

 <p>UTAH DEPARTMENT OF HEALTH Baby Watch Early Intervention Birth to Three Development</p>	Policy #	1.B.10
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PURPOSE

To ~~describe the procedures used to~~ ensure a smooth and individualized transition for all children and families ~~receiving services in the Baby Watch Early Intervention Program (BWEIP) from early intervention services to preschool or other appropriate services at age three (3), or who are exiting the BWEIP before age three (3).~~

DEFINITIONS

Baby & Toddler Online Tracking System (BTOTS): The secure database used by Utah EI programs and providers to record service information. BTOTS is designed to track EI activities, encourage compliance with state and federal regulations, and support compliance and monitoring with statewide child information.

Baby Watch Early Intervention Program (BWEIP): Utah's lead early intervention agency, with the single line of responsibility to carry out all the provisions of IDEA Part C.

Consent: As described in §303.7, consent means that:

- a. A parent has been fully informed of all information relevant to the activity for which consent is sought, in the parent's native language;
- b. The parent understands and agrees in writing to the carrying out of the activity for which the parent's consent is sought, and the consent form describes that activity and lists the early intervention records (if any) that will be released and to whom they will be released; and
- c. (1) The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time.
(2) If a parent revokes consent, that revocation is not retroactive (i.e., it does not apply to an action that occurred before the consent was revoked).

Early Intervention (EI): Part C programs or services selected in collaboration with parents, designed to meet the developmental needs of a child birth to age 3 and the needs of the family to assist in the child's development.

Early Intervention Service (EIS) Provider: As described in §303.12, an entity (whether public, private, or nonprofit) or an individual that provides services under Part C of Individuals with Disabilities Education Act (IDEA).

Early Intervention Services: As described in §303.13, developmental services that are:

- a. Provided under public supervision
- b. Selected in collaboration with the parents
- c. Provided at no cost, except where federal or state law provides for a system of payments by families, including a schedule of sliding fees
- d. Designed to meet the developmental needs of an infant or toddler with a disability and the needs of the family to assist appropriately in the child's development, as identified by the IFSP team
- e. Meet the standards of the State in which the early intervention services are provided, including the requirements of IDEA Part C
- f. Are provided by qualified personnel
- g. Are provided in natural environments to the maximum extent appropriate
- h. Are provided in conformity with an IFSP

Early Intervention Specialist: An early intervention employee who holds a current Early Intervention Specialist credential and serves families as part of an IFSP team. All direct service providers, regardless of education or licensure, are Early Intervention Specialists.

IFSP Team: As described in §303.343, the individuals who collaborate to develop and carry out a child's IFSP and who attend IFSP Team Meetings. Each IFSP Team must include the following participants: 1) Parent or parents of the child; 2) Other family members, as requested by the parent; 3) An advocate or person outside of the family, if requested by the parent; 4) Service coordinator; 5) Individuals involved in conducting the evaluations and assessments; 6) Future service providers, as appropriate.

1.B.10 Transition to Preschool and Other Programs

IFSP Team Meeting: As described in §303.342-3, a meeting in which the IFSP Team develops an initial or annual IFSP. Initial IFSP Team meetings must be conducted within 45 days of referral. Annual IFSP Team meetings must be conducted on at least a yearly basis.

Individualized Education Program (IEP): As described in 34 CFR §300.320, a written plan designed to meet the unique learning needs of a student age 3-21 with a disability.

Individualized Family Service Plan (IFSP): As described in §303.20, a written plan for providing early intervention services to an infant or toddler with a disability and their family.

Individuals with Disabilities Education Act (IDEA): As established by Public Law 94-142 and amended most recently in Public Law 108-446, a federal law that governs how states and public agencies provide early intervention, special education, and related services to children with disabilities.

Local Education Agency (LEA): As described in §303.23, a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State. Public school districts, charter schools, and USDB may all serve as LEAs in Utah.

Lead Agency: As described in §303.22, the agency designated by the State's Governor that receives funds to administer the State's responsibilities of Part C under IDEA. Baby Watch Early Intervention Program is Utah's Lead Agency.

Parent: As described in §303.27, a biological or adoptive parent of a child; a foster parent; a guardian generally authorized to act as the child's parent or authorized to make EI, educational, health, or developmental decisions for the child; an individual acting in the place of a biological or adoptive parent with whom the child lives, or an individual who is legally responsible for the child's welfare; or a surrogate parent.

Parent Rights: As described in §303.401-421, the rights of parents and children related to the confidentiality of personally identifiable information and early intervention records, as well as the right to parental consent and notice.

Part B of IDEA: The section of the Individuals with Disabilities in Education Act (IDEA), Federal Register, Vol. 71, No. 156, that governs how special education and related services are provided to school-aged children with disabilities ages 3 through 21 years.

