

Transition: Part C to B

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MISSISSIPPI
DEPARTMENT OF
EDUCATION



Federal and State Transition Requirements



- **Federal Requirements -**
<https://ectacenter.org/topics/transition/reglaw.asp>
 - Federal IDEA Statute
 - Federal Regulations for Part C and Part B
- **OSEP Guidance and Policy Letters -**
<https://ectacenter.org/topics/transition/osep.asp>
- **State Requirements**
 - State Statute
 - Agency and Program Policies and Procedures
 - Interagency Agreement between MSDH and MDE

Ectacenter.Org



(a) Application requirements

- Requires the lead agency for Part C to develop policies and procedures to ensure a smooth transition for infants and toddlers with disabilities under the age of three and their families from receiving early intervention services to preschool or other appropriate services (for toddlers with disabilities) or to exit the Part C program
- Requires the lead agency, when not the SEA, to have an interagency agreement with the SEA outlining how both agencies will ensure all the transition requirements are met



(b) Notification to the SEA and appropriate LEA [of a toddler who may be eligible for preschool services under part B]

- ...**not fewer than 90 days before the third birthday** of the toddler with a disability, ...the lead agency notifies the SEA and the LEA for the area in which the toddler resides that the toddler on his or her third birthday will reach the age of eligibility for services under part B...
- ...if the lead agency determines that the toddler is eligible for early intervention services under part C of the Act...less than 90 days before that toddler's third birthday,...the lead agency, **as soon as possible** after determining the child's eligibility, notifies the SEA and the LEA...
- ...if a toddler is referred to the lead agency **fewer than 45 days before that toddler's third birthday**,...the lead agency, with parental consent...refers the toddler to the SEA and the LEA for the area in which the toddler resides; but, the lead agency is not required to [determine eligibility or enroll the child in early intervention]



(c) Conference to discuss services

- ...the lead agency, with the approval of the family of the toddler, convenes a conference, among the lead agency, the family, and the LEA **not fewer than 90 days**—and, at the discretion of all parties, not more than 9 months—before the toddler's third birthday to discuss any services the toddler may receive under part B...
 - *Note: There is a provision for a different kind of conference when the lead agency determines that a toddler with a disability is not potentially eligible for preschool services under part B of the Act; however, Mississippi defines ALL children with an active IFSP as potentially eligible for Part B*

(e) Transition conference and meeting to develop transition plan

- Allows the Transition Conference and Transition Plan Meeting to be combined into a single meeting, provided it complies with all meeting requirements



(d) Transition plan

- Reviews the program options for the toddler with a disability for the period from the toddler's third birthday through the remainder of the school year
- Includes the family of a toddler with a disability served under Part C in the development of the transition plan
- Requires the plan to be established in the IFSP no later than 90 days before the toddler's third birthday
- Requires the plan to include
 - Steps for the toddler with a disability and the family to exit from Part C
 - Any transition services the IFSP Team identifies as needed by the toddler and family



- **Main Reference**

- [34 CFR §303.209](#) — Transition to preschool and other programs

- **Additional References**

- [34 CFR §303.34](#) — Service coordination services – *defines the role of the Service Coordinator in the transition process*
- [34 CFR §303.210](#) — Coordination with Head Start and Early Head Start, early education, and childcare programs – *requires efforts to promote collaboration among programs serving infants and toddlers with disabilities*
- [34 CFR §303.211](#) — State option to make services under this part available to children ages three and older – *describes the option to extend Part C services from age three until the school year following the child's third, fourth, or fifth birthday (but limits this to entry into kindergarten or elementary school)*
- [34 CFR §303.301](#) — Public awareness program – *requires the Part C Program to provide information to parents about the availability of Part B services at least 90 days before a child's third birthday*
- [34 CFR §303.344](#) — Content of an IFSP – *requires the IFSP to include steps and services to be taken to support transition to Part B or other appropriate services*
- [34 CFR §303.401](#) — Confidentiality and opportunity to examine records – *explains what information can be disclosed to the SEA or LEA*



- (a) Children in Part C early intervention Part C who will participate in Part B preschool programs will experience a smooth and effective transition to those preschool programs
- (b) Each child transitioning from Part C to Part B will have an IEP or IFSP developed and implemented by the child's third birthday
- (c) Each affected LEA will participate in transition planning conferences arranged by the lead agency for Part C



