

What Do We Know about Transitions from Part C to Part B 619 Services?

Transition and Families

<https://www.youtube.com/watch?v=9ZS3Ezpwv18>

Best Practice in Transition

- tiny-k practitioners and school district provide information about Part B/preschool special education services in formats easily understood by all participants in the transition conference.
- Part C providers are required to provide information about Part B/preschool services at the transition conference

Best Practice in Transition

Information shared at transition conferences

- comparison of eligibility requirements for Part C and Part B/619 services, including timelines for consent for evaluation and eligibility determination for Part B/619 services and provision of procedural safeguards
- comparison of IFSP and IEP requirements
- description of services provided by Part B/619
- description of continuum of placement options for Part B/619 preschool services in the district
- point-of-contact for school district transition services

Best Practice in Transition

Some tiny-k programs and school districts integrate information about IDEA transition requirements with other information families need to know about their school district services, such as:

- Enrollment requirements
- ECSE team profiles
- School district calendar
- Resources for families
- Glossary of terms

Best Practice in Transition

- Some tiny-k programs and school districts include checklists and questionnaires for families to assist them in planning for participation in evaluation, eligibility, and IEP decisions for their child.
- Some tiny-k programs and school districts provide videos or links to videos or photos of their programs on their websites

Facebook Page for Riley County tiny-k program

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Website for Blue Valley Early Childhood Program

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Common Questions and Answers

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Federal Exception Evaluation Timeline

A child served in a Part C *tiny-k* program was referred to an LEA, but then moved out of district before the child was evaluated to determine eligibility for Part B. How will that impact the LEA's compliance on indicator 12?

- When a child moves from an LEA, after a referral is made but before eligibility is determined, there is a federal exception to the evaluation timeline (CFR300.301 (d) (2) that exempts this child from being considered in indicator 12 data. An LEA would report the child had moved between referral and evaluation for Part B eligibility when reporting to KSDE for indicator 12, and the child would not be considered when determining compliance on indicator 12.

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Federal Exception Parent Refusal for An Evaluation

An LEA received a referral from a Part C *tiny-k* program and obtained consent for an evaluation. Then the family did not respond to contact attempts to set up dates for evaluating the child before the toddler's third birthday. Will the LEA be noncompliant on indicator 12 in these circumstances?

- No, an LEA would not be considered noncompliant. The parent's repeated refusal to make the student available for an evaluation (K.A.R. 91-40-8(g)(1) and 34 CFR 300.301(d)(1)) is a federal exception to the evaluation timeline.

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Delay Initiating the Initial Evaluation?

Transition-aged children's needs and progress change rapidly. If a Part B LEA receives a referral from Part C well in advance of the child's third birthday (6 – 9 mos prior), is it advisable for the LEA to wait to initiate the initial evaluation of the child?



- Understanding that a child's development changes rapidly at this age, the LEA may have concerns about the appropriate timing of the initial evaluation and IEP development. However, the LEA must carefully weigh the benefits and risks of initiating the evaluation at a later date to **ensure that in no case such practice would result in not meeting the timeline for completion of the initial evaluation, and if eligible, implementing the IEP by the child's third birthday.**

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Delay Initiating the Initial Evaluation?

Continued...

- In deciding whether delaying the initial evaluation to a later date would be appropriate, the LEA should consider the referral date, the estimated 60 school day timeline in relation to the child's third birthday, and the individual child's development. If initiating the evaluation upon referral would result in a significant amount of time between the completion of the evaluation/IEP and the third birthday, then there are a few options for the LEA to respond to the referral with prior written notice to the parent within a reasonable time (15 school days), but time the evaluation in a way that addresses the LEA's concerns about the evaluation and IEP accurately reflecting the needs of the transitioning child (the evaluation timeline starts upon the LEA obtaining parent consent for the evaluation).






Delay Initiating the Initial Evaluation?

Continued...

- The LEA could respond with prior written notice agreeing with the need for an evaluation, but proposing to conduct that evaluation at a later date certain. The LEA would present a prior written notice and request for consent to the parent accordingly for the proposed date.
- The LEA could respond with prior written notice proposing to conduct the initial evaluation and requesting parent consent, but ask the parent to provide a consent effective later, on a certain specific date.
- The LEA could respond with prior written notice proposing to conduct the initial evaluation and requesting parent consent, but also ask the parent to agree to extend the timeline for the evaluation. (K.A.R. 91-40-8(f))



Remember, none of these three methods can be used to extend the completion of the evaluation and IEP beyond the child's third birthday.

Referral Information

What information should be released from Part C to Part B during the transition process?



- At referral the only information required is the child's name, date of birth and parent contact information. At the time the parents agree to the transition conference and have signed consent to release records, any information generated by the *tiny-k* program or its contractors that may be helpful in determining eligibility for Part B and/or in designing appropriate interventions should be released (e.g. a copy of the IFSP, initial Part C eligibility information, home visit notes).

Late Referrals to Part B

Some children are not referred from a Part C *tiny-k* program to an LEA at least 90 days before the child's third birthday. Will an LEA still be held accountable for meeting the third birthday transition timelines for this child under Indicator 12?