Part C of IDEA: The section of the Individuals with Disabilities in Education Act (IDEA), 34 CFR Part 30, that establishes a federal grant program that assists states in operating a comprehensive statewide program of early intervention services for infants and toddlers with disabilities, ages birth through age 2 years, and their families.

Prior Written Notice: According to §303.421, the notice provided to parents a reasonable time before the lead agency or an EIS provider proposes, or refuses, to initiate or change the identification, evaluation, or placement of their infant or toddler, or the provision of early intervention services to the infant or toddler with a disability and that infant's or toddler's family.

Referral: As described in *The Early Intervention Workbook*, an infant or toddler referred to early intervention by a parent, other family member, physician, child care provider, or other individual who is familiar with the child and who has a concern about how the child is developing.

Referral Notification: The automatic, electronic transfer of referral information from BTOTS to TEDI to the LEA/SEA for children who are receiving EI services and who are potentially eligible for Part B services.

Service Coordinator: As described in §303.34, the individual who is responsible for 1) coordinating all services required under Part C across agency lines; and 2) Serving as the single point of contact for the family.

State Education Agency (SEA): As described in §303.36, the state board of education or other agency or officer primarily responsible for the state supervision of public elementary schools and secondary schools.

1.B.10 Transition to Preschool and Other Programs

Transition: As described in §303.344(h), the process that prepares children and families to exit early intervention services and participate in Part B preschool or other community services after the child's 3rd birthday.

Transition from Early Intervention Data Information (TEDI): The secure online database used by Baby Watch, school districts, and the Utah State Board of Education (USBE) to share, with parent consent, a child's transition information.

Utah Schools for the Deaf and the Blind (USDB): Utah's statewide educational agency tasked with providing programs and services for students who are deaf, hard of hearing, blind, visually impaired or deaf-blind.

Utah State Board of Education (USBE): The state agency responsible for the public education system in Utah.

DRAFT

PRINCIPLES AND PROCEDURES

1. Oversight and Supervision

- a. **The Baby Watch Early Intervention Program (BWEIP)** shall ensure:
 - i. A smooth **and individualized** transition for children from EI services to preschool or other appropriate services at age ~~three (3)~~ 3 years, or who are exiting the BWEIP before age 3 ~~three (3)~~ as supported through an interagency agreement between ~~BWEIP, the Lead Agency (LA),~~ the Utah State Board ~~Office~~ of Education (the SEA) and the Utah Schools for the Deaf and the Blind (**USDB**). The interagency agreement (as addressed within this policy) is required by **Part C** and is updated as needed to meet the requirements of IDEA.
 - ii. ~~BWEIP shall ensure~~ Compliance with **Part C** requirements for a **timely and individualized** transition from ~~the~~ BWEIP to **Part B** preschool or other services through its General Supervision and monitoring system.
 - iii. EI programs shall have interagency agreements with their respective **Local Education Agencies (LEAs)**.

2. Referral Notification

- a. For the purpose of transition planning, any child enrolled in ~~the~~ BWEIP program between ~~ages twenty-seven~~ 27-36 months **of age** is considered potentially eligible for **Part B** preschool special education services.
- b. **The Baby Watch Early Intervention Program BWEIP** shall ensure that:
 - i. EI programs send a referral notification to the SEA and LEA electronically ~~through~~ **from the Baby & Toddler Online Tracking System (BTOTS) to the Transition from Early Intervention Data Information (TEDI) system** when the child is ~~twenty-seven (27)~~ months of age if the child is enrolled, or at the time of the development of the initial IFSP for children who enter EI after ~~twenty-seven (27)~~ months of age unless the parent opts out of the referral.
- c. Referral information includes:
 - i. Child's name
 - ii. Date of birth
 - iii. Primary language
 - iv. Parent/guardian contact information including: **Name, Address, and Phone Number**
 - v. ~~Name;~~
 - vi. ~~Address; and~~
 - vii. ~~Telephone number.~~
- d. EI programs shall inform the parent/guardian of the required referral notification ~~of a child~~ during the development or review of the IFSP closest to the child's ~~second (2nd)~~ birthday and provide the parent/guardian ~~him/her~~ an opportunity to decline/opt out of the referral notification (**Opt-Out**).
 - i. The parent/guardian may decline the referral notification by signing the **referral notification form Disclosure of Referral Notification from Part C to Part B form**.
- e. A referral notification will not be sent if the parent/guardian declines the referral notification in writing.
- f. The parent may reverse their decision to decline the **referral notification Disclosure of Referral Notification from Part C to Part B** at any time by providing written notice to the EI program. The referral information will then be sent to the SEA and LEA electronically ~~through~~ **from BTOTS to TEDI**.
- g. If a toddler is determined eligible for EI services ~~after thirty (between 30-34.5 months of age but not more than thirty-four and one half (34.5) months of age,~~ and the family does NOT decline the referral notification the EI program shall, as soon as possible, notify the SEA and the appropriate LEA electronically ~~through~~ **from BTOTS to TEDI**.
- h. If a child is referred to an EI program fewer than ~~forty-five (45)~~ days before that child's ~~third (3rd)~~ birthday, and that child may be eligible for **Part B** special education preschool services ~~under part B~~, the EI program, with