- **Main Reference**

- [34 CFR §300.124](#) — Transition of children from the Part C program to preschool programs

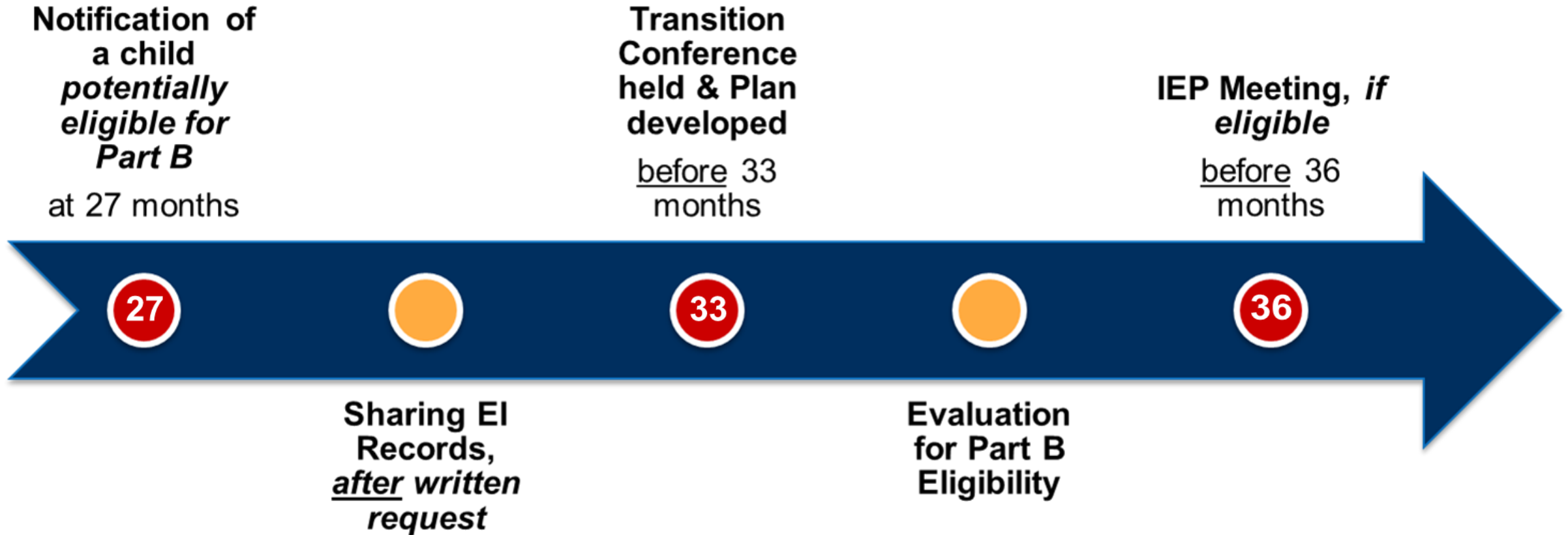
- **Additional References**

- [34 CFR §300.25](#) — Infant or toddler with a disability – *defines a child who is eligible for early intervention services*
- [34 CFR §300.321](#) — IEP Team – *requires the invitation of the Part C Service Coordinator and other personnel, at the request of the parent*
- [34 CFR §300.323](#) — When IEPs must be in effect – *describes the optional inclusion of a two-year old who will turn three during the school year and the use of the IFSP as the IEP, with the addition of required IEP language*
- [34 CFR §300.501](#) — Opportunity to examine records; parent participation in meetings – *requires parental involvement in meetings, including those involving placement decisions*
- [34 CFR §300.504](#) — Procedural safeguards notice – *requires the provision of procedural safeguard notices upon initial referral, including at transition*



Mississippi Part C to B Transition Practices



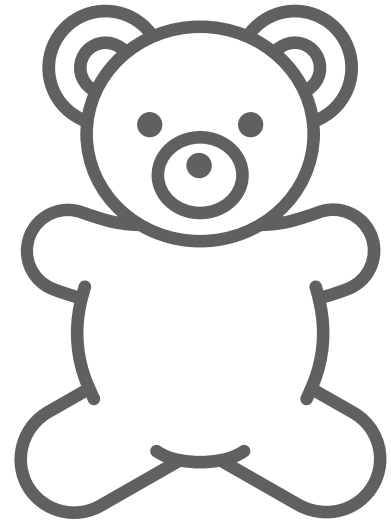


Enrollment: Transition planning begins at the beginning.

