

Transition from First Steps to Early Childhood Special Education (ECSE)

March 2014



State Plans for Parts C and B

The Department has policies and procedures to ensure a smooth and effective transition from Part C (First Steps) services to Part B Early Childhood Special Education (ECSE) services at age three for children with disabilities.



Topics

This presentation will address the following topics:

- Part I: First Steps Requirements** ←
- Notification to ECSE or Opt Out
- The Transition Plan & Conference with ECSE
- Part II: ECSE Requirements**
- Referral from First Steps
- First Steps Transition Conference
- Evaluation/Eligibility Determination
- Individualized Education Program (IEP)

Part I

First Steps Requirements

Transition from First Steps begins with the Service Coordinator explaining that First Steps services end when the child turns age three, and reviewing available community programs/options for the child after age three.

Community programs may include: Head Start, local public or private preschool program, child care, home-based care. . . and **Early Childhood Special Education (ECSE)**.

Though children transition to various programs, the purpose of this presentation is transition from First Steps to ECSE.

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First Steps Notification to ECSE

ALL First Steps children are potentially eligible for ECSE services.

Therefore, First Steps is required to notify ECSE when a child participating in First Steps is approaching age three.

Each year approximately **65% - 75%** of First Steps children transition to ECSE.

Source: First Steps Monthly SPOE Data Report

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Directory Information

To begin the process of notification to ECSE, the Service Coordinator explains directory information to the family.

Directory information is the following five items:

1. **Child's name**
2. **Child's birth date**
3. **Parent's name**
4. **Parent's address**
5. **Parent's phone number**

(including documentation of no phone)

If one or more of the five directory items is **not** provided when First Steps communicates with ECSE, then directory information is **not** complete and notification to ECSE did **not** occur.

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Complete Directory Information

Once **all five items** are shared with ECSE, directory information is complete and notification to ECSE has occurred.

Directory information may be provided in any manner:

- along with the transition plan meeting notification;
- in an email from the Service Coordinator;
- in a phone call from the parent;
- in the child's Individualized Family Service Plan (IFSP);
- all at once or over several contacts; or,
- from anyone with knowledge of the child.

It is best practice to send directory information in **written** format.

Notification to ECSE: Timeline

If the child is:	First Steps must send directory information to ECSE:
Determined <u>eligible</u> for First Steps 90 days or more prior to third birthday	At least 90 days prior to the child's third birthday
Determined <u>eligible</u> for First Steps less than 90 days but 45 days or more prior to third birthday	As soon as possible after the child is determined eligible for First Steps
<u>Referred</u> to First Steps less than 45 days prior to third birthday	With a signed Release of Information

Opt Out Policy

Missouri has an opt out policy, which means parents have a specified time period to **object to the notification** to ECSE and request that the directory information **not** be shared with ECSE.

The Service Coordinator **explains the opt out policy** to the parents when preparing to schedule the transition plan meeting, unless the parent requests information be shared with ECSE beforehand.

Approximately **5%** of First Steps parents opt out of sharing directory information; therefore, ECSE can expect to receive directory information for the majority of children exiting First Steps.

Source: First Steps Monthly SPOE Data Report

Opt Out Policy, cont'd...

The Service Coordinator informs the parent that failure to notify ECSE 90 days or more before the child's third birthday **may** result in a gap in services between First Steps and ECSE.

To opt out, parents must sign the **Opt Out Form** and return the form to the Service Coordinator no later than the transition plan meeting.

If the parents do not opt out, **in writing**, by the transition plan meeting, then directory information will be sent to ECSE at the transition plan meeting.

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Reversing Opt Out

If the parents **first opt out** of sending directory information to ECSE and **later change their minds**, the Service Coordinator must have the parents complete the Reversal of Opt Out section of the Opt Out Form.

Once the parent has signed the reversal section, the Service Coordinator **must** send the form to ECSE as soon as possible.

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What about Late Referrals?

Late referrals are children who enter First Steps at the same time that the transition process should be beginning.

In First Steps, a late referral is a child referred to First Steps less than 135 days before the child's third birthday.

Timeline for Notification to ECSE

Regardless of the referral date, if the child is found **eligible** for First Steps **less than 90 but 45 days or more** before the child's third birthday, the Service Coordinator must provide the local school district with directory information **as soon as possible** after the child is determined eligible for First Steps, unless the parent opts out.

