GUIDING PRACTICES

FOR

EARLY CHILDHOOD TRANSITION

IN NORTH CAROLINA

Infant Toddler Program Services to
Preschool Program Services
North Carolina

Department of Public Instruction
Exceptional Children Division and
Office of School Readiness

Department of Health and Human Services
Division of Public Health
Women's and Children's Health Section
Early Intervention Branch

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 our children will go through many transitions. Some transitions will signal the start of a new set of activities. Examples of early transitions include the move from the hospital to the home, from early intervention services to preschool services, and from preschool to kindergarten. For some, change is viewed as a time of growth and opportunity; for others, changes are stressful.

On the third birthday of a child with a disability, the responsibility for services changes from the North Carolina Division of Public Health (Infant-Toddler Program) to the North Carolina Department of Public Instruction (Preschool Program for Children with Disabilities).* The local lead agency responsibility moves from the Children's Developmental Services Agency (CDSA) to the Local Educational Agency (LEA). Transitions will be smoother with careful planning and preparation.

The transition for a potentially eligible child from the Infant-Toddler Program to the Preschool Program or another community program will be enhanced by collaboration with the family, those who currently provide services, and those who may provide services in the future. It is important that parents receive the necessary information and resources when making decisions for their child. Consequently, effective sharing of information by parents and professionals is vital to successful transition. Other important ingredients include mutual respect and understanding of another's perspective. When parents and professionals work together, the result is a positive transition experience and may also serve as a model for future transitions.

How to Use These Guiding Practices

This guiding practices document is intended to provide an outline of activities, timelines, and recommended practices to facilitate a child's transition from the Infant-Toddler Program to the Preschool Program. It is important for professionals from both programs to understand the requirements of the Individuals with Disabilities Education Improvement Act (IDEA), Parts C and B, in order to ensure collaboration, compliance and effective transitions for children and families. Both programs must work together to complete the transition process in order to meet the IDEA requirement for public schools to have the Individualized Education Program (IEP) developed and implemented for each eligible child by his/her third birthday.

* *Throughout this document, Infant-Toddler Program is used interchangeably with Part C Program; and Preschool Program is used interchangeably with Part B Program.*

TABLE OF CONTENTS

Introduction 2

Excerpts from Federal Law and Regulations Pertaining to Transition.....5

State Policies and Procedures Pertaining to Transition.....6

Explanation of Terms and Resources.....7

Understanding the Differences between Programs..... 9

Beginning the Transition Process -- Child's Age: 2 Years, 0 Months to
2 Years, 3 Months 17

Transition Planning Conference --Child's Age: 2 Years, 3 Months to
2 Years, 9 Months.....19

Referral to the LEA and the Assessment Process -- Child's Age: 2 Years,
8 Months to 2 Years, 11 Months.....21

Late Referrals to the Part C Program--Child's Age: 2 Years, 9 Months to
3 Years, 0 Months 25

The Summer Birthday and Extended School Year 26

What Happens When a Child Does Not Qualify? 27

North Carolina Early Childhood Transition Process Matrix 28

North Carolina Early Childhood Transition Timeline 30

Appendix 31

I. Federal Regulations Which Guide the Recommendations for IDEA Part C

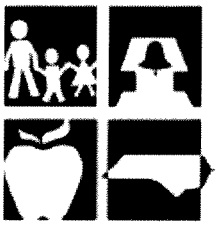
II. Federal Regulations Which Guide the Recommendations for IDEA Part B

III. Sample Parental Consent Notification Form

IV. Acronyms and Definitions

State of North Carolina
Beverly Eaves Perdue, Governor

North Carolina Department of Public Instruction
Office of School Readiness & Exceptional Children Division
June St. Clair Atkinson, Ed.D, State Superintendent



North Carolina Department of Health and Human Services
Division of Public Health
Women's and Children's Health Section
Early Intervention Branch
Lanier M. Cansler, Secretary

Special thanks to the following states for providing information included in this document by sharing their guidance documents:

North Dakota Departments of Human Services and Public Instruction

Indiana State Department of Health and Public Education

Excerpts from Federal Law and Regulations Pertaining to Transition.

IDEA Law for Part C and IDEA Federal Regulations for Part B can be found in Appendixes I and II, respectively. (The Proposed Regulations for Part C were published in May of 2007, but, to date, have not been finalized.)

Specific federal law and regulations pertaining to transition include:

- Children participating in early intervention programs assisted under Part C of the Act, and who will participate in preschool programs assisted under Part B of the Act, experience a smooth and effective transition to those preschool programs. [34 CFR §300.124(a)]
- Notify the Local Educational Agency (LEA) where the child resides that the child will shortly reach the age of eligibility for preschool services under Part B of the Act, as determined in accordance with State law. [20 USC 1437 §637(a)(9)(A)(ii)(I)]
- For children who may be eligible for preschool services under Part B:
  - With the approval of the family of the child, convene a conference with the Children's Developmental Services Agency (CDSA) staff, the family, and the LEA staff at least 90 days, and at the discretion of the parties up to 9 months, before the child is eligible for preschool services, to discuss any services that the child may receive. This is state policy as required per federal law in 20 USC 1437 §637(a)(9)(A)(ii)(II).
- For children who may not be eligible for preschool services under Part B:
  - With the approval of the family, make reasonable efforts to convene a conference with the CDSA staff, the family, and providers of other appropriate services for children who are not eligible for preschool services under Part B, to discuss the appropriate services that the child may receive. [20 USC 1437§ 37(a)(9)(A)(ii)(III)]
- Early Meeting Option: With parental consent, the lead agency may initiate a transition planning conference as early as nine months before a child's third birthday. [20 USC 1437 §637(a)(9)(A)(ii)(II)]
- The LEA must be invited to the Transition Planning Conference if parents consent. [20 USC 1437 §637(a)(9)(A)(ii)(II)]
  - Discuss any preschool services that a child may receive, if eligible, under Part B of the Act and
  - For children who may not be eligible for preschool services, invite relevant outside service providers and discuss other services that may be available, if appropriate.
- The Individualized Family Service Plan (IFSP) must include the steps to be taken to support the transition of the child. [20 USC 1436 §636(d)(8); CFR § 303.344]
  - Steps Required:
    - Discussions with, and training of, parents regarding future placements and other matters related to the child's transition;
    - Procedures to prepare the child for changes in service delivery, including steps to help the child adjust to, and function in, a new setting; and

- With parental consent, the transmission of information about the child to the local educational agency, to ensure continuity of services, [20 USC 1439 §639(a)(2)] including required evaluation and assessment information and a copy of the current IFSP that has been developed and implemented.

- The LEA must gain informed consent from the parents to evaluate before proceeding to do the evaluation which is free to the family. [34 CFR §300.300]
- The LEA must invite staff (with parental consent) from the Infant-Toddler Program to the Individualized Education Program Team meeting and consider the child's Individualized Family Service Plan when developing the Individual Education Plan (IEP) for eligible children. [34 CFR §300.321(f) and 34 CFR 300.323(b)]
- The LEA must have developed and implemented an IEP by the child's third birthday. [34 CFR §300.124(b)]

State Policies and Procedures Pertaining to Transition

North Carolina Infant-Toddler Policy and Procedure Manual, Bulletin 11 – Confidentiality and Privacy, Bulletin 18 – Eligibility Categories, Bulletin 25 – IFSPs, and Bulletin 28 – Transition from the Infant-Toddler Program.

North Carolina Policies Governing Services for Children with Disabilities (effective 11-01-2007).