Service Coordinators must explain the transition process to families and note their discussion of transition on the child's Individual Family Service Plan (IFSP).

Service Coordinators must provide families with information to advocate for their child including a list of advocacy organizations and Family Rights/Procedural Safeguards.





27-36 Months: Data/IT personnel share data weekly on all children ages 27-36 months with an active IFSP and who will transition to Part B preschool services. The notification contains the child's name and date of birth and the parent's name and contact information.

- *This is the only information that Part C can provide to Part B without specific written parental consent.*

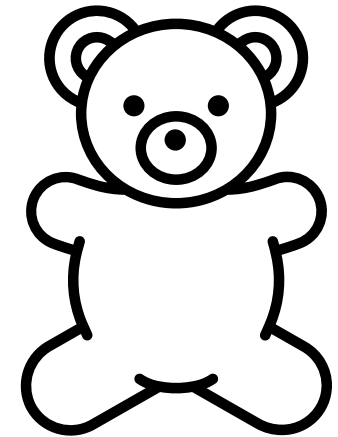
34 C.F.R. § 303.209(b)

MSDH-MDE Interagency Agreement A.5, 10 & B.4

27 Months of Age: Service Coordinator will send a letter to the Special Education Director of the school district of residence (and others per the Communication Plan) to notify them of a child receiving Part C services *who may be potentially eligible for Part B preschool services*. The notification contains the child's name and date of birth, the parent's name and contact information, and the Service Coordinator's name and contact information.

34 C.F.R. § 303.209(b)

MSDH-MDE Interagency Agreement A.5, 10 & B.4

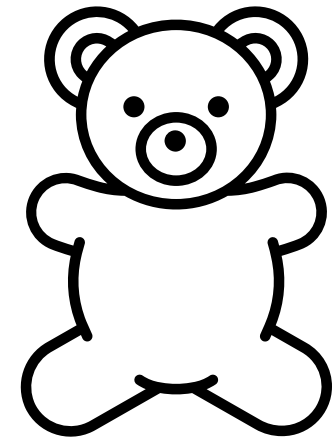


- **Late Referrals to Part C:** *90-45 days before the child's third birthday*

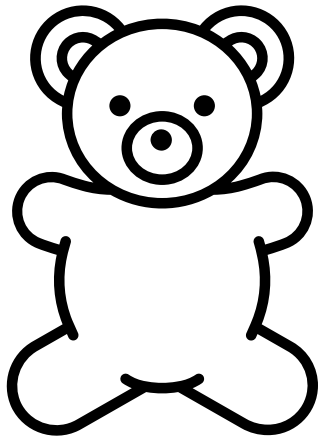
- Option 1: LEIP and LEA agree to conduct a joint evaluation.
- Option 2: LEIP will determine eligibility and then notify the LEA if the child is eligible for Part C. *This would be a late referral to Part B.*

34 C.F.R. §303.209(b)

MSDH-MDE Interagency Agreement A.10, B.4, & D.2



- **Late Referrals to Part C:** *less than 45 days before the child's third birthday*

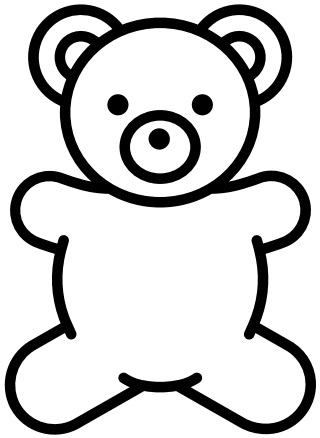


- LEIP will not evaluate or determine eligibility.
- LEIP will refer the family to contact the LEA.
- LEIP can only directly refer the child to the LEA (Child Find) if written parental consent is obtained. (This is not considered a Part C to Part B Transition).

34 C.F.R. §303.209(b)

MSDH-MDE Interagency Agreement A.9 & B.6

- Part B LEA must request to receive Early Intervention records in writing.
- Written permission must be obtained from the parent before sharing any early intervention records with the school district.
- EI records may include:
 - Existing medical records included in the child's educational records
 - Child and family assessments, including developmental histories
 - Individualized Family Service Plans (IFSPs)
 - Service provider notes and/or quarterly progress reports





All children in Part C receive a Transition Conference to discuss current and future services.