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What if First Steps Eligibility is Not Known?

Sometimes parents of children who are referred late to First Steps request an ECSE referral before First Steps eligibility has been determined.

Timeline for Notification to ECSE

If referred to First Steps less than 45 days before the child's third birthday **OR** if at any time the child's eligibility for First Steps is not known, written parental consent (a Release of Information) **is required** before the Service Coordinator can contact ECSE.

In either situation, the parent can make a referral directly to ECSE or the Service Coordinator can refer on the parent's behalf (with a signed release).

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Take-away Points for Notification

Key Point: If a child **is eligible** for First Steps, the child is also potentially eligible for ECSE. Directory information is shared with ECSE at least 90 days prior to child's third birthday, unless parent opts out.

Key Point: If child's **eligibility for First Steps is unknown**, yet the parent requests to be referred to ECSE, written parental consent **must** be obtained before sending any information to ECSE. This means a Release of Information form must be signed by the parent before the Service Coordinator can contact ECSE.

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First Steps Transition Meetings

There are two types of transition meetings: **a Transition Plan and a Conference with ECSE.**

- The Transition Plan is an IFSP meeting held for **all children** participating in First Steps.
- The Transition Conference with ECSE is an IFSP meeting held with ECSE **if the parent agrees** to invite ECSE.
- These two meetings can be combined into one meeting by **inviting ECSE** to develop the transition plan.

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Transition and IFSP Meetings

- ❑ The Transition Plan and the Transition Conference with ECSE are **both** IFSP meetings.
- ❑ Each meeting **must** include the IFSP requirements for the type of IFSP meeting (initial, annual, 6-month review, inter-periodic).

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Transition Plan: Participants

- ❑ The **purpose** of the Transition Plan meeting is to discuss the steps and services for successful transition.
- ❑ The **required participants** at a Transition Plan are the parents and the Service Coordinator.
- ❑ Other participants **may** include family members or other persons outside the family, as requested by the parent; persons who conducted the evaluation or assessment; and service providers, as appropriate.
- ❑ Participants may **attend the meeting** in person or other ways such as by report, via conference call or by substitute.

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Transition Plan: Requirements

The transition section in the IFSP **must include documentation** of the steps and services, including:

1. A discussion of **program options** after First Steps,
2. Procedures to **prepare the child** for a new setting and adjust to new services after First Steps,
3. The **transition activities** needed for the remainder of the child's time in First Steps,
4. Confirmation (i.e., date) complete directory information was shared with ECSE by the transition plan meeting **or** the parent opted out, and
5. With a **signed ROI**, confirmation (i.e., date) additional information was shared with ECSE by the transition plan meeting, including a copy of the most recent:
 - ❑ Evaluation and assessments, and
 - ❑ IFSP.

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Transition Plan: Timeline

The **Transition Plan** must be held not fewer than 90 days—and at the discretion of all parties, not more than 9 months— before the child's third birthday.

The Transition Plan may be combined with a required First Steps initial, 6-month or annual IFSP meeting, if timelines permit.

OR

The Transition Plan may be held as an inter-periodic IFSP review if a required meeting is not due.

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Inviting ECSE

To prepare for a transition meeting, the Service Coordinator must ask whether the parent wants to include ECSE in the meeting.

An invitation to a transition meeting may be sent to ECSE without sharing complete directory information.

Before First Steps can share information except directory information, the parent must sign a **Release of Information (ROI)** indicating what additional information can be shared with ECSE.

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Releasing Information to ECSE

It is best practice to have the ROI signed by the parent **prior to the date** of the meeting with ECSE; however, the parent must sign the ROI **before the meeting begins**.

Once the parent signs a ROI and the information identified in the ROI is shared (e.g., the child's IFSP), **either verbally or in writing**, complete directory information has been shared and a referral has been made to ECSE.

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Transition Conference: Participants

- ❑ The purpose of the **Transition Conference** is to provide information about ECSE to the parents.
- ❑ The **required participants** at a Transition Conference are ECSE, the parents, and the Service Coordinator. This means scheduling the Transition Conference must include ECSE in order to ensure their attendance.
- ❑ Other participants **may** include family members or other persons outside the family, as requested by the parent; persons who conducted the evaluation or assessment; and service providers, as appropriate.

