

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

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### Topics

This presentation will address the following topics:

- Directory Information
- Opt Out Policy
- Notification to ECSE
- Late Referrals
- The Transition Plan & Conference with ECSE
- ECSE Requirements

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### Introduction

- First Steps is Part C of IDEA
- ECSE is Part B of IDEA

*The content in this presentation is expected to be current practice for First Steps and ECSE.*

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### First Steps: Beginning the Transition Process

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, etc. . . . and **Early Childhood Special Education (ECSE)**.

☐ Approximately **65% - 75%** of First Steps children transition to ECSE each year; therefore, a smooth transition from First Steps to ECSE is important.

*Source: First Steps Monthly SPOE Data Report 4*

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### Directory Information

One of the first activities to transition a child to ECSE is when the Service Coordinator explains directory information to the family.

Directory information is the following:

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)

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### Complete Directory Information

If one or more of the five directory items is **not** provided when First Steps communicates with ECSE, the information is incomplete.

If all five directory items are provided, the information is complete and it begins the ECSE referral timelines.

☐ **The items may be provided in any manner** (e.g., all at once or over several contacts, verbal or written information)

☐ **The items may be shared in any format** (e.g., with the Transition IFSP Meeting Notification, in a phone call from the Service Coordinator or the parent, in the child's Individualized Family Service Plan (IFSP) or any other source with knowledge of the child)

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### Sending Directory Information

It is best practice to send directory information:

- In written format, and
- When the Service Coordinator is ready to invite ECSE to the transition meeting (**unless the parent requests a referral to ECSE beforehand**).

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### Opt Out Policy

Missouri has adopted an opt out policy, which means parents can request that their directory information **not** be shared with ECSE.

- To opt out, parents **must** sign the opt out portion of the **Directory Information/Opt Out Form** and return the form to the Service Coordinator.
- Approximately **5%** of First Steps families opt out of directory information; therefore, ECSE can expect to receive directory information for the majority of First Steps families exiting First Steps.

Source: First Steps Monthly SPOE Data Report 8

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### 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.

- This notification assists ECSE with:
  - child find efforts
  - ensuring a smooth transition from First Steps to ECSE.
- When ECSE receives complete directory information **in any format**, this is notification, which is a referral to ECSE and **it begins the ECSE referral timeline**.

**Directory = Notification = Referral to ECSE**

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### 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

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### Example #1 - Andrew

- **Andrew** has **participated** in First Steps since he was 9 months old.
- At his 2<sup>nd</sup> Annual IFSP meeting, when Andrew was 2 ½ years old, the Service Coordinator explained directory information to his family.
- Andrew's parents wanted ECSE included in the transition.
- In scheduling the transition meeting, the Service Coordinator called ECSE to find a convenient time that would work for Andrew's family, the Service Coordinator and ECSE. At that time the Service Coordinator only shared the parent's address with ECSE.
- The IFSP meeting notification and Directory Information were faxed to ECSE at the same time. **The ECSE referral date was the date they received the fax.**

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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, less than 135 days before the child's third birthday.

#### Timeline for Notification to ECSE

Regardless of the referral date, if **eligible** for First Steps **less than 90 but 45 days or more** before the child's third birthday, the SPOE 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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### Example #2 - Elizabeth

- Elizabeth was referred to First Steps age 2 yrs. 9 mon.
- At the intake visit with the family, the Service Coordinator explained directory information, but Elizabeth's parents wanted to wait to find out if she qualified for First Steps before considering ECSE.
- When the Service Coordinator informed the parents that Elizabeth qualified for First Steps, the parents wanted to include ECSE in the initial IFSP meeting, which was also the transition meeting.
- In scheduling the IFSP meeting, the Service Coordinator called ECSE to find a convenient time that would work for Elizabeth's family, the Service Coordinator and ECSE.
- During the phone call the Service Coordinator shared complete directory information with ECSE. **The ECSE referral date was the date of the phone call.**

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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 to refer to ECSE because Directory Information is not applicable unless the child is determined eligible for First Steps.