The Transition Conference may be combined with the meeting to develop a Transition Plan.



The Service Coordinator will invite school district staff, if the family wishes, and other community program staff as needed.

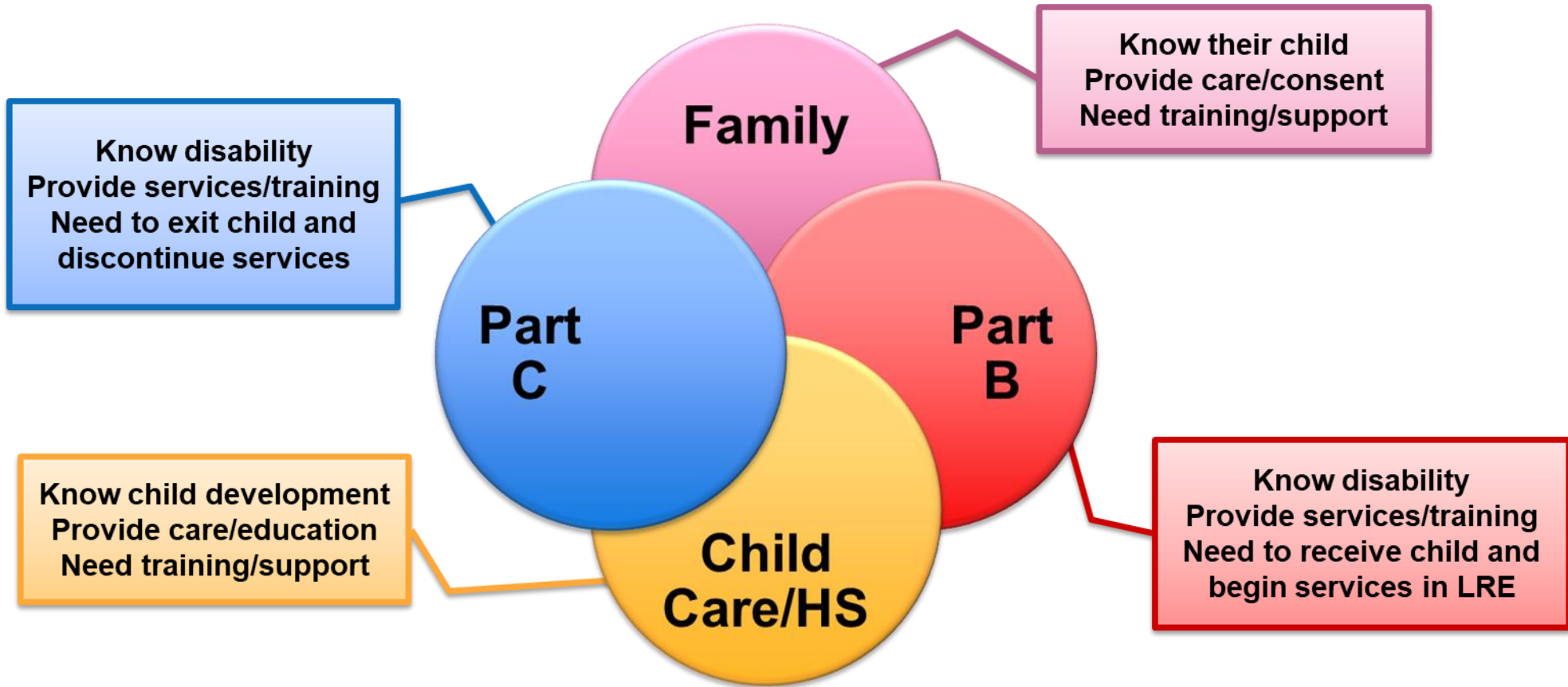


The Transition Conference will be scheduled between ages 27-32 months, considerate of all parties.



Invitations will be sent in writing to participants, including parents, service providers, school district, and/or childcare staff.





First, Service Coordinators work with families to determine the people to involve in planning for transition:

- Special Education Director of the school district of residence or designee;
- Service providers and other professionals based on the child's and families' needs;
- Head Start/childcare personnel where the child is/may be enrolled; and
- Advocates to support the family (e.g., peer families).



Second, Service Coordinators set the meeting according to IFSP requirements.

