

**Transition from First Steps to Early Childhood Special Education (ECSE)
Frequently Asked Questions
Updated March 2019**

Section 1: Notification to the Local Educational Agency (LEA)/Opt Out

- 1. Can First Steps share directory information with the LEA using the *First Steps Referral to ECSE Documentation Model Form*? Answer:** Yes. If First Steps uses the model form as a way to share directory information only Section 1 for Directory Information is to be completed. The LEA would complete the additional information in Sections 2 and 3 on the model form.
- 2. Is the LEA required to use the *First Steps Referral to ECSE Documentation Model Form*? Answer:** No, the LEA is not required to use the document; however, use of the model form is encouraged to document the process and help ensure timelines are met.
- 3. If First Steps shares part of the directory information (e.g., child's name and address), is that a referral to the LEA? Answer:** No. Complete directory information constitutes a referral to the LEA, which includes all five of the following components: the child's name and date of birth, the parents' name, address and phone number. Directory information may be provided all at once or over several contacts; however, the date complete directory information is received is the date of referral to the LEA. Once the LEA has complete directory information for a child, the referral for special education evaluation process must be followed. The LEA does not have to wait for the parent to contact the school.
- 4. What happens if a parent first agrees to send directory information to the LEA but then the parent changes their mind? Answer:** The parent completes Section 1 of the *First Steps Opt Out Form*. The Service Coordinator cannot release any information to the LEA as of the date the parent signs the form. If the parent changes their mind after the transition conference and/or directory information was already provided to the LEA, then the referral has been made. The parent may choose not to provide consent for a special education evaluation if the LEA determined that an evaluation was warranted.
- 5. When the parent reverses opt out, what date does the LEA use to determine if it was less than 90 days before the child's third birthday? Answer:** It is the date the parent changes their mind, indicated by the date of parent signature on the reversal section of the *First Steps Opt Out Form*. The Service Coordinator must send the signed reversal form to the LEA as soon as possible. If the date of parent signature for reversal is 90 days or more before the child's third birthday, then the Individualized Education Program (IEP) must be developed by the child's third birthday.
- 6. What documentation is required if the parent reverses opt out less than 90 days (an exception to the IEP developed by the child's third birthday)? Answer:** The school district will receive a copy of the *First Steps Opt Out Form* with reversal information from the Service Coordinator. The school district must maintain this form as documentation that the parent changed their mind less than 90 days before the child's third birthday.

Section 2: First Steps Transition Plan/Conference

- 7. What happens when a transition conference needs to be scheduled during the summer when the school is closed?** Answer: Since an ECSE representative is a required participant at the transition conference, the Service Coordinator must involve ECSE in planning the conference ahead of time. It is acceptable to hold the conference before or after the summer break in order for ECSE to participate as long as the conference is held within timelines of not more than nine months and not less than 90 days before the child's third birthday.
- 8. What happens if an ECSE representative cannot attend the transition conference in person (i.e., meeting is in the evening or during the summer)?** Answer: An ECSE representative must participate in the transition conference when invited, according to the Part B regulations under 300.124(c). The representative may attend in person, via conference call, via Skype or by substitute in order to be documented as participating in the conference.
- 9. Are children in First Steps assigned a MOSIS number?** Answer: The Missouri Student Information System (MOSIS) number is a unique identification number for every student receiving educational service in Missouri public schools. A MOSIS number is also assigned to children participating in First Steps. When a child transitions from First Steps to ECSE, the MOSIS number stays with the child. The LEA uses the child's First Steps MOSIS number in the district's student information system.

Section 3: ECSE Referral to Eligibility Process

- 10. Are school districts able to begin formal testing when a child eligible for First Steps is referred to the LEA nine months before the third birthday, or should the school wait until the child is closer to age three?** Answer: The 30-60-30 day timeline must be strictly followed, even when the referral happens well before the child's third birthday. When following the 30-60-30 timeline, there will be instances where Individualized Education Programs (IEPs) are developed before the child's third birthday, to be implemented on the third birthday.
- 11. Is eligibility for First Steps automatically a reason to suspect a disability and conduct a special education evaluation for ECSE services?** Answer: No. A child who is eligible for First Steps is potentially eligible for ECSE services; however, participation in First Steps does not mean ECSE automatically suspects the child has a disability.
- 12. How does the LEA respond to the referral if First Steps only provides directory information but nothing else?** Answer: The LEA uses the directory information to contact the parent to learn more about the concerns that prompted the request for an initial special education evaluation. The LEA also contacts the SPOE to determine if the parent signed a release of information to share additional information such as the child's Individualized Family Service Plan (IFSP) or evaluation reports. These sources of information would be administratively reviewed and a determination made if the child is suspected of being a child with a disability and in need of special education.

If there is a reason to suspect a disability, the evaluation process begins and a RED is conducted within 30 days of the date of referral. If there is no reason to suspect a disability, then the parent is provided a Notice of Action (NOA) refused and the evaluation process would not start.

Section 4: IEP timelines

- 14. For children referred from First Steps, what are the exceptions to having an IEP in place by the child's third birthday?** All children found eligible for First Steps and who are also found eligible for ECSE services must have an IEP in place by the child's third birthday. The only exceptions to this are: (1) if the child was referred to First Steps less than 90 days before the child's third birthday, (2) if the parent does not give parental consent to evaluate the child, which delays an evaluation by the school district and subsequent development of an IEP, or (3) if the parent first opts out of notification to the LEA and subsequently requests notification to the LEA less than 90 days from the child's third birthday, which delays an evaluation by the school district and subsequent development of an IEP.
- 15. A child is referred to First Steps 90 days or more before the child's third birthday, subsequently found eligible for First Steps and found eligible for ECSE services. Does the IEP have to be developed by third birthday?** Answer: Yes. A child referred to First Steps 90 days or more prior to the third birthday and subsequently found eligible for First Steps, must have the evaluation completed, eligibility determined and, if eligible for ECSE services, an IEP developed by the child's third birthday. The LEA may have to expedite the evaluation process since there are no acceptable reasons for missing this deadline.
- 16. A child is referred to First Steps less than 90 days before the child's third birthday, eligible for First Steps and subsequently found eligible for ECSE services. Does the IEP have to be developed by third birthday?** Answer: No. The LEA treats the referral from First Steps as a parent referral and follows the standard timeline of 30-60-30 to conduct the process. The LEA should make every effort to have the IEP developed by the third birthday for an eligible child so there is no gap in services for the child. If the LEA followed the timelines and a gap in services occurred, the LEA would still be in compliance.
- 17. For children referred to First Steps 90 days or more before the child's third birthday, does the IEP have to be developed by the third birthday if the parent first opts out of sending directory information to the LEA, but later changes their mind?** Answer: It depends on when the parent signs the opt out reversal form. If the parent signed the reversal form prior to 90 days before the child's third birthday, then yes, the IEP must be developed by the child's third birthday if eligible for special education. If the parent signed the reversal form less than 90 days before the child's third birthday, then no, the IEP does not have to be developed by the child's third birthday.
- 18. How does the LEA find the date the child was referred to First Steps?** Answer: If the parent signed consent to share this information, the date can be found on page 1 of the child's IFSP. Also, the First Steps release of information form has an item that indicates the child's referral date and whether that date is 90 days or more before the child's birthday. See page 1 of the ***Release of Information Form*** at: <http://dese.mo.gov/forms/MO5003041.pdf>

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