Explanation of Terms and Resources

Frequently used terms in this document are *Notification, Transition Planning Conference,* and *Referral.* These terms have specific meanings and timelines associated with them.

- ***Early Child Find Notification***: On or before the child's second birthday for children with complicated or intense service delivery needs, the CDSA staff contacts the LEA to provide information about the child. With parental consent, information about his/her special needs, current level and modality of services, developmental abilities and other special considerations will be shared. This enables the LEA to plan for the child's intensive needs should he/she be eligible for Part B services.

- ***Child Find Notification:*** The Children's Developmental Services Agency (CDSA) must routinely notify the LEA of children enrolled in the Infant-Toddler Program who may be eligible for the Preschool Program. Child Find Notification does not require parental consent and includes the child's name, date of birth, and contact information. The purpose of notification is to meet the requirements of Child Find, which is a required part of IDEA for both the Part C and B Programs. [20 USC 1435 §635(a)(5) and 34 CFR §300.111] This notification assists LEAs in planning for the future. By receiving information about children in the Part C Program, LEAs can estimate the number of classes needed, potential staffing and instructional needs.

  Child Find Notification should be provided in one consistent format (e.g., faxed lists) to the primary contact person in the Preschool Program. These names and information should be logged into the Comprehensive Exceptional Children Accountability System (CECAS) database system by the Preschool staff under the "pending" status until the parents decide to refer to the LEA. If the parents choose not to refer, the status in CECAS should be changed to "no referral". If the parents choose to pursue a referral, the status will be changed to either eligible or does not qualify upon completion of the initial referral process.

- ***Parental Consent Notification:*** A second form of notification may be sent with parental consent in which more than the aforementioned information is shared with the LEA. CDSA staff frequently refers to this as a "referral"; however, it should not be confused with the LEA referral process (DEC 1 form). The timeline for eligibility determination for Part B does not begin upon receipt of the notification form (See page 35).

The Federal Office of Special Education Programs (OSEP) has declared an exception to FERPA which allows the Infant-Toddler program to disclose, without parental consent, a child's personally identifiable information to an LEA prior to transition in order for the LEA to meet its Child Find obligations.

Paraphrased from U.S. Department of Education OSERS Policy Letters February 11, 2004 Letter to Mary Elder

- ***Transition Planning Conference***: The CDSA staff, with parental approval will convene a Transition Planning Conference. This is a meeting among parents, the Early Intervention Service Coordinator, LEA staff, and any other service providers who might help support the transition plan. This is an opportunity to share information regarding the needs of the child and family. The purpose is to discuss services that the child may receive under Part B, review program options from the child's 3rd birthday through the remainder of the school year and to establish (if not previously done), revise, or update the transition plan including steps to exit the Infant Toddler program. One important task is to identify the steps of the referral process including the gathering of available evaluation information from the Infant-Toddler Program, and other service providers. **It is not recommended that the LEA referral be initiated at the Transition Planning Conference if all existing information is not available at that time. The Transition Planning Conference is required to occur no later than 90 days (and at the discretion of the IFSP team, not more than 9 months) before the child's third birthday; however the IEP must be in place by the child's third birthday.**
- ***Written Referral to the LEA***: The DEC 1 referral form is completed with input by the IEP team. It is recommended that the LEA complete the DEC 1 within a few weeks after the Transition Planning Conference. The purpose of the LEA referral process is threefold: 1) to identify the current focus of concern, 2) to review existing data (e.g., current formal and informal evaluations), determine what, if any, additional information is needed, and 3) identify appropriate assessment information needed.
- ***Early Childhood Transition in North Carolina: A Parent's Guide to the Infant-Toddler and Preschool Programs***. This is a document which has been prepared for families when discussing the transition process and the differences between services in the two programs. This document can be found at the following websites: 1) www.osr.nc.gov and 2) www.ncei.org.

UNDERSTANDING THE DIFFERENCES

Mutual respect between transition team members is paramount as they explain the differences in programs, eligibility criteria, assessment processes, and delivery of services to the families.

Table A. Comparison between the overall programs

Program Component	*Infant-Toddler Program*	*Preschool Program*
Individualized Planning	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.	Individualized Education Program (IEP): The IEP is based on the child's present level of academic achievement and functional performance. For the preschool child, the present level must describe how the disability affects the child's participation in appropriate activities. Measurable annual goals are developed to meet the educational needs of the child. Related services needed (if required to benefit from special education), supplemental aids, services, modifications and/or accommodations are identified. Services in the least restrictive environment (LRE) are determined. Preschool program services may continue to use the IFSP if it meets all IDEA and State Policy requirements and is agreed to by the LEA and the child's parents
Family Involvement	The IFSP outlines the Infant-Toddler Program services for the **child and family** based on the needs of both child and family. Parents are equal partners in making decisions and the team must consider parents' concerns and information they provide regarding their child.	The IEP outlines the program for the child's special education and related services. Parents are equal partners in making decisions and the IEP team must consider parents' concerns and information they provide regarding their child.
Primary Contact	The Early Intervention Service Coordinator from the CDSA will be assigned to coordinate services with the family.	The IEP case manager is the primary contact and could be the Preschool Coordinator, Speech-Language Pathologist, Preschool Teacher, etc.
Coordination of Services	Service coordination is provided as a component of the Infant-Toddler Program services and may be called case management.	IEP case management is provided by the LEA to ensure provisions of the IEP are implemented as stated in the IEP.
Where Services are Provided	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 provided in the LRE and to the extent appropriate with nondisabled peers. These placement options may include regular early childhood program, separate school, home, and service provider location.

Costs for Services	Parents may be asked to pay for some services on a sliding fee scale. The following services must be provided at no cost to the family: child identification and screening, service coordination, developmental evaluations, development and review of the IFSP, and activities related to making sure family rights are protected.	Services included in the IEP are provided at no cost to the family. Under Federal law, this is called Free Appropriate Public Education (FAPE). Private Insurance and Medicaid can be billed, with parental consent, as long as it does not negatively impact the lifetime benefit of the plan.
Transition	CDSA staff will convene a transition conference as part of overall transition planning with families for children exiting from the Infant-Toddler Program. The schedules and timelines for each activity required in transition are provided in this guide. Transition planning must address the child's program options, child and family preparation, the transfer of assessment information, and referrals that should be made for future services.	LEA staff are required to participate in the transition planning conference when they have been invited (with parental consent) by the Infant-Toddler Program staff for a child who may be eligible for special education 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 and effective process for the child and the family.

Eligibility Determination Process and Requirements

Infant-Toddler Program Services Eligibility Determination Requirements

Categories of Eligibility. Eligibility is based on information from family interviews, review of pertinent information, observation, evaluation results and informed clinical opinion. A child must meet one of the two following eligibility categories:

- Developmental Delay or
- Established Conditions.

Definition of Developmental Delay. A child is considered to have developmental delay if the child's development is delayed in one or more of the following areas:

- Cognitive development;
- Physical development, including gross and fine motor function;
- Communication development;
- Social-emotional development; and
- Adaptive development.

The specific delay must be:

- Documented by scores of 2.0 standard deviations below the mean of the composite score (total test score) on standardized tests in at least one of the above areas of development; or
- Documented by a 30 percent (30%) delay on instruments which determine scores in months in at least one of the above areas of development; or
- Documented by scores of 1.5 standard deviations below the mean of the composite score (total test score) on standardized tests in at least two of the above areas of development; or
- Documented by a 25 percent (25%) delay on instruments which determine scores in months in at least two of the above areas of development.