1.B.10 Transition to Preschool and Other Programs

parental consent, shall refer the child to the SEA and the appropriate LEA through written or verbal means. The EI program shall not conduct an evaluation, assessment, or an initial IFSP meeting under these circumstances.

3. Transition Plan

- a. **The Baby Watch Early Intervention Program BWEIP** shall ensure that, for all children, the EI program shall:
 - i. Not fewer than ~~ninety (90)~~ days, and at the discretion of all parties, not more than ~~nine (9)~~ months before each child's ~~third (3rd)~~ birthday, with the IFSP team, including the family, establish a transition plan in the child's IFSP.
 - ii. The transition plan in the IFSP should describe the steps and services that the IFSP team, including the family, identifies as needed for that child and ~~his/her~~ family to exit from Part C. The steps shall include, as appropriate:
 1. Discussions with and training of parents, regarding future placements and other matters related to the child's transition;
 2. Procedures to prepare the child for changes in service delivery, including steps to help the child adjust and function in a new setting;
 3. Identification of transition services and other activities that the IFSP team determines are necessary to support the transition of the child;
 4. Confirmation that referral notification information about the child has been transmitted to the SEA and LEA, unless the parent declined the notification; and,
 5. With written parental consent, release the child's EI record to the LEA **or other community services, to ensure continuity of services from Part C to Part B**, including a copy of the most recent evaluation and assessments ~~of the child and the family~~ and most recent IFSP.
- b. Review the program options for the child for the period from their 3rd birthday through the remainder of the school year.

4. Transition Conference

- a. **The Baby Watch Early Intervention Program BWEIP** shall ensure that:
 - i. The EI program, with ~~parent approval of the family of the child~~, convenes a conference among the EI program, the family, and the LEA not fewer than ~~ninety (90)~~ days; and, at the discretion of all parties, not more than ~~nine (9)~~ months before the child's ~~third (3rd)~~ birthday to discuss any services that ~~s/he~~ **they** may receive under Part B; and
 - ii. If the family ~~of a child~~ declines the **Part B referral notification, Disclosure of Referral Notification from Part C to Part B to the SEA and LEA for Part B special education preschool services**, the EI program, with ~~parent approval the approval of the family~~, makes reasonable efforts to convene a transition conference among the EI program, the family, and providers of other appropriate services and supports in the community to discuss services that the child may receive.
 - iii. The transition conference and the **IFSP** meeting to develop the transition plan (~~the transition conference and the IFSP to develop the transition plan~~ **which** may be combined into one meeting) shall meet the requirements of Part C procedures for IFSP development, review and evaluation.
 - iv. **And** IFSP team meetings and or IFSP reviews that are conducted at the same time as the transition conference require the attendance of a representative of the LEA, and ~~members of the IFSP team including the parent, the designated service coordinator, person or persons involved in evaluations and assessments and person or persons that provide EI services to the family and as requested by the family, other family members, a person or advocate outside the family and a USDB representative if the child is receiving these services.~~

5. Transition Events

a. ~~Initial IFSP~~, Transition Introduction

- i. ~~At the Initial IFSP Team Meeting~~, the EI program shall discuss with parents the following:
 1. During the initial IFSP meeting, what transition from EI means
 2. The concept of transition at age 3 ~~or when a child attains his/her IFSP goals; and~~
 3. The timing of transition events and services throughout the child's enrollment in EI

b. Referral Notification Discussion

- i. ~~At the IFSP Meeting at/near the child's 2nd birthday~~, the EI program shall discuss with parents the following:
 1. Placement options available for their child at age 3: Part B ~~local school district~~ special education preschool, Head Start, or other;
 2. General information on ~~Part B local school district~~ special education preschool eligibility;
 3. The ~~Part B~~ referral notification requirement ~~to the SEA and LEA~~ when their child is 27 months old, which includes the child's name, date of birth, primary language and parent contact information;
 4. The option to decline the ~~Part B~~ referral notification ~~to the SEA and LEA~~ by signing and dating the ~~Disclosure of Part B referral notification from Part C to Part B Information~~ form; and
 5. The parent can reverse their decision to decline the ~~Disclosure of Referral Notification from Part C to Part B referral notification~~ at any time by providing written notice to the EI program.
- ii. The ~~Part B~~ referral notification begins the process of planning transition to special education preschool.
- iii. After the ~~Part B~~ referral notification is sent ~~to the SEA and LEA~~, parents will help develop a transition plan and attend a transition conference, not fewer than 90 days and not more than 9 months before the child's 3rd birthday.