- The Transition Conference must be scheduled more than 90 days before the child's third birthday.
- The meeting time and location must be accessible and convenient for all attendees but ***especially for the family.***
- The meeting should enable phone or other virtual access.



Third, Service Coordinators will send written invitations to all attendees the Transition Conference to the LEA .

- The invitation must be sent to all attendees at least one week before the Transition Conference date.
- A copy of the invitation should be kept in the child's records.



To prepare for the Transition Conference:

- Service Coordinators should help the family prepare for the meeting by sharing information with them in home visits and helping them collect information during program visits.
- LEAs should request and review the data shared with them from the early intervention records and information from home or program visits and prepare materials to bring (e.g., program information, enrollment forms).



Part C information –

- exiting process
- transition steps
- needed transition services
- family rights/ procedural safeguards

Part B information –

- evaluation process including consent
- eligibility definitions
- services available
- procedural safeguards

Community Program –

- enrollment process
- services available
- flexible options



Confirmation of notification of the school district of residence

Sharing of records with the school district or other community programs, with parental consent

Transition services and activities necessary to support the transition of the child, including steps to prepare the family to transition and adjust afterward



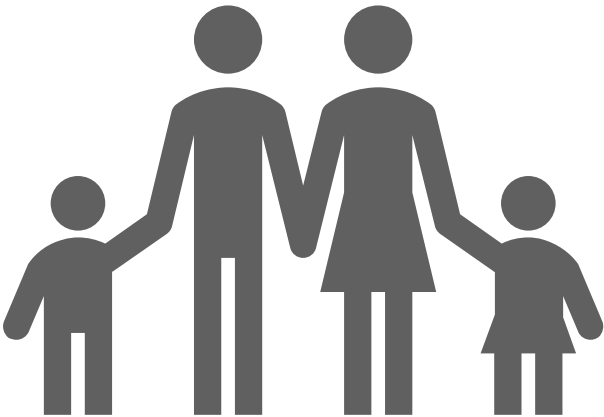
The Service Coordinator works with the family and service providers to determine what skills the family and child need for transition, e.g.,:

- Child needs to practice using a zipper and buttons to be more independent when toileting.
- Child needs to practice holding and using a toothbrush.
- Family needs to learn how to navigate multiple systems successfully.
- Family needs to learn to wait and to let their child try something independently before offering to help.



Families need to be able to:

- Learn and gather information about their child, their child's disability, and their child's rights;
- Assist their child develop skills and behaviors to help her or him be successful in new settings during and after the transition process.
- Make decisions for their child on their own;
- Know how to contact and visit the school district or Head Start/other childcare programs, especially to address any concerns they have.



Fully explained to the family;

Signed by all parties who helped create it; and

Implemented as soon as the parent provides consent.





Be invited to and attend the Transition Conference, whether in person or via technology.



Bring information about what the district has to offer for preschool students. Make sure to include contact information.



Explain the criteria for eligibility, as it is not the same in Part B as it is in Part C.



Talk about the evaluation process, without jargon, and the timeline for it.



Listen to the family's needs and concerns.



Parent must give informed written consent for evaluation.

Once consent is obtained, the district has 60 (sixty) days to complete the evaluation.

The evaluation should be comprehensive. All developmental areas should be addressed, and areas of concern should be investigated further.

The comprehensive evaluation must indicate the need for special education services, identify all educational needs to be addressed in development of the IEP, and consistently support the presence of a disability.



Teacher Narrative and/or Developmental History

Documentation about the student's functioning in the home and/or early childhood setting

Information about the child's physical condition, including fine and gross motor skills, general physical condition, hearing, vision, orofacial exam (if necessary)

Information about the child's social, behavioral, emotional, and adaptive functioning



Information regarding the students' pre-academic performance

Information about how the child communicates

Indicators of cognitive abilities

Evaluations and other information provided by parent



Information regarding developmental and preschool experiences

Information about the impact of social and cultural background and limited English proficiency on educational performance.



Lack of early education experiences

Limited English proficiency

Social/Cultural differences



Hearing, vision, and/or developmental screenings conducted by First Steps may be used, if available and current.

Information from teacher/therapist regarding how the child functions in class/therapy is important to include.

Information from the parent regarding how the child functions at home is important.

Evaluation process is time-sensitive.