Definition of Established Conditions. A child is considered to have an established condition if the child has a diagnosed physical or mental condition which has a high probability of resulting in developmental delay. Specific conditions through which a child may be deemed eligible in the established conditions category are as follows:

- Congenital Anomaly/Genetic Disorders/Inborn Errors of Metabolism;
- Congenital Infections;
- Autism;
- Attachment Disorder;
- Hearing loss;
- Visual Impairment;
- Neurologic Disease/Central Nervous System Disorders;
- Neonatal Conditions and Associated Complications.

Full definitions of the established conditions can be found at http://www.ncei.org

Preschool Program Services Eligibility Determination Requirements

Staff from the Infant-Toddler and Preschool Programs should understand the differences in eligibility requirements for each program, and work together to assemble the necessary information and assessment requirements to consider eligibility under the Part B Federal Regulations and State *Policies*. Eligibility for Infant-Toddler Program Services does not automatically transfer to eligibility for preschool special education services at age three, nor does any specific diagnosis automatically qualify a child for special education and related services at age three. Ultimately, it is the responsibility of the LEA to complete an evaluation prior to determining eligibility.

Categories of Eligibility. Eligibility is based on observation, screening, and evaluation results. Required documentation for each of the 14 categories of eligibility can be found in the *North Carolina Policies Governing Services for Children with Disabilities* located at http://www.ncpublicschools.org/ec Identification of these children shall be based on informed appropriate educational and/or clinical opinion and appropriate assessment measures. To be eligible for services, the disability or delay must have an adverse effect on educational performance, and require specially designed instruction. The most prevalent categories of eligibility for preschool children are defined below:

- Developmental Delay,
- Speech Impairment, and
- Autism Spectrum Disorder.

Definition of Developmental Delay. To be determined eligible in this disability category, a child must be between the ages of three through seven, whose development and/or behavior is so significantly delayed or atypical that special education and related services are required.

Delayed/Atypical Development. A child may be defined as having delayed/atypical patterns of development in one or more of the following five areas: physical development, cognitive development, communication development, social/emotional development or adaptive development. Criteria include:

- A 30 percent delay using assessment procedures that yield scores in months, or tests performance of 2 standard deviations below the mean on standardized tests in one area of development; or
- A 25 percent delay using assessment procedures that yield scores in months or test performance of 1.5 standard deviations below the mean on standardized tests in two areas of development.

Delayed/Atypical Behavior. A child with delayed or atypical behavior is characterized by behaviors that are so significantly inadequate or inappropriate that they interfere with the child's ability to learn and/or cope with normal environmental or situational demands. There must be evidence that the patterns of behavior occur in more than one setting over an extended period of time.

- Criteria must be documented in one or more of the following areas for delayed atypical behavior:
  - Delayed or abnormalities in achieving milestones and/or difficulties with issues, such as:
    - Attachment and/or interaction with other adults, peers, materials, and objects;
    - Ability to communicate emotional needs,
    - Ability to inhibit aggression, or
    - Ability to tolerate frustration and control behavior.
  - Fearfulness, withdrawal, or other distress that does not respond to comforting or interventions;
  - Indiscriminate sociability, for example, excessive familiarity with relative strangers; or
  - Self-injurious or other aggressive behavior.

- Criteria for determining delayed patterns of behavior and adaptive skills must be exhibited in two or more of the following:
  - Inability to interact appropriately with adults and peers;
  - Inability to cope with normal environmental or situational demands;
  - Use of aggression or self-injurious behavior, or
  - Inability to make educational progress due to social/emotional deficits

Definition of Speech or Language Impairment. To be eligible, a child must meet the criteria listed in one or more of the following areas:

- Articulation. It is required that a child's speech have:
  - Two or more phonemic errors not expected at the child's age or developmental level observed during direct testing and/or in conversational speech, and/or
  - Two or more phonological processes not expected at the child's age or developmental level observed during direct testing and/or in conversational speech.

- Fluency. A child must demonstrate non-fluent speech behavior characterized by repetitions/prolongations/blocks on a regular basis.
- Language. It is required that two diagnostic measures occur, one assessing comprehension and one assessing production of language. It is required that:
  - Standard scores on the particular evaluation instrument suggest a language disorder; and/or
  - Non standardized/informal assessment indicates that the child has difficulty understanding and/or expressing ideals and/or concepts.
- Voice. It is required that a child must demonstrate consistent deviations in vocal production that are inappropriate for chronological/mental age, gender and ability.

Definition of Autism Spectrum Disorder. To be determined eligible in this category, a child must demonstrate at least three of the four characteristics listed below:

- Impairment in communication,
- Unusual response to sensory experiences, and
- Unrestricted, repetitive, or stereotypic patterns of behavior, interests, and/or activities.

The Educational Plan/Program

The Individuals with Disabilities Education Improvement Act (IDEA) has established the Individualized 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 ages three, four and five (those five year olds that are not eligible for kindergarten).

The components of the IFSP and IEP are quite different and may be confusing for parents and service providers. Therefore, it is important to do a comparison of the IFSP/IEP during the transition conference. There are some similarities in how these plans/programs are developed and written, but there are also many differences. Understanding the differences between the intent of these plans and the content will be helpful for both the Infant-Toddler providers and LEA program staff when supporting families through the transition.

Table B. Comparison between the educational plans

	Components of the IFSP	**Components of the IEP**
Statement of Present Levels	▪ A statement of the child's present levels of physical, cognitive, communication, social or emotional, and adaptive development, based on objective criteria. ▪ Information on the child's strengths and needs.	▪ A description of the child's present levels of academic achievement and functional performance including how the disability affects the child's participation in appropriate activities.
Outcomes/Goals	▪ A statement of measurable outcomes and results needed to meet the unique needs of the child and family.	▪ 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.
Family Information	▪ A statement of the family's resources, priorities, and concerns relating to enhancing the development of the child with a disability.	▪ Specific family information is not a required part of the IEP. Parents are to be equal partners in making decisions and the IEP team must consider parents' concerns and information they provide regarding their child.
Services	▪ 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. ▪ Frequency, intensity and method of delivering services. ▪ Location of services; natural environment in which services will be provided. ▪ Persons responsible for providing services. ▪ To the extent appropriate, a description	▪ A statement of the special education and related services, modifications, accommodations and supplementary aides and services to be provided to the child or on behalf of the child.

Services (con't)	of medical and other services that the child needs but are not required under the Infant-Toddler Program and the funding sources to be used in paying for those services or the steps that will be taken to secure those services through public or private sources.	
Environments or Educational Placement	▪ A statement of natural environments in which Infant-Toddler Program Services will be provided, including a justification of the extent, if any, to which services will not be provided in natural settings.	▪ The IEP team must discuss educational placement options, which will meet the child's specific identified needs. The IEP team must consider the LRE and determine the setting that is appropriate for each individual child. An explanation must be provided of the extent, if any, to which the child will participate with nondisabled peers.
Review and Progress Reporting	▪ The IFSP is reviewed a minimum of every six months by IFSP team members. ▪ The criteria, procedures, and timelines used to determine the degree to which progress toward achieving the outcomes is being made and whether modifications or revisions of the outcomes are necessary.	▪ A statement of how the child's progress toward the annual goals will be measured and when periodic reports on the progress the child is making toward the annual goals will be provided (e.g., through the use of quarterly or other periodic reports, concurrent with the issuance of report cards).
Case Management or Service Coordination	▪ Early Intervention Service Coordinators provide service coordination.	▪ Special education and related services may be provided by a Preschool Coordinator, Special Education Teacher, Speech and Language Pathologist or other LEA representative.
Parent Signature	▪ Parent signature on the IFSP means informed written consent is given for the services listed in the IFSP.	▪ 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.
Transition Plan	▪ The steps to be taken to support the transition of the child with a disability to preschool or other appropriate services.	

