

North Carolina Infant-Toddler Program Transition Procedural Guidance *Addendum*

Reference: Transition from the Infant-Toddler Program

Introduction

Preparing families for transition out of the North Carolina Infant-Toddler Program (NC ITP) should begin as early as the first contact with each family. The Children’s Developmental Services Agencies (CDSAs) must explain to families that the NC ITP serves children and families until the child’s third birthday. As children are approaching their third birthday, the Early Intervention Service Coordinator (EISC) should be helping the family plan for the changes that will take place once the child turns three (3). This planning to prepare for transition, by statute, must occur between the child’s second and third birthday.

In some instances, CDSAs may receive a referral close to a child’s third birthday. Depending on when the child is referred and determined eligible, the Part C requirements for these “late referrals” vary. CDSAs should have local procedures and systems in place that comply with the applicable federal regulations and also allow for some flexibility in the CDSA’s referral, eligibility, and enrollment process, to ensure all children and families experience a smooth transition from the NC ITP to Part B Preschool programs or other appropriate services.

The purpose of this document is to provide guidance on how CDSAs can meet Part C Transition requirements for children referred close to their third birthday.

Federal Requirements

The Individuals with Disabilities Education Act (IDEA) requires that Infant-Toddler Programs ensure a smooth transition for infants and toddlers with disabilities under the age of three and their families from receiving early intervention services to Part B Preschool Programs, or other appropriate services for toddlers. The timelines and other regulations associated with: (a) notifying the LEA, (b) developing a Transition Plan, and (c) conducting a Transition Planning Conference (TPC) can be found in 34 CFR § 303.209.

Strategies for Meeting Regulatory Requirements

1. The CDSA should immediately begin to prepare the family for transition from the Part C program to Part B Preschool program or other appropriate services as soon as initial contact is made with the family by explaining the transition process, timelines, child and family rights, and procedural safeguards related to Transition.

2. Ensure that the parents are made aware of all required timelines and options for meeting them, so that the parents are able to make informed decisions about how to proceed through the enrollment and transition processes. Documentation must include all CDSA efforts to facilitate the meeting at least 90 days before the child's third birthday, or at the discretion of the family, as early as nine months before the child's third birthday. Documentation must also include all discussions with parents about the timing and scheduling of the TPC and parental decisions.

Example 1:

Scenario: A child is **referred to the CDSA 110 days** prior to the child's third birthday and **eligibility is determined on day 91**. For this child, the Transition Plan, LEA/SEA Notification, and Transition Planning Conference (TPC) will **ALL be required and must all be completed at least 90 days before** the child's third birthday. In other words, in this scenario, the day eligibility is determined is the critical date for determining which transition requirements must be completed. Since here, the child is found eligible under Part C at least 90 days before the child's third birthday, all components of transition must be completed within a day (by 90 days before the child's third birthday).

The CDSA should use the following strategies:

- When discussing the NC ITP and eligibility with the family, tell the family about eligibility for Part C (the NC ITP) and that the program can only serve the child and family up to the child's third birthday. Discuss eligibility under Part C, how it will be determined, and that parents have the right to enroll or not to enroll. Share openly with the family that they hold the right to have the child's eligibility determined and IFSP developed, if eligible, and if they enroll, it must be completed within 45 days of when they were referred to the NC ITP.
- Offer the family the option of completing the eligibility evaluation and assessment and the initial IFSP (that includes a Transition Planning Meeting (TPM), Transition Planning Conference (TPC), and Transition Plan) at the same time. CDSA staff should inform the parent that they might consider giving permission to invite the LEA/PSU to this combined meeting (recognizing, that depending on the timing of the meeting, the LEA/PSU may not be able to attend due to not having enough time in its schedule to accommodate a meeting with relatively short notice).
- Immediately after the eligibility determination meeting, if the LEA/PSU wasn't part of the meeting, the CDSA staff who determined eligibility should notify the person(s) in the CDSA who sends the child find information to the LEAs/PSU, so that the information can be sent via email, fax, or telephone. The EISC or individual providing the information to the LEA/PSU (as appropriate,) must document in the child's record that this occurred.
- The CDSA should make every effort to expedite the eligibility evaluation and assessment for children referred this close to their third birthday.

Remember:

- If the parent gives consent to invite the LEA/PSU to the combined meeting, the CDSA must send a Meeting Invitation to the LEA/PSU.
- The NC ITP Meeting Invitation must be used to make meeting arrangements with and provide

written notice to the family and other participants. The Meeting Invitation must be provided early enough for the attendees to arrange for attendance at the combined meeting. The CDSA must ensure that the Meeting Invitation designates all proposed actions that will take place in the combined meeting, including: discussion of results of eligibility evaluation and child and family assessments, enrollment options, development of the initial IFSP, development and addition of the Transition Plan that includes steps and strategies to be utilized to ensure a smooth transition from Part C to Part B Preschool programs or other appropriate services, and conducting the TPC.

- If the LEA/PSU is going to attend the combined meeting, the parent will need to sign an authorization for the LEA/PSU to be present and participate.
- If the LEA/PSU is unable to attend the combined meeting and the family decides to wait to conduct the TPC because they would prefer to have the LEA/PSU present, the IFSP team should develop the Transition Plan as part of the Initial IFSP meeting.

Example 2:

Scenario: A child is **referred 122 days** prior to his/her third birthday and is **determined eligible 85 days** before s/he turns three (3).

The CDSA should use the following strategies:

- Within 45 days of the referral, the CDSA **must** conduct an evaluation to determine eligibility, conduct assessments, and conduct the initial IFSP meeting to develop an initial IFSP. **If determined eligible and receiving service coordination, a child is considered to be served by Part C.**
- A formal Transition Plan is NOT required; however, the IFSP must include appropriate transition content. The CDSA may develop a functional transition outcome or complete the transition planning page. Either will serve as the IFSP transition outcome. Each CDSA should determine how they will address adding transition content to the IFSP to ensure consistency throughout the CDSA.
- Notification to the LEA/PSU for Child Find purposes is required. The LEA/PSU must be notified as soon as possible once the child is determined eligible.
- Transition Planning Conference is NOT required.

Example 3:

Scenario: A child is **referred 44 days** prior to their third birthday:

The CDSA should use the following strategies:

- In this situation, the NC ITP is NOT required to determine eligibility or provide services to the child and family. The CDSA should not conduct an eligibility evaluation, assessments, or develop an initial IFSP. Parents/Guardians should be informed that they need to request an evaluation from the LEA/PSU in which they reside. The CDSA should assist the family by providing the parent/guardian with a point of contact for the LEA/PSU, information on how to contact that person, and following-up with the parent to determine whether they were able to connect with the LEA/PSU

to schedule an evaluation.

- Transition Plans are NOT required.
- Transition Planning Conferences are NOT required.
- With parental consent, children must be referred to their LEA/PSU of residence.

Reminders:

When newly referred and eligible children are close to age three, CDSAs should discuss all options with families related to enrolling in the Infant-Toddler program so close to the child's third birthday so that families can make informed choices and decisions about what they want to do. Parents get to choose whether they should proceed with the NC ITP – (eligibility determination, enrollment, IFSP development, start of services and transition planning); or whether they wish to wait and have the LEA/PSU conduct an eligibility evaluation and proceed through the Part B process.

Regardless of what a parent/guardian may decide on how to proceed, it is the CDSA's responsibility to provide information to the parent/guardian about their rights and options so that they can make the choice that best fits their child's needs.