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Transition Conference: Requirements

The transition section in the IFSP **must** include documentation of:

- ❑ A discussion of the differences between First Steps and ECSE,
- ❑ A description of the ECSE eligibility process, and
- ❑ The contact information for ECSE.

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Transition Conference: Timeline

- ❑ The **Transition Conference** must be held not fewer than 90 days—and *at the discretion of all parties*, not more than 9 months— before the child's third birthday.
- ❑ If the Transition Conference timeline falls during the summer when school may not be in session, it is acceptable to schedule the meeting **before or after summer break**, as long as it is held within timelines.
- ❑ Though it should be a rare occurrence, if ECSE planned to participate but was unable to do so, the Service Coordinator must reschedule the Transition Conference, **if time permits**, because ECSE is a required member at the meeting.

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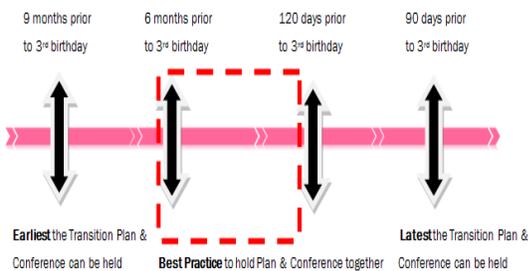
Options for Holding the Transition Conference

□ With parent permission, the Service Coordinator invites ECSE to the Transition Plan meeting and then the meeting is a **combination plan and conference**. When holding a combined meeting, the requirements for both the plan and the conference must be met.

□ If the parent did not agree to invite ECSE to the Transition Plan meeting, the Service Coordinator conducts the Transition Plan meeting with the parent. If the parent later decides to have a Conference with ECSE, the Service Coordinator must hold another (**separate**) meeting.

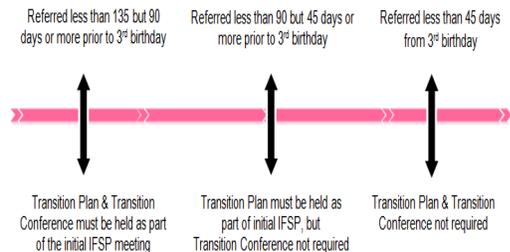
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Meeting Timelines



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Timeline for Late Referrals



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Take-away Points for Plan/Conference

Key Point: All children must have a Transition Plan IFSP meeting no later than 90 days prior to the third birthday.

Key Point: With parent permission, a Transition Conference is held no later than 90 days prior to the third birthday.

Key Point: There are specific discussions and activities required at a Transition Plan and a Transition Conference that must be documented in the IFSP.

Key Point: The Transition Plan and Conference may be combined as one meeting.

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Purpose of First Steps Notification

ALL First Steps children are potentially eligible for ECSE services; therefore, First Steps is required to notify ECSE when a child participating in First Steps is approaching age three.

- This notification assists ECSE with:
 - child find efforts
 - ensuring a smooth transition from First Steps to ECSE.

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Getting a Referral from First Steps

When ECSE receives complete directory information **in any manner** from First Steps, this is **notification**, which is a **referral** to ECSE and **it begins the ECSE referral timeline**.

In other words...

The date complete directory information is received by ECSE is considered the **date of referral** and triggers the evaluation process requirements under IDEA.

In other words...

Directory Information = Notification = Referral to ECSE

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FIRST STEPS REFERRAL TO ECSE DOCUMENTATION FORM

1. Directory Information

Child's Name: _____ Birth Date: _____
 Parents Name: _____ Phone Number: _____
 Address: _____

2. Timeline Information

Date complete Directory information received by USA: _____ Method of provision: written verbal
 Total number of days between child's third birthday and the date complete Directory information is received: _____ (130 days?) Yes No
 Date of referral to First Steps: _____ (found on page 2 of First Steps 802 form or obtained at Transition Conference)
 Date of provision of Procedural Safeguards to parent (within 3 school days of referral): _____
 Date parental consent for initial evaluation received by USA: _____

3. Use the third birthday decision-making flow chart

Date of Child's Third Birthday: _____ Date of Referral to First Steps: _____ = Total Number of Days: _____

Follow the Initial Evaluation Process - PARENT REFERRAL Flow Chart to determine eligibility for ECSE & RECEPTION

Within 60 days of consent for initial evaluation of referral and consent date above:

SOONER THAN the child's third birthday (may occur following a **CONCURRENCE** timeline if referral is 130 days prior to 3rd birthday)

Not eligible: Provide notice of action for ineligibility **and** an Evaluation Report

Eligible for ECSE: Develop an IEP within 30 days of eligibility determination

OR

Develop an IEP **SOONER THAN** the child's third birthday

Provide notice of action for initial services **and** an Evaluation Report

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Required Timeline as a Result of a Referral to First Steps

For all children referred to First Steps at least 90 days prior to the child's third birthday **and** if subsequently determined eligible for First Steps **and** if found eligible for ECSE, then the Individualized Education Program (IEP) **must** be developed by the child's third birthday.