Child's Age: 2 Years, 0 Months to 2 Years, 3 Months

BEGINNING THE TRANSITION PROCESS

Preparing families for transition out of Infant-Toddler Program Services begins as early as the first contact with each family. Staff members from the Infant-Toddler Program explain to each parent that the Infant-Toddler Program serves children and families until each child's third birthday. The parents will decide what services and/or programs they want to pursue for their child after the age of three. The Early Intervention Service Coordinator can help the family plan for the changes to take place in the future. For children enrolled in the Infant-Toddler Program, formal steps preparing for transition must occur between the second and third birthdays of each child. There may be several discussions about issues, concerns, needs, and opportunities in preparation for the meetings and activities of transition. If the family chooses to pursue eligibility for Preschool Program Services, these are the roles for the Infant-Toddler Program and the family.

Table C. Roles and responsibilities when beginning the transition process

Infant-Toddler Program's Role	*Family's Role*
▪ Initiate the transition process and plan activities and timelines. ▪ Make arrangement for the initial Transition Planning Conference. ▪ If a child may be eligible for services in the Preschool Program, provide written notification to the LEA (child's name, date of birth, parent contact information) that the child will be transitioning within the next year. ▪ Share information about community supports and services that may be available or may be developed as the child's needs are identified. ▪ Assist the family with questions and concerns about transition.	▪ Provide written permission for the release of information to the LEA to share evaluations, IFSP, and relevant information. ▪ Gather information about their child that new service providers should know prior to working with the child. ▪ Collect and write down information to share, any changes they want to make or questions that they want to ask to ensure concerns are not forgotten.

Child Find Notification

CDSA staff should send notification to the LEA of children enrolled in the Part C system who may be eligible for Part B Program Services at regular intervals. It is critical that each CDSA and LEA establish a timeline and process for transmission of the data. One primary contact person in each agency should be identified to send and receive this information. This information does not require parental consent. LEA staff should enter this information into the CECAS database under "pending status". The purpose of this Child Find information is to alert the LEA of the potential numbers of children they should prepare for, and for data tracking information. Child Find information includes the following:

- **First and Last Name of Each Child;**
- **Birth date; and**
- **Sufficient parent contact information to meet the Child Find responsibilities (e.g., parent/guardian name, current phone number(s) and address).**

Parent Consent Notification

When providing information to the LEA **beyond** Child Find Notification, parental consent is necessary. A sample ***Parental Consent Notification Form*** *that could be used for this notification* can be found on page 37.

Child's Age: 2 Years, 3 Months to 2 Years, 9 Months

TRANSITION PLANNING CONFERENCE

The first joint meeting with parents, Infant-Toddler and Preschool Program staff will occur no earlier than when the child is 2 years, 3 months, and must occur no later than 2 years, 9 months. In order to complete all of the child centered activities for a smooth transition, best practice would suggest that the Transition Planning Conference be held earlier than when the child is 2 years, 9 months. The CDSA is responsible for convening this conference.

As previously described, the purpose is to discuss services that the child may receive through the Preschool Program, review program options from the child's 3rd birthday through the remainder of the school year and to establish (if not previously done), revise, or update the transition plan including steps to exit the program. One important task is to identify the steps of the referral process including the gathering of available evaluation information from the Infant-Toddler Program, and other service providers.

Another important purpose of this meeting is to help the family develop strategies to prepare their child to transition to a new environment for services. When the child turns three years of age, if eligible for Part B services, he or she begins services with new providers. The team may develop suggestions about how the family may assist the child in becoming comfortable in a new setting and with new children.

Who Will Attend? Family members and other participants at the request of the family, the Early Intervention Service Coordinator, representatives of the LEA, representatives of the evaluative agency, if the child has been evaluated, and any other person who might help support and develop the transition plan may attend this meeting.

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 copy of the child's records will be given to the LEA with parent consent and current status will be reviewed. As children enrolled in Part C are part of the education system under IDEA, the Family Educational Rights and Privacy Act (FERPA) supersedes the Health Insurance Portability and Accountability Act (HIPAA). However, only the medical information included in the child's Part C record that directly pertains to the evaluation to determine eligibility for services should be shared with Part B. As such, all information (including third party) will be released with parental consent unless the originator of the information has stated that re-disclosure is prohibited or has placed any other conditions on its release. See Infant Toddler Program Policy and Procedure Manual Bulletin 11.
- Current IFSP outcomes, progress and need for services will be reviewed;
- Outstanding evaluation and information components for eligibility determination will be identified and a timeline developed for the purpose of completing this process; and
- Potential service options will be discussed.

Table D. Roles and responsibilities for the transition planning conference

Infant-Toddler Program Role	***Preschool Program Role***	***Family Role***
▪ Review with the family the handbook *Early Childhood Transitions in North Carolina: A Parent's Guide to the Infant-Toddler and Preschool Programs (currently under revision).* ▪ With parent consent, invite a representative from the LEA to attend. ▪ Arrange for the meeting in a location convenient for the family. ▪ Provide prior notice of the meeting to the family and LEA. ▪ With parent consent, provide LEA with copies of current evaluations and other pertinent records. ▪ Help the family identify potential programs, settings and services as part of the IFSP transition plan. ▪ If parents choose to pursue services from the LEA, parents should sign the Authorization to Disclose Heath Information form. ▪ If parents choose not to pursue services from the LEA, this should be documented in the child's record ▪ Develop or complete development of the transition plan for the child and family with steps and services.	▪ Consider the family's concerns about the transition. ▪ Inform the family of parental rights in special education. ▪ Review existing evaluation and assessment results including the IFSP. ▪ Plan how to obtain any needed evaluation and assessment information across a variety of environments in a timely manner. ▪ Provide general information about the LEA special education program services. ▪ Answer family questions about services provided in the school setting. ▪ Discuss the differences between the Infant-Toddler and Preschool Program Services. ▪ Discuss the differences between the IFSP and IEP. ▪ Assist with developing the transition plan for the child and family and discuss the required evaluation components needed to establish eligibility for the Preschool Program.	▪ Share vision of child's future. ▪ Review parental rights information. ▪ Provide updated observation of child's development and progress. ▪ Participate as a team member in planning and completing the transition process. ▪ Share questions and concerns about anything that is unclear. ▪ Sign necessary consent forms for release of information, evaluations, etc. ▪ Work with staff to complete necessary assessments. ▪ Investigate programs and placement options.

Child's Age: 2 Years, 8 Months to 2 Years, 11 Months

REFERRAL TO THE LEA AND ASSESSMENT PROCESS

The IEP team must meet to determine if the child will be referred for further evaluation. The IEP team is required to review any existing information presented by the parent. This information may be obtained from outside evaluators and service providers. In addition, the progress on the goals and outcomes from the IFSP will be reviewed. From this information, the IEP team can identify the focus of concern from the family and providers and identify the necessary assessment steps that need to be completed in order to consider eligibility for services. The IEP team would complete the written referral (DEC 1) and obtain informed parental consent (DEC 2).

The LEA evaluation process recognizes individual experiences and differences and is nondiscriminatory and unbiased. The findings of the evaluation process will:

- Determine if the child has a disability;
- Provide vital information regarding the educational needs of the child; and
- Guide decision making in appropriate educational programming for each child with a disability that is eligible for special education and related services.

