruction; or 3. Whether the student is demonstrating emerging critical skill acquisition ("window of opportunity") that will be lost without the provision of an educational program during extended breaks from instruction.	NC 1501-2.4(b)(2)
Question 17: **Answer 17:**	May an IFSP be used for a child from age 3 through 5 years, who is eligible for preschool services? Yes. For children from 3 through 5 years of age, an IFSP may be used for preschool services, as long as it meets the content requirements of the federal regulations, if agreed to by the LEA and parents. It must also meet the special education requirements for participants, timelines and notice/consent procedures. The IFSP would be developed by the LEA staff, would have a new start date, and would be in	NC 1503-4.4(b)(1) NC 1503-4.4(b)(2) 34 CFR 300.323 (b)(1) 34 CFR 300.323 (b)(1)

	effect for one year. If an IFSP is used, this does not mean the child remains in the Infant-Toddler Program, but instead means that the preschool services are being provided using an IFSP. Parents must be given a detailed explanation of the difference between an IFSP and IEP, and must provide informed consent for using an IFSP	
Question 18:	Can the LEA IFSP/IEP team determine that the existing IFSP developed under the Infant-Toddler Program contains all appropriate information and services identified through the initial evaluation?	
Answer 18:	Yes. The IEP team may review the current IFSP to see if it continues to be appropriate and may revise it to meet all requirements of special education IEP procedures. It could be that this IFSP would only be in effect for a short period of time at which time a new IEP/IFSP must be in effect for services to continue. The frequency, duration, and location of the services must be determined by the team.	NC 1503-4.4(b)(1) NC 1503-4.4(b)(2)
Question 19:	If a school district was notified about a child, but the child later exited from the Infant-Toddler Program, does the LEA have to complete the transition process?	
Answer 19:	No. If the child exited from the Infant-Toddler Program due to progress made resulting in ineligibility for services, there is no longer an IFSP in place and the child is not enrolled in the Infant-Toddler Program.	NC 1501-4.4(a)
Question 20:	What is the continuum of alternative placements for preschool children that we can describe to parents during Transition Planning Meetings?	
Answer 20:	At the Transition Planning Meeting, school system representatives should describe the full continuum of placement possibilities, and explain that the child's needs and goals on the IEP will lead the IEP team in determining the most appropriate placement. The continuum includes: ▪ Regular early childhood program (a preschool class where no more than 50% of the children have an IEP), ▪ Special education program provided in a separate class, separate school, residential facility; ▪ Service provider location, ▪ Home instruction.	NC 1501-3.2(c)

Question 21: **Answer 21:**	What are some possible programming options in North Carolina within the continuum of alternative placements in which the child could receive preschool services that may be considered by the IEP team at the time of transition? Some regular early childhood programming options include: ▪ State-funded More at Four Program, ▪ Head Start, ▪ Child care, ▪ Community preschool programs, ▪ Blended classrooms.	NC 1501-3.2(c)
Question 22: **Answer 22:**	What about children who turn 3 over the summer? The school district staff does not work over the summer. If the child's third birthday is in the summer or early fall, the Early Intervention Services Coordinator may consider scheduling the Transition Planning Conference so that the school referral, consent, evaluation, eligibility determination and the IEP may be in place prior to the end of the school year. A local policy should be developed to ensure this process. If it is not possible to complete the process prior to the end of the school year, it is the LEAs responsibility to hold the IEP meeting during the summer break.	NC 1501-4.4(a)(b)(c)
Question 23: **Answer 23:**	What if the school district says there is no room in the program for the child? State and federal regulations require school districts to serve children who are eligible for preschool services when they turn 3. Placement decisions must be based on the needs of the child, not availability.	NC 1501-4.4(b)
Question 24: **Answer 24:**	Would the school district be responsible for paying tuition in a community programs? Yes. If an LEA cannot provide the services necessary for a free appropriate public education within its program, it is required to provide another appropriate setting that will. This can be at a private school or facility, or in another LEA, but the home LEA is responsible for the cost.	NC 1501-2.1
Question 25:	For the purposes of compliance with Indicator 12 on the State Performance plan, what date do we track for the initiation of services?	

Answer 25:	In order to allow for birthdays which fall during a weekend, holiday or over the summer, in North Carolina the date of initiation of services for transitioning children from Part C shall be the date in which the initial IEP meeting was held, or the plan date. This is the date CECAS will use to calculate an LEA's compliance level for Indicator 12.	
Question 26:	If a parent signed the referral and consent for evaluation, but the family moved away or could not be located to schedule the initial IEP meeting, should the IEP team complete the process without the parents? How would this be reported for Indicator 12 on the State Performance plan?	
Answer 26:	The LEA must provide the parents with the opportunity to participate in the meeting. If the LEA cannot locate the parents, it cannot provide them with this opportunity. If the family has moved, it is the LEA's responsibility to send the documentation to the new LEA upon request. It would be prudent to provide the parents with a copy of all paperwork and the evaluation report prior to the move. This situation falls into the Indicator 12 reporting as a "*Number of children who transferred into or out of the LEA during transition from Part C*". Compliance for timeline requirements is waived in instances where a child moves into or out of an LEA after the relevant timeframe has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability	1503-2.2(d)(3) 34 CFF §300.301 (d)(2).
Question 27:	When a child is made eligible prior to his /her third birthday and the IEP begins on the third birthday, what is the expiration date of the IEP?	
Answer 27:	The end date would be one year minus a day from the start date.	NC 1503-5.1(b)(1)(i)
Question 28:	When a child is made eligible prior to his / her third birthday and the IEP begins on the third birthday, what is the date we use to calculate the date of re-evaluation?	
Answer 28:	The reevaluation date is three years from the placement decision (date on the DEC 5).	NC 1503-2.4(c)

Question 29: **Answer 29:**	The CDSA gives us lists of children who are enrolled in the Part C system and may be eligible for our Part B program. What should we do with this information? Beginning in the fall, 2008 each LEA should enter the notification information on transitioning children into the CECAS and place his/her name under the status of "Pending". Once the transition process has been completed this will be changed to "Qualified", "Does Not Qualify, or "No" for no referral.	
Question 30: **Answer 30:**	If we have not heard from the EISC about the upcoming Transition Planning Meeting on a child whom we have received notification on, what should we do? If you do not know the child's EISC, call the supervisor at the CDSA and inquire as to the status of the case. In some situations, parents choose not to pursue referrals to the school systems even when notification has been sent. Other reasons for the delay may be due to child illness, family circumstances, etc. If there is no reason for delay, then ask to speak to the EISC who is in charge of the case and initiate the scheduling of the Transition Planning Meeting.	
Question 31: **Answer 31:**	If parents choose to delay the referral to the school system and subsequent Transition Planning Meeting (meeting by the time the child is 2 years, 9 months of age), how should we count that in our report for Indicator 12 on the State Performance Plan? If the parent chooses to delay the referral to the school system and Transition Planning Conference (meeting by the time the child is 2 years, 9 months of age), this will be counted in Indicator 12 on the State Performance Plan as "*..parent refusal to provide consent caused delays in evaluation and initial services*". You will need to verify with the EISC records.	NC 1503-2.2(d)(1)(2)