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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### Example #3 - Rodney

- Rodney was referred to First Steps one month before 3.
- The Service Coordinator spoke to Rodney's parents and explained that First Steps ends at age three. The parents asked about other options and the Service Coordinator explained local programs.
- Rodney's parents wanted the Service Coordinator to contact ECSE for them. The Service Coordinator explained that the parents need to sign a release form.
- Rodney's mother worked at a nearby office and the Service Coordinator met with her to obtain the signed release to share directory information with ECSE.
- Immediately after receiving the signed form, the Service Coordinator emailed the form with directory information to ECSE. **The ECSE referral date was the date that the email was received by ECSE.**

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### Take-away Points: Notification

**Key Point:** If 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 First Steps can contact ECSE.

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### Sharing Information with ECSE

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

The ROI can be signed by the parent prior to a meeting with ECSE,

**OR**

The ROI can be signed on the day of a meeting with ECSE, as long as the parent signs the ROI **before** the meeting begins.

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### Invitation to ECSE

An invitation to a transition meeting may occur without sharing complete directory information; however, once the parent signs a ROI and the information that is identified in the ROI is shared with ECSE, **either verbally or in writing**, the referral is made to ECSE.

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### The Transition Plan and A Conference with ECSE

- ❑ There are two requirements for a transition meeting: a **Transition Plan and a Conference with ECSE.**
- ❑ These two meetings can be combined into one meeting by inviting ECSE to develop the transition plan.
- ❑ Combining the meetings makes sense because the meetings have the same timeline requirement – **both must be held no later than 90 days prior to the child's third birthday.**
- ❑ When holding a combined meeting, the requirements for both the plan and the conference must be met.

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### Plan vs. Conference

#### *What's the difference?*

- ❑ The Transition Plan is an IFSP meeting held **for all children and families participating in First Steps.**
  - If the parents are not pursuing ECSE services, then there will be only one meeting, which is the Transition Plan. Document the parent's decision in the IFSP.
- ❑ The Transition Conference is a meeting that is held with ECSE **if the family agreed to include ECSE.**
  - If the parents initially did not pursue ECSE but change their mind later, must hold the Transition Conference by 90 days prior to the child's third birthday.

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### Transition Plan: Requirements

The **Transition Plan** is a meeting held with **all parents** to discuss the steps for a successful transition from First Steps.

The Transition Plan **must include documentation of:**

- ❑ **Program options** for the child over age three,
- ❑ **Services** that the IFSP team identifies as needed for the remainder of the child's time in First Steps,
- ❑ **Steps** to prepare the child/family to exit from First Steps, including:
  - Date complete directory information was shared with ECSE,
  - Date any additional information was shared with ECSE via ROI.

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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 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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### Transition Conference: Requirements

The **Transition Conference** is a meeting held with ECSE after the parents give permission to include ECSE.

- 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.

Though it should be a rare occurrence, if ECSE planned to participate but was unable to do so, the Service Coordinator **must reschedule, if time permits**, the Transition Conference because ECSE is a required member at the meeting.

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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.**

The Transition Conference may be combined with the Transition Plan to hold the Plan and Conference together in order to hold one meeting instead of two.

If the child's transition time frame falls during the summer when school may not be in session, it is acceptable to schedule the conference with ECSE before or after summer break, as long as it is held within timelines.

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### Transition and IFSP Meetings

- The Transition Plan and the Transition Conference with ECSE are **both** considered IFSP meetings.
- Each meeting must include the IFSP requirements for the type of IFSP meeting (initial, annual, 6-month review, inter-periodic).
- **IFSP multidisciplinary participation** is documented as by report, in person, via conference call, by substitute for:
  - the Service Coordinator,
  - the parent(s), and
  - at least one professional, which may include ECSE.