The necessary evaluation components required for each disability category can be found in The *North Carolina Policies Governing Services for Children with Disabilities*. NC 1503-2.5 located at www.ncpublicschools.org/ec

What Are the Different Ways to Complete the Assessment? Assessment can be thought of as the basic process of finding out what a child knows and can do in relation to his/her optimum level of functioning and development. It is not a single measure or test. Assessment is the process of gathering information about children from several sources of information, then organizing and interpreting that information. Assessment is reliable when it measures accurately and consistently and is valid when it measures what is intended to be measured. Most importantly, for very young children, assessment must be developmentally appropriate in terms of what is expected for a child to perform at a given age, and how observation information is gathered. According to McAfee, et. al. (2004), the components of functional assessments for young children include records that describe behavior, reference a developmental continuum (age level), count or tally behavior, or rate/rank behavior. Therefore, the assessment process for young children may include a number of different types of information.

The LEA multidisciplinary team completing the assessment may develop a profile of the student based on the information previously gathered from all available sources. The student profile will do the following:

- Provide a comprehensive picture of the child;
- Identify patterns of current student functioning; and
- Indicate area(s) where further information is needed.

In the case where eligibility for Part B may be questionable due to a child's progress in the Infant-Toddler Program, the LEA may decide to conduct appropriate screenings to determine if further in-depth multidisciplinary assessments are needed. An individual

"Permission to Screen" form may be developed by each LEA for this purpose. If screening results indicate no further need for evaluation, then the IEP team may decide to do no testing and discontinue the referral process. The IEP team documents the decision on the written referral form (DEC 1), gives the parent a prior written notice (DEC 5), and the procedural safeguards.

At the conclusion of the school referral and evaluation process, the follow-up IEP team meeting will be scheduled to determine eligibility, develop the IEP if eligible, and complete the placement.

ELIGIBILITY DETERMINATION, IEP DEVELOPMENT AND PLACEMENT

Prior to the child turning 3 years of age, an IEP team meeting will be scheduled to determine eligibility and develop an IEP, if the child is eligible. In most situations, these meetings will be combined, and in other cases, separate meetings will address each process. The LEA must notify the parents of the meeting early enough to ensure that they will have an opportunity to attend. The notice must indicate the purpose, time, and location of the meeting, who will be in attendance, and of their right to invite other individuals who have knowledge or special expertise about their child. [34 CFR 300.322] The participation of the Part C staff in the IEP development must be at the request of the parent, and is encouraged in order to continue the coordinated planning effort on behalf of the child.

> IEP Team Transition – 34 CFR §300.321(f)
>
> In the case of a child who was previously served under Part C, an invitation to the initial IEP meeting shall, 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.

As part of the Part B eligibility determination process, the assessment results will be reviewed and the child's eligibility for preschool special education services will be decided. The criteria for eligibility for services through the LEA are defined by federal law and North Carolina policies. [NC 1503-2.5 through 1503-2.7]

If the IEP team finds the child eligible for special education services, an IEP can be developed or a separate meeting can be scheduled for the development of the IEP. The development of an IEP for an eligible child turning three years of age who has been in the Infant-Toddler Program is the responsibility of the LEA and must be completed, along with parental consent and placement, **within the 90 day timeline**.

The IEP team must consider the use of an IFSP if it meets all of the criteria described in the law, including the natural environments statement, and an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills. The IFSP may be used as the IEP if the LEA and parents agree to its use. If it is used the parents must be provided a detailed explanation of the differences in an IFSP and IEP and they must provide informed parental consent. [34 CFR 300.323(b)]

For children transitioning from the Infant-Toddler Program, the IEP must be developed and implemented by the third birthday; however, the LEA is not required to provide

services when school is not in session, e.g. during the summer. The IEP team must discuss Extended School Year (ESY) services during the development of the IEP and make a decision as to eligibility for ESY (see Appendix II).

During the development of the IEP, the services and location of services will be determined by the IEP team. This determination leads to the decision pertaining to placement in the least restrictive environment (LRE) that is appropriate for the child as discussed in the following pages.

THE LEAST RESTRICTIVE ENVIRONMENT

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.
After the child is determined eligible for preschool special education services by the LEA, 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 LRE in which the goals can be met.

The LRE continuum for preschool-aged children with disabilities includes a variety of early childhood settings. All settings allow children with disabilities to participate in appropriate activities and opportunities that support children achieving age appropriate abilities and skills. The IEP team will need to consider necessary modifications, accommodations, supplementary aids, services, and supports that may be needed for the child to advance toward attaining the annual goals, be involved in and progress in the preschool curriculum, and participate with nondisabled children. Examples of supplementary aids and services 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 placement of preschool special education services must be:

- As close as possible to the child's home,
- Where a child would spend time had he or she not had a disability, and
- An IEP team decision.

For example, at age three, a child who has been successfully participating in a community preschool with typically developing peers should not automatically be placed in a public preschool with children who all have developmental delays. The time for making this decision is at the IEP team meeting, after the IEP annual goals have been written, the level of services has been determined and the LRE continuum of alternative placements has been explored. The placement decision is an IEP team decision.

Continuum of Alternative Placements. The disability category of a preschool-aged child must not determine the placement, location, or services to be provided to meet the child's needs. Placement and services must be individually determined based upon the IEP team's consideration of a child's present levels of performance, abilities, and needs rather than a categorical disability. The IEP team will determine what services and placement are necessary to implement the annual goals for the child.

Services may be provided in a school that is not in the district in which the child lives. Services may be provided in the child care center or a preschool program the child attends. They may also be provided in the home. All of these decisions are made by the IEP team.

INITIAL PLACEMENT IN SPECIAL EDUCATION

After the IEP is developed, the IEP team documents the child's placement in special education on the prior written notice form (DEC 5). The parent(s) must sign informed consent (DEC 6) for placement prior to beginning services.

IEP team decisions are made by consensus. However, when the team cannot come to consensus the LEA that is responsible for the education of the child must make the decision, give the parents prior written notice (DEC 5), and the procedural safeguards. If the parents disagree, they have one year to file a due process petition from the date they receive the DEC 5, or they could request mediation.

Child's Age: 2 Years, 9 Months – 3 Years, 0 Months

LATE REFERRALS TO THE INFANT-TODDLER PROGRAM

Smooth and effective transitions may be challenging when children are referred to the Infant-Toddler Program after 2 years, 9 months of age. Gathering all the necessary information and conducting the evaluation and assessments should be viewed as a team effort in order to provide services in a timely fashion.

Table E. Roles and Responsibilities for Late Referrals

Infant-Toddler Program Role	*Preschool Program Role*	*Family's Role*
▪ Fully explain the Part C Program eligibility determination process, available services and parent rights. ▪ If the family makes an informed decision not to be considered for the Infant-Toddler Program but does wish to pursue preschool services, assist the parents in making a written referral to the LEA. ▪ Contact the LEA immediately and give the parents the LEA contact information as well. ▪ If the family wishes to be considered for participation in the Infant-Toddler Program, the existing ITP eligibility determination procedures are to be followed. ▪ Evaluation and assessment planning for entry into Part C Program should include the LEA, with parent consent, in order for the LEA to plan the additional assessment components for eligibility. ▪ Help the family identify potential programs, settings and services as part of the IFSP transition plan. ▪ With parental consent invite the LEA to the initial IFSP meeting.	▪ Schedule the IEP Team Referral meeting, obtain informed parental consent and conduct needed assessments after joint planning with the Part C Program. ▪ Inform the family of their rights in special education. ▪ Review existing evaluation and assessment results. ▪ Plan how to obtain any needed evaluation and assessment information across a variety of environments in a timely manner. ▪ Provide to the family general information about the LEA special education program. ▪ Answer family questions about services provided in the school setting. ▪ Schedule the initial IEP team meeting and invite the Part C staff upon parent request. ▪ Complete the initial IEP process within the 90 day timeline.	▪ Share vision for the child. ▪ Review parental rights information. ▪ Participate as a team member in the school referral, assessment, and placement process. ▪ Share questions and concerns about anything that is unclear. ▪ Sign necessary consent forms for release of information, evaluations, etc. ▪ Investigate programs and placement options.

