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GUIDANCE LETTER

To: SPOE Staff, Service Coordinators, Service Providers

From: CJ Hubbard, Assistant Director, Part C Special Education Compliance

Subject: Determining Service Needs, Including Assistive Technology Devices,
Near the Time of the Child's Transition from First Steps

Date: April 14, 2010

This letter has been developed to address questions about the appropriateness of some IFSP team decisions for increased services and assistive technology devices that occur just prior to infants and toddlers exiting from First Steps at age three.

State and federal regulations require that transition be addressed at each IFSP team meeting. Missouri Part C Regulations require that at age two years six months the Service Coordinator convene an IFSP team meeting to specifically address the child's transition at age three (3) to the local public schools or other services, as appropriate. With the parent's written or verbal permission, a representative of the public school district must be invited to attend this meeting.

As this transition approaches, the focus of the IFSP team needs to be on the required steps to be addressed in the transition plan:

- 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;
- Directory Information that will be provided to the public school district unless the parent "opts out," and
- With written parental consent, the transmission of information to the local educational agency to help determine eligibility for early childhood special education services and ensures continuity of services. Information includes evaluations and assessments that were generated in conjunction with the child's participation in First Steps, and copies of IFSPs that have been developed and implemented.

IFSP teams need to consider, in determining services, and most certainly in the determination of assistive technology devices whether the child is about to exit First Steps. Service Coordinators should not authorize assistive technology devices that the child will not have the opportunity to use before exiting from First Steps. Likewise, IFSP teams need to carefully consider their decisions about assistive technology devices that the child would only be able to use for a short time before exiting the program. Authorizing assistive technology devices that would only be available for a short time or not at all before the child's third birthday is not the intent of this system. First Steps funding is meant to address the needs of the child while in the program. Of course, the skills and abilities that are developed by the child and the family while in First Steps should carry over after the child exits at age three, but the services authorized under First Steps actually address the identified outcomes for the period of time covered by the child's current IFSP.

Families need to understand that when First Steps purchases assistive technology devices, the devices belong to First Steps, not the family. Unless the device is transferred to the public school when the child transitions to ECSE, the device is the property of the First Steps program. If the device is purchased by other sources such as insurance or Medicaid, the device belongs to the family.

Also, attempting to increase services to "get in" as many direct services as possible right before the child transitions out of First Steps misses the point of the Part C philosophy which is built on increasing the family's and caregiver's capacity to meet the needs of their child with a disability. It also misses the point of focusing on assisting the family and child to make a smooth transition and providing the training and procedures mentioned above to help make that happen.

If, after discussing the inappropriateness of a service or device and helping explore other funding sources, the parent continues to request that service or assistive technology device, it is the responsibility of the Service Coordinator to provide the parent with a Notice of Action Refused.