c. Transition Planning

- i. ~~At the IFSP Meeting between 27-33 months of age~~, the EI program shall complete special education preschool transition planning with the parent or guardian by discussing:
 1. Information about the local special education preschool and the Individualized Education Program (IEP) process;
 2. Skills the child needs for special education preschool preparedness;
 3. IFSP outcomes and any services needed to prepare the child and family for service delivery in another setting;
 4. Other services that may be available in the community in addition to special education preschool;
 5. Consent to release the information in their child's EI record to the local school district's special education preschool program; and
 6. Transition conference arrangements.
- ii. Parents that decline the ~~Disclosure of Referral Notification from Part C to~~ Part B ~~referral notification~~ shall be offered assistance through the development of a ~~Community~~ transition plan.

1.B.10 Transition to Preschool and Other Programs

d. Transition Conference

- i. **When the child is 27-33 months of age**, the EI program shall convene a transition conference:
 1. **With the approval of the family of the toddler** ~~verbal or written parent consent~~;
 2. **With prior written notice**
 3. No later than 90 calendar days and at the discretion of all participants; and
 4. Up to 9 months prior to a child's 3rd birthday.
- ii. Participants at a transition conference shall include:
 1. A parent of a child who is approaching 3 years of age;
 2. A representative of the EI program;
 3. A representative of the LEA;
 4. Other family members, as requested by the parents, if feasible to do so;
 5. An advocate or person outside of the family (as appropriate), if requested by the parents;
 6. A representative from the **USDB** Parent Infant Program if the child receives those services;
 7. A person or persons directly involved in evaluations and assessments; and
 8. A person or persons that provide EI services to the child and family.
- iii. If a person listed above as appropriate is unable to attend a meeting, arrangements must be made for the person's involvement through other means, including one of the following:
 1. Participating in a telephone conference call.
 2. Having a knowledgeable authorized representative attend the meeting.
 3. Making pertinent records available at the meeting.
- iv. During a transition conference, participants shall review a child's program options for the period from a child's 3rd birthday through the remainder of a school year.
 1. In the event that a representative of the LEA does not attend the transition conference for a child, the service coordinator shall conduct the transition conference as scheduled. The EI provider shall provide parents at the conference with information about Part B preschool services. The information includes:
 - a) A description of the Part B eligibility definitions, state timelines and process for consenting to an evaluation and conducting eligibility determinations under Part B; and
 - b) The availability of special education and related services.
- v. The EI program shall transition and exit a child from EI services no later than the child's 3rd birthday.

6. BTOTS Documentation

- a. **BTOTS documentation** ~~Referral notification discussion~~ shall include the date **and evidence that each of the following topics** was discussed:
 - i. Placement options at age ~~three (3)~~
 - ii. General special education preschool eligibility
 - iii. **Part B** referral notification process
 - iv. Automatic ~~referral to~~ Part B ~~referral notification preschool or Disclosure of Referral Notification from Part C to Part B~~
 - v. ~~Disclosure of Part B referral notification form from Part C to Part B~~ signature date (if applicable)

1.B.10 Transition to Preschool and Other Programs

- b. Transition planning shall include the date and document evidence that each of the following topics was discussed:
- i. Information on special education preschool, additional options and IEP
 - ii. Skills for special education preschool preparedness
 - iii. IFSP outcome
 - iv. EI record release
 - v. Transition conference arrangements
 - vi. Other
- c. Transition conference information shall include:
- i. Conference date
 - ii. Attendees
 - iii. Placement
 - iv. Notes
 - v. Reason for any delay

AUTHORITY

IDEA Section 639(a)(5)
34 CFR § 303.209: Transition to preschool and other programs
34 CFR § 303.210: Coordination with Head Start and Early Head Start, early education, and child care programs
34 CFR § 303.342: Procedures for IFSP development, review, and evaluation
34 CFR § 303.343: IFSP Team meeting and periodic review
34 CFR § 303.401: Confidentiality and opportunity to examine records
34 CFR § 300.124: Transition of children from Part C program to preschool programs

REFERENCES

Pletcher, L.C., & Younggren, N (2013). *The Early Intervention Workbook*. Baltimore: Paul H. Brookes Publishing Co.

REVISION LOG

February 14 2019: New policy

	February 14 2019
Lisa A. Davenport, Ph.D., BWEIP Program Manager	Date