THE SUMMER BIRTHDAY AND EXTENDED SCHOOL YEAR

Given the significance of early intervention during the first years of life, the planning team should carefully consider the impact of an interruption in services on the child's developmental progress when making the transition from the Part C to the Part B Program at age three. Planning teams need to work together when a child's birthday occurs in the summertime or shortly before the public school year ends.

It is important to start the transition process early enough to ensure that LEA staff are available for the necessary transition planning conference, conducting assessments, and conducting the initial IEP team meetings prior to the child's third birthday.

When a child with a disability reaches his/her third birthday during the summer, the required IEP team members may not be readily available. If need be, an LEA may want to develop contracts with pertinent preschool staff or use flexible scheduling to meet the requirements of the IDEA during the summer months. In any case, Part B and Part C staff must plan ahead to ensure that necessary meetings are held and if the child is eligible that the IEP is developed and implemented by the third birthday.

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 appropriate public education (FAPE). If the child is not eligible for extended school year services, the IEP should begin on the first day of the regular school year calendar. The LEA will have met its IDEA responsibility for the transition process by meeting and developing the initial IEP prior to the third birthday.

> *Sec. 300.323(a) General. At the beginning of each school year, each public agency must have in effect, for each child with a disability within its jurisdiction, an IEP, as defined in Sec. 300.320.*
>
> *Sec. 300.323 I(1)(2) Initial IEPs; provision of services. Each public agency must ensure that 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 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.*

WHAT HAPPENS WHEN A CHILD IS NOT ELIGIBLE FOR PRESCHOOL SPECIAL EDUCATION?

Some children receiving Part C services and approaching their third birthday may not be referred to special education at the parent's request. Other children may be evaluated by the LEA but not meet the eligibility requirements for special education. The Part C staff must try to assist families in determining and arranging other options to meet the child's and family's needs through the development of a transition plan with steps and activities. Parents should be made aware of the community resources that are available in the area. Every community varies in what is available, but with some creativity and effort, opportunities can be found.

Part C staff may want to provide a list of local programs that are available in the community and share this information with families. Some suggestions include: Child Service Coordination Program through the local Health Department, Head Start, More at Four, and Title I preschool programs; private preschool programs; library activities for young children; summer recreation programs; and YMCA classes such as swimming or gymnastics.

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

20 USC 1437 §637.(9)(A)(ii)(III))

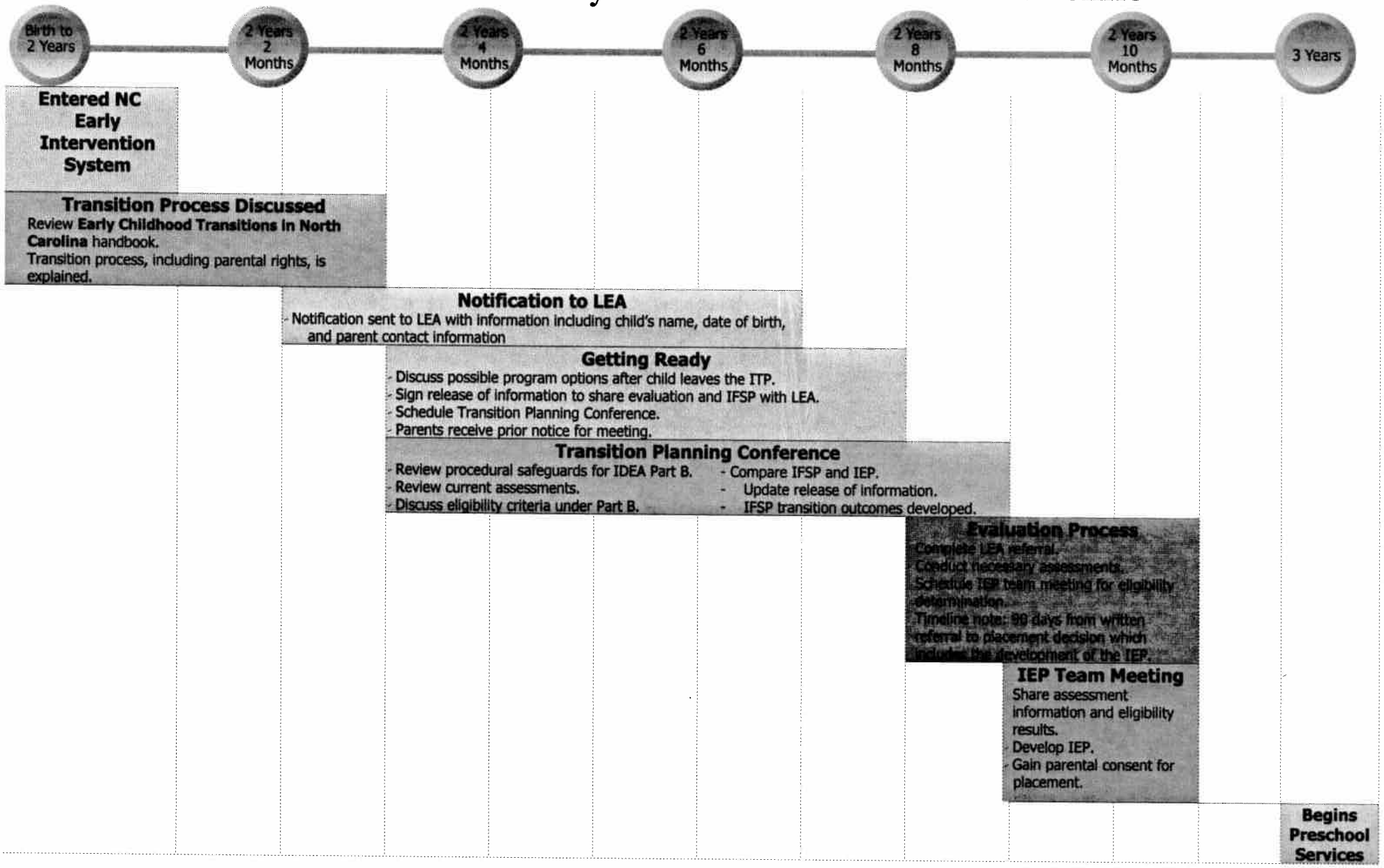
....in the case of a child who may not be eligible for such preschool services, with the approval of the family, make reasonable efforts to convene a conference among the lead agency, the family, and providers of other appropriate services for children who are not eligible for preschool services under part B, to discuss the appropriate services that the child may receive.