- It depends on when the child was referred to Part C, not Part B.
 - If the child was referred to Part C less than 90 days before the child's third birthday, the child is not considered when determining LEA compliance on Indicator B12.
 - If the child was referred to Part C at least 90 days prior to the child's third birthday (even if Part C referred the child to Part B LEA less than 90 days prior) and the LEA did not determine eligibility and develop the IEP, if appropriate, by the child's third birthday, the LEA would be considered noncompliant on Indicator 12.
- Note: If an LEA is receiving referrals from Part C *tiny-k* program less than 90 days before the child's third birthday, then it is recommended that the LEA address this issue locally with the Part C *tiny-k* program and may consider addressing the issue in a local MOU.*

New Additions to FAQ







Referral

Can Part C programs still do a "pre" referral notification to Part B?

- In the past, there was a 2 pronged approach to the referral process. This no longer exists in Federal Regulations. If local *tiny-k* programs together with their LEAs decide that they would like to utilize a 2 pronged approach they may. The MOU between the two programs needs to clearly delineate the agreed upon process.
 - Permission to share information with the LEA must be obtained from the parents before releasing any information to the LEA when making a "pre" referral.

Referral Example

For example “9 months prior a child’s third birthday the local tiny-k program will provide the LEA with a list of children who are in services at that time. This will only occur with signed parental informed consent. This does not constitute a referral. At least 90 days prior to a child’s third birthday, all children who are potentially eligible for Part B will be referred to the LEA of residence. This does constitute an “official” referral and starts the LEAs transition timelines.” The Official Referral is the date that will be entered into the ITS Database and what will be used for the CBER system for the LEA.



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Reasonable Justification

How soon after a referral from Part C does Part B need to provide parents with their parent rights/procedural safeguards? Can the LEA wait until the transition conference to provide the notice of procedural safeguards?

- The notice of Procedural Safeguards (Parents’ Rights) must be given to parents upon an initial referral from Part C or a parent’s request for an evaluation. When an LEA receives a Part C referral, it has a reasonable time in which to provide parents with the notice of procedural safeguards, as well as a prior written notice and, if appropriate, request consent to conduct an initial evaluation. KSDE interprets a reasonable time to be within 15 school days, unless there is a reasonable justification for further delay.



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Reasonable Justification

How soon after a referral from Part C does Part B need to provide parents with their parent rights/procedural safeguards? Can the LEA wait until the transition conference to provide the notice of procedural safeguards?

- If the transition conference is scheduled within 15 school days from the date of the Part C referral, an LEA may wait for the transition conference to deliver these documents to the parents. If Part C sends the referral well in advance of 90 days prior to a child’s third birthday and a transition conference is not scheduled within 15 school days, the LEA should provide the notice of procedural safeguards to the parents, unless a reasonable justification for delay exists. If a reasonable justification for delay exists it would be best practice for the LEA to provide this justification to the parents in writing within 15 school days of the Part C referral. Each LEA should adopt its own policies and procedures regarding how the required documents are delivered to parents.



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Example of Ready Willing and Able Letter for Child Not Transitioning to Part B Due to Parent Choice



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Transition Memorandum of Understanding

Sending Agency: tiny-k agrees

- To provide referral of potentially eligible children residing within the LEA boundaries at least 90 days and up to nine months prior to the child’s third birthday. Referral should include child’s name, date of birth, parent contact information (names, addresses, telephone numbers) and may also include the name and contact information for the family service coordinator and the language(s) spoken by the child and family.
- Enter all part B referral information into our infant toddler database within a timely manner to ensure CBER is up to date in its referral process. Should the child move out of school district service area, once a referral has been made, the family service coordinator will contact part b by phone or email to let them know of the move and provide any information we have regarding the change.



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Transition Memorandum of Understanding

Receiving Agency: School district agrees

- To check CBER and accept all part C referrals made to school district that are within their service area. Should a referral be made incorrectly (e.g. wrong school district, or address outside of service area it will be rejected on CBER). At that time email contact will be made with the tiny-k program to notify of the rejection and reason in order for the tiny-k program to resolve the discrepancy. Timeline will be agreed upon between both parties.



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Transition: Sending and Receiving Agencies Example

- Will provide referral of potentially eligible children residing with USD boundaries no more than 9 months but not fewer an 90 days prior to the child's third birthday. This information will be entered into the KITS database and marked read for C to B electronic referral (CBER). The USD will accept or reject this information based on the child's residence within the boundaries of the school district.



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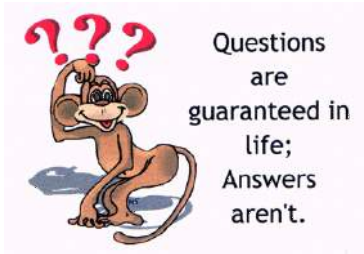


<https://www.youtube.com/watch?v=t9QaCYVN7xM>



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What Questions Do You Have?



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Contact Us:

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