In other words...

Referred to First Steps ≥ 90 + Eligible for First Steps + Eligible for ECSE = IEP developed by third birthday.



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Exceptions to an IEP by Third Birthday

For children in First Steps, there are **three exceptions** to having an IEP developed by the third birthday:

- ❑ A referral **TO** First Steps that is less than 90 days before the child's third birthday; **90**
- ❑ The parent refuses to provide consent for an initial ECSE evaluation;
- ❑ The parent initially "opts out" of the First Steps notification to the school district and subsequently changes their mind (opt out reversal) less than 90 days before child's third birthday. Documentation of the opt out reversal should be maintained with the ECSE referral. **90**

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ECSE Participation in the Transition Conference

ECSE **must collaborate** with the First Steps Service Coordinator in planning a Transition Conference several weeks in advance to find a meeting date, time and place that works for the parent, ECSE and the Service Coordinator.

When invited, ECSE **must participate** in the Transition Conference, even if the date/time is outside of the regular school year calendar.

Participation in the Transition Conference means ECSE attends the meeting in person or participates via conference call/Skype.

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ECSE Evaluation Process

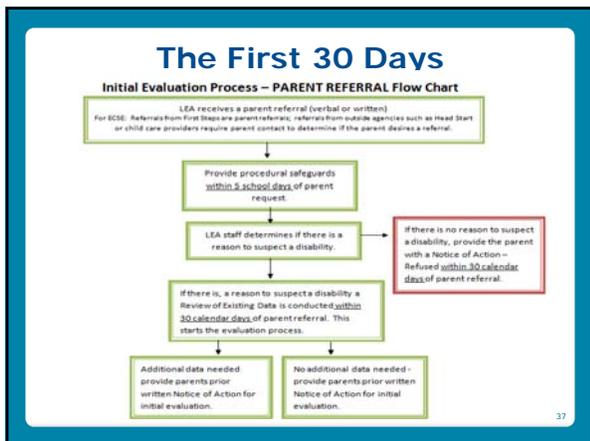
The evaluation process is divided into the following components:

- ❑ **30 days** from referral to determine if disability is suspected and provide parent with NOA
- ❑ **60 days** from NOA/consent to complete evaluation and determine eligibility
- ❑ **30 days** from eligibility determination to development of an IEP

Resource:

Initial Evaluation Process – PARENT REFERRAL Flow Chart

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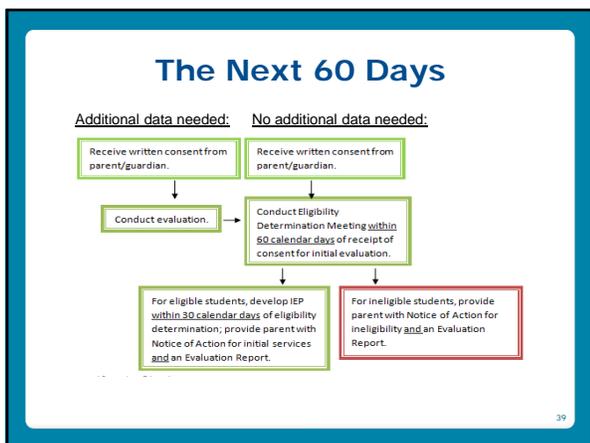
Review of Existing Data (RED)

ECSE **must** have received the referral **before** the Transition Conference in order to do the RED at the First Steps Transition Conference.

If ECSE intends to do the RED at the Transition Conference, ECSE **must inform** the parent of their intent beforehand, through the meeting notification process, and comply with the timeline for ECSE meeting notifications.

If ECSE does not intend to do the RED at the Transition Conference, it is acceptable to “confer” with appropriate school staff and the parent following the Transition Conference to conduct the RED without a meeting.