Table F. NORTH CAROLINA EARLY CHILDHOOD TRANSITION PROCESS MATRIX

Timeline	*Activity*	*Responsible Party*
Prior to child turning 2 years, 7 months	***Notification Process*** • LEA receives child find notification information including child's name, date of birth, and parent contact information. • Review state developed "*Early Childhood Transition in North Carolina: A Parent's Guide to the Infant-Toddler and Preschool Programs*"	• ***Part C***
Prior to child turning 2 years, 9 months	***Planning for the Transition Conference:*** • Explain transition processes, including parental rights. • Begin development of a transition plan as part of the IFSP process. Discuss possible programs or services the parents may want to consider after child leaves Part C Program. • Explain that the LEA's IEP team is the only entity that can determine a child eligible for LEA services. • Obtain signed release of information from parent to share their child's evaluations, current IFSP, and other relevant information with the LEA. • Schedule Transition Planning Conference in consultation with parents and LEA. • Send Transition Planning Conference prior notice in a reasonable time frame to family and other team members to allow all parties to participate in the conference.	• ***Part C*** • ***Parents***
By the time the child is 2 years, 9 months	***Conducting the Transition Planning Conference*** • Review the IDEA- Part B Procedural Safeguards (Handbook on Parents' Rights). • Discuss requirements for eligibility under IDEA Part-B. • Discuss continuum of alternative placements for preschool special education, share local program information and possible location of services. • Review differences between Infant-Toddler Program and Preschool Program. • Provide LEA with copies of current evaluations, with parent consent. • Update release of information forms and transition plan as appropriate.	• ***Part B*** • ***Part B*** • ***Part B*** • ***Part B & C*** • ***Part C*** • ***Part C & B***

Timeline	*Activity*	*Responsible Party*
By the time the child is 2 years, 11 months	***Conducting the IEP Team Meeting to Discuss the Referral and/or Assessment(s)*** • Review existing information, identify focus of concern, and identify additional assessments required for determining eligibility and document on the DEC 1. • Decide if child will be evaluated and if yes, obtain informed parental consent • If the team determines not to proceed with the referral, complete a prior written notice (DEC 5) and provide Procedural Safeguards • Conduct necessary assessments • Schedule eligibility determination/IEP team meeting in conjunction with the family. Upon parent request invite Early Intervention Service Coordinator.	• ***IEP Team, which includes Parent*** • ***IEP Team, which includes Parent*** • ***Part B*** • ***Part B*** • ***Part B***
By the time the child is 2 years, 11 months	***Holding the IEP team meeting*** • Share the assessment and eligibility results. • Determine eligibility under IDEA Part B. If the child is found to be eligible, the IEP team meeting is held. The following will be completed: - Write IEP or IFSP with IEP required parts. - Complete the initial placement (DEC 5). - Parents sign informed consent for placement if eligible (DEC 6). • If the child is not eligible, provide parents with prior written notice (DEC 5) and Procedural Safeguards, discuss service options.	• ***Part B*** • ***IEP Team, which includes Parent*** • ***IEP Team, which includes Parent***
By the child's 3rd birthday	***Delivering Services*** • Child receives special education and any related services through the Preschool Program. • If the child is not eligible, information on other community supports and services will be provided.	• ***Part B*** • ***Part C***

North Carolina Early Childhood Transition Timeline



Appendix I.

Federal Law Which Guide the Recommendations for IDEA Part C

(The complete federal statutes can be found at www.idea.ed.gov)

IFSP Content 20 USC 1436 §636(d)(8)(d-e)

(d) Content of Plan. The individualized family service plan shall be in writing and contain—
(8) the steps to be taken to support the transition of the toddler with a disability to preschool or other appropriate services.

State Application and Assurances 20 USC 1437 §637(a)(9)

(a) Application.--A State desiring to receive a grant under section 633 shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. The application shall contain
(9) a description of the policies and procedures to be used
(A) to ensure a smooth transition for toddlers receiving early intervention services under this part (and children receiving those services under section 635(c)) to preschool, school, other appropriate services, or exiting the program, including a description of when:
(i) the families of such toddlers and children will be included in the transition plans required by subparagraph(C); and
(ii) the lead agency designated or established under section 635(a)(10) will --
(I) notify the local educational agency for the area in which such a child resides that the child will shortly reach the age of eligibility for preschool services under part B, as determined in accordance with State law;
(II) in the case of a child who may not be eligible for such preschool services, with the approval of the family of the child, convene a conference among the lead agency, the family, and the local educational agency not less than 90 days (and at the discretion of all such parties, not more than 9 months) before the child is eligible for the preschool services, to discuss any such services that the child may receive; and
(III) in the case of a child who not be eligible for such preschool services with the approval of the family, make reasonable efforts to convene a conference among the lead agency, the family, and providers of other appropriate services for children who are not eligible for preschool services under part B, to discuss the appropriate services that the child may receive;
(B) to review the child's program options for the period from the child's third birthday through the remainder of the school year; and
(C) to establish a transition plan, including, as appropriate, steps to exit from the program;

Procedural Safeguards Confidentiality 20 USC 1439 §639(a)(2)

(a) Minimum Procedures.--The procedural safeguards required to be included in a statewide system under section 635(a)(13) shall provide, at a minimum, the following:
(2) The right to confidentiality of personally identifiable information, including the right of parents to written notice of and written consent to the exchange of such information among agencies consistent with Federal and State law.

State Interagency Coordinating Council Functions 20 USC 1441 §641I(1)(C)

(e) Functions of council.--
(1) Duties.--The council shall—
(C) advise and assist the State educational agency regarding the transition of toddlers with disabilities to preschool and other appropriate services;

Appendix II.

Federal Regulations and NC Policies Governing Services for Children with Disabilities Which Guide the Recommendations for IDEA Part B

Transition of children from the Part C program to preschool programs- 34 CFR § 300.124

The State must have in effect policies and procedures to ensure that—

(a) Children participating in early intervention programs assisted under Part C of the Act, and who will participate in preschool programs assisted under Part B of the Act, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9) of the Act;

(b) By the third birthday of a child described in paragraph (a) of this section, an IEP or, if consistent with Sec. 300.323(b) and section 636(d) of the Act, an IFSP, has been developed and is being implemented for the child consistent with Sec. 300.101(b); and

(c) Each affected LEA will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10) of the Act.

Initial evaluations- 34 CFR §300.301

(a) General. Each public agency must conduct a full and individual initial evaluation, in accordance with Sec. Sec. 300.305 and 300.306, before the initial provision of special education and related services to a child with a disability under this part.

(b) Request for initial evaluation. Consistent with the consent requirements in Sec. 300.300, either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

(c) Procedures for initial evaluation. The initial evaluation--

(1) (i) Must be conducted within 60 days of receiving parental consent for the evaluation; or (ii) If the State establishes a timeframe within which the evaluation must be conducted, within that timeframe; North Carolina has a 90 day timeline from written referral to placement.

(2) Must consist of procedures-- (i) To determine if the child is a child with a disability under Sec. 300.8; and (ii) To determine the educational needs of the child.

(d) Exception. The timeframe described ilaragraph (c)(1) of this section does not apply to a public agency if--

(1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or

(2) A child enrolls in a school of another public agency after the relevant timeframe paragraph (c)(1) of this section 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 under Sec. 300.8.

(e) The exception in paragraph (d)(2) of this section applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed.

Initial IEP Team meeting for a child under Part C - Sec. 34 CFR §300.321(f)

(f) 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.

IEP or IFSP for children aged three through five– 34 CFR §300.323(b)

(1) In the case of a child with a disability aged three through five (or, at the discretion of the SEA, a two-year-old child with a disability who will turn age three during the school year), the IEP Team must consider an IFSP that contains the IFSP content (including the natural environments statement) described in section 636(d) of the Act and its implementing regulations (including an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with IFSPs under this section who are at least three years of age), and that is developed in accordance with the IEP procedures under this part. The IFSP may serve as the IEP of the child, if using the IFSP as the IEP is (i) Consistent with State policy; and
(ii) Agreed to by the agency and the child's parents.