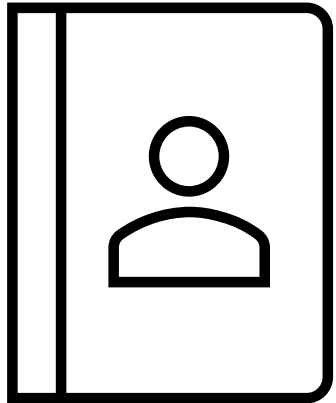
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Information from the parent regarding how the child functions at home is important.

Evaluation process is time-sensitive.





- The MET will determine, based on the results of the comprehensive evaluation, if the child is eligible for services.
- If the child is determined eligible, the next process is to develop an Individualized Education Program (IEP) for the child.
- The school district has 30 (thirty) calendar days to convene an IEP committee to develop an IEP for the child. The same people on the MET can serve on the IEP committee, if appropriate.



IEP must be completed within 30 (thirty) days of the student being determined eligible for services and should be in place by the student's third birthday.



Parent must give written consent for the student to receive services.



IEP Committee:

- Parent
- General ed teacher(s)
- Special ed teacher(s)
- Agency Representative
- Related service providers
- Others

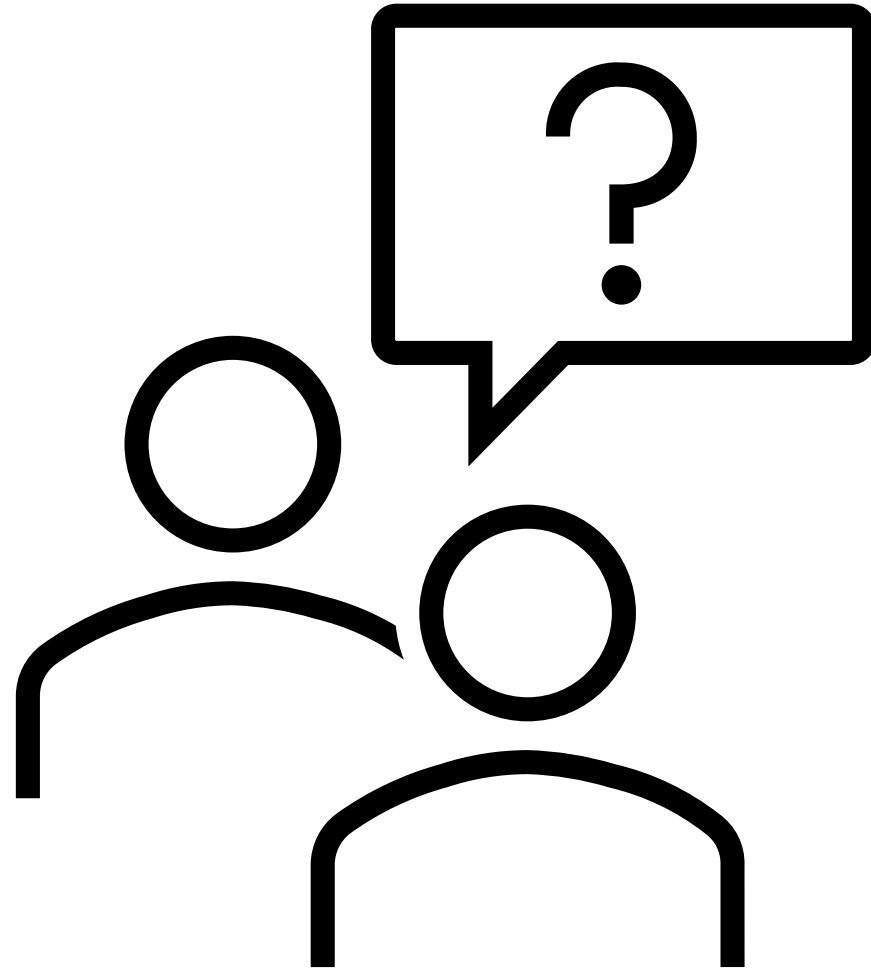


IEP committee must determine what goals and services the student needs based on all available data.



- First Steps Early Intervention - https://msdh.ms.gov/msdhsite/_static/41,0,74.html
- Early Childhood Special Education – <https://mdek12.org/specialeducation/ec/>
- Preschool in MS – <https://mdek12.org/earlychildhood/>
- First Steps to Next Steps document
- [First Steps to Next Steps - R3](#)







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