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Acceptable Extensions to the First 30 and the Next 60 Days

- ❑ For children in First Steps referred **TO** ECSE > 120 days prior to their third birthday, ECSE **must** follow two separate timeline requirements:
 - 1) **The 30-60-30 timeline.** Snow days, agency vacation days, child's absence because of illness, and summer break are acceptable extensions to the first 30 and next 60 days.
 - 2) **IEP by the third birthday.** There are **NO** acceptable extensions beyond the third birthday.
- ❑ For children referred **TO** First Steps > 90 **and** referred **TO** ECSE < 120 days prior to their third birthday, ECSE must follow a compressed timeline. There are **NO** acceptable extensions for an IEP by the third birthday.

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The Last 30 Days

For eligible students, develop IEP within 30 calendar days of eligibility determination; provide parent with Notice of Action for initial services and an Evaluation Report.

For ineligible students, provide parent with Notice of Action for ineligibility and an Evaluation Report.

NO acceptable extensions beyond the 30 calendar days!

ECSE must invite the First Steps Service Coordinator or representative to the initial IEP meeting, **at parent request**, to assist with a smooth transition from First Steps to ECSE.

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SUMMER CLARIFICATION: District Breaks and Timelines for 30-60-30

- ❑ ECSE is not required to conduct evaluations during the summer break or other school breaks **unless** they do so for other children in the district.
- ❑ However, **once eligibility has been determined**, an IEP **must** be developed within 30 days despite any scheduled breaks in the school year.

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Take-away Points: ECSE

Key Point: The date that ECSE receives complete directory information, in any manner, is the date of referral. No exceptions.

Key Point: The initial evaluation process must be followed for First Step referrals meeting compliance timeline requirements for the 30-60-30 timeline unless the timeline is compressed for the IEP to be in place by the third birthday. No exceptions.

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How to Determine if the child MUST have an IEP by the Third Birthday



The Three Possible Scenarios. . .

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The Date of Referral to First Steps is the KEY

The date the child was referred to First Steps is not part of directory information so:

- ECSE should look for the date on Page 2 of the First Steps Release of Information form
- OR**
- ECSE can obtain the date of the referral to First Steps at the Transition Conference

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Scenario #1: Michael

Michael was referred to First Steps on 1/10/13. His third birthday is 1/10/14.

He was found eligible for First Steps on 2/10/13.

His parents were not sure about Michael going to ECSE, so they opted out of sending directory information to ECSE at the Transition Plan meeting on 7/10/13. Later, Michael's parents contacted the Service Coordinator and decided they wanted him referred to ECSE.

The Service Coordinator sent directory information to ECSE on 9/01/13 with the invitation to the Transition Conference with ECSE.

Michael's Transition Conference with ECSE was held on 9/10/13 where an ROI was signed to share information with ECSE, including Michael's IFSP and First Steps referral date.

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IEP by Third Birthday? Yes!

2. **Timeline Information**

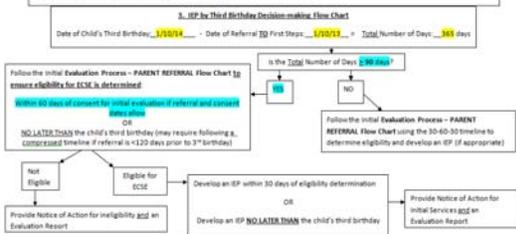
Date complete Directory information received by LEA: 1/10/13 Method of provision: written verbal

Total number of days between child's third birthday and the date complete Directory information is received: 365 < 120 days? Yes No

Date of Referral to First Steps: 1/10/13 (found on page 2 of First Steps ROI form or obtained at Transition Conference)

Date of provision of Procedural Safeguards to parent (within 5 school days of referral): _____

Date parental consent for initial evaluation received by LEA: _____



Scenario #2: Elaine

Elaine was referred to First Steps on 10/07/13. Her third birthday was 1/10/14.

At the First Steps intake meeting on 10/11/13, Elaine's parents stated they were interested in ECSE services but wanted to wait and see if Elaine was eligible for First Steps before referring to ECSE.

Elaine was found eligible for First Steps on 11/08/13. The Service Coordinator sent directory information to ECSE that day.

An Initial IFSP/Transition Plan and Conference with ECSE was held on 11/20/13.

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Additional Questions?

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