(2) In implementing the requirements of paragraph (b)(1) of this section, the public agency must –
(i) Provide to the child's parents a detailed explanation of the differences between an IFSP and an IEP; and
(ii) If the parents choose an IFSP, obtain written informed consent from the parents

When IEPs must be in effect - 34 CFR §300.323(a)

(a) General. At the beginning of each school year, each public agency must have in effect, for each child with a disability within its jurisdiction, an IEP, as defined in §300.320.

When Initial IEPs must be in effect – 34 CFR § 300.323(c)

(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.

34 CFR § 300.320 Definition of individualized education program.

(a) *General.* As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§ 300.320 through 300.324, and that must include—

(1) A statement of the child's present levels of academic achievement and functional performance, including—
- (i) How the child's disability affects the child's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or
- (ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;

(2) (i) A statement of measurable annual goals, including academic and functional goals designed to—
- (A) Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and
- (B) Meet each of the child's other educational needs that result from the child's disability;

(ii) For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;

(3) A description of—
- (i) How the child's progress toward meeting the annual goals described in paragraph (2) of this section will be measured; and
- (ii) When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with The issuance of report cards) will be provided;

(4) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school staff that will be provided to enable the child—
- (i) To advance appropriately toward attaining the annual goals;
- (ii) To be involved in and make progress in the general education curriculum in accordance with paragraph (a)(1) of this section, and to participate in extracurricular and other nonacademic activities; and
- (iii) To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section;

(5) An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in paragraph (a)(4) of this section;

(6) (i) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments consistent with section 612(a)(16) of the Act; and

(ii) If the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or districtwide assessment of student achievement, a statement of why—
- (A) The child cannot participate in the regular assessment; and
- (B) The particular alternate assessment selected is appropriate for the child; and

(7) The projected date for the beginning of the services and modifications described in paragraph (a)(4) of this section, and the anticipated frequency, location, and duration of those services and modifications.

NC 1501-2.4 Extended School Year services

(a) General.
- (1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE.
- (2) Extended school year services must be provided only if a child's IEP team determines, on an individual basis, that the services are necessary for the provision of FAPE to the child.
- (3) In implementing the requirements of this section, a pub—c 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) The IEP team must determine that extended school year services are necessary for the provision of FAPE to an individual child by considering:
  - (i) Whether the student regresses or may regress during extended breaks from instruction and cannot relearn the lost skills within a reasonable time; or
  - (ii) 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
  - (iii) Whether the student is demonstrating emerging skill acquisition ("window of opportunity") that will be lost without the provision of an educational program during extended breaks from instruction.

(Authority: 20 U.S.C. 1412(a)(1); 34 CFR 300.106)

Parental Consent Notification Form
Infant-Toddler Program (Part C) to Preschool Program (Part B)

Directions: To be completed by the Part C, Infant-Toddler Program, and sent to the Part B, Preschool Program. For a child who is enrolled in Part C at 2 years, 3 months or later, this form should be sent as soon as possible to the school system Preschool Coordinator or designee. The Transition Planning conference scheduled by Part C in collaboration with Part B, should be held shortly after this form is received by the school system to allow ample time for the school system to complete the referral process (if the parent chooses to pursue Part B services), determine eligibility, and develop/implement the IEP (if child is eligible) by the third birthday.

Child Contact Information (Does not require parental consent)		
Child Name:	Date of Birth:	Gender: M F
Home Address Street:	City:	State: Zip:
Parent/Guardian Contact Information		
Parent/Guardian: _____ Street: _____ City: _____ State: NC Zip: _____ Email:	Primary Language: O Check if an Interpreter is Needed	Interpreter Needed due to Deafness or a Hearing Impairment or Other Accommodation(s) due to Disability (Please specify):
Home Phone: ( )	Work Phone: ( )	Cell Phone: ( )
Reasons for Notification to Part B (Check all that apply)		
Suspected delay in: O Motor Skills O Cognitive Skills O Social-Emotional Skills O Communication Skills O Behavioral Skills	O Speech-Language Skills O Articulation O Receptive Language O Expressive Language O Fluency O Voice/Resonance	O Identified condition or diagnosis O Other (please describe) _____ _____

If parent(s) have agreed to pursue services from Part B and are prepared to provide parental consent for release of confidential information at this time, please complete the information below.

34 CFR §99.30
(a) The parent or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records, except as provided in Sec. 99.31.
(b) The written consent must:
(1) Specify the records that may be disclosed;
(2) State the purpose of the disclosure; and
(3) Identify the party or class of parties to whom the disclosure may be made.
(c) When a disclosure is made under paragraph (a) of this section:
(1) If a parent or eligible student so requests, the educational agency or institution shall provide him or her with a copy of the records disclosed; and
(2) If the parent of a student who is not an eligible student so requests, the agency or institution shall provide the student with a copy of the records disclosed.
(Authority: 20 U.S.C. 1232g (b)(1) and (b)(2)(A))
[53 FR 11943, Apr. 11, 1988, as amended at 58 FR 3189, Jan. 7, 1993]

Specific records to be disclosed (please list):	**Purpose of the disclosure:** For possible eligibility for Part B Program Services.	**Party to whom the disclosure will be made:** Public School System in county of residence. Name: _____
_____ _____ _____ _____ _____ _____		

I give informed parental consent to disclose the records listed above for the purpose listed above, and to the party listed above:

Parent/Guardian Signature:_____ **Date:**_____

O **I request a copy of the records disclosed.**

Appendix IV

Acronyms and Definition of Terms

CDSA	Children's Developmental Services Agency	The local lead agency in North Carolina for infants and toddlers with developmental delays and/or established conditions.
CECAS	Comprehensive Exceptional Children's Accountability System	The database utilized by Part C and the Exceptional Children Part B Program in North Carolina.
DEC	Division of Exceptional Children	DEC on the state special education forms means Division of Exceptional Children. LEAs are not required to use the state forms and may use their own.
FAPE	Free Appropriate Public Education	Special education and related services that are provided at public expense, under public supervision and direction at no cost to parents; and meet the standards of the State agency; and according to IDEA includes an appropriate preschool education and conforms to the IEP.
FERPA	Family Educational Rights and Privacy Act	The Family Educational Rights and Privacy Act is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
IDEA	Individuals with Disabilities Education Improvement Act	The federal special education law which includes children with disabilities from birth through 21 years of age.
IEP	Individualized Education Program	Educational program that contains a written statement for a child with a disability that is developed, reviewed, and revised in accordance with the regulations and through which the child receives a FAPE. Utilized by the Preschool Program.
IFSP	Individualized Family Service Plan	Educational Plan that contains a written statement for a child with a disability that is developed, reviewed, and revised in accordance with the regulations and is utilized by the Infant-Toddler Program.
LEA	Local Education Agency	Local school system. In North Carolina, public charter schools and state-operated programs are considered local educational agencies.
LRE	Least Restrictive Environment	The IEP Team must consider educating a child with a disability in the least restrictive environment that is appropriate for that child.
Part B	Section of IDEA that regulates educational services to children with disabilities ages 3 through 21	The part of the Individuals with Disabilities Education Improvement Act that is the special education law for children ages three through twenty-one (3-21).
Part C	Section of IDEA that regulates educational services to children with disabilities ages birth to 36 months	The part of the Individuals with Disabilities Education Improvement Act that is the special education law for children ages birth through 2 years of age.
SEA	State Educational Agency	The SEA in North Carolina is the Department of Public Instruction.
DHHS	Department of Health and Human Services	State government agency responsible for providing the human service needs for various fragile populations.