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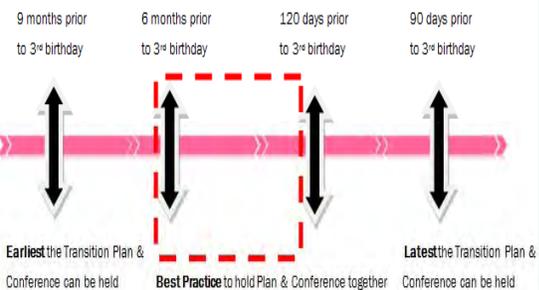
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### Take-away Points: Timelines




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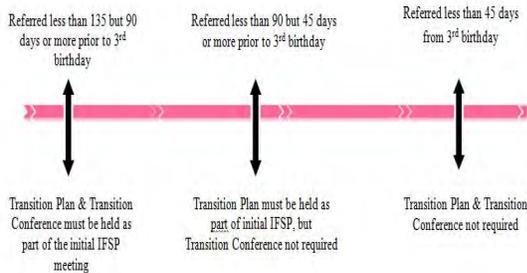
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### Timelines for Late Referrals




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### ECSE: Beginning the Transition Process

- The date of the contact, when complete directory information is received by ECSE, **is considered the date of referral** and triggers the evaluation process requirements under IDEA.
- ECSE must provide the parent a copy of the Procedural Safeguards **within 5 school days** of the date of referral.
- ECSE must provide the parent with a Notice of Action **within 30 days** of the referral date.

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### ECSE Attendance at the Transition Conference

The required participants for the Transition Conference are:

- ECSE,
- Service Coordinator, and
- Parents.

This means that ECSE is contacted by the Service Coordinator to schedule the Transition Conference and ECSE is expected to **participate**.

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

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### A Referral from 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. There are no exceptions.

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

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### IEP by Third Birthday?

Andrew **participated** in First Steps since he was 9 months old and is eligible for ECSE.  
**Is an IEP required to be developed by third birthday?**  
**Yes.**

Elizabeth was **referred** to First Steps when she was 2 years 9 months old and is eligible for ECSE.  
**Is an IEP required to be developed by third birthday?**  
**Yes.**

Rodney was **referred** to First Steps just a month before he turned three and First Steps did not evaluate.  
**Is an IEP required to be developed by third birthday?**  
**No.**

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### IEP by Third Birthday, cont'd...

The **only** time an IEP **does not** have to be developed by the child's third birthday is:

- A referral to First Steps that is less than 90 days before the child's third birthday, or
- The parent refuses to provide consent to evaluate or make a child available for testing.

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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

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### The First 30 Days

After referral, the school district **must** determine in a timely manner if a disability **is** suspected or if a disability **is not** suspected.

- ❑ If a disability **is not** suspected, the parent will receive a NOA (refused) for initial evaluation.
- ❑ If a disability **is** suspected, a group of individuals meeting the requirements of an IEP team (including the parent) and other qualified professionals as appropriate conduct a **Review of Existing Data (RED)**. After the RED, the parent will either receive a NOA (refused) for initial evaluation because no disability was suspected **or** the parent will receive a NOA/consent to evaluate.

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### The Next 60 Days

❑ Once parental consent is obtained to evaluate, ECSE is required to conduct additional assessments that are necessary for eligibility determination.

❑ ECSE has a **maximum of 60 days** to conduct evaluations and hold an eligibility determination meeting.

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### The Last 30 Days

❑ If the child is found eligible for ECSE services, an IEP team of LEA personnel, along with the parent as a member of the team, will develop an IEP for the child **within 30 days from eligibility determination**.

❑ The IEP outlines the services the child will receive from the school district.

❑ ECSE is required to provide services to eligible children **upon the child's third birth date** unless the birth date occurs during a normal vacation period for the LEA.

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### District Breaks and Timelines

- ❑ The LEA 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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### Timelines & First Steps Referrals

- ❑ A child participates in First Steps and **referred to ECSE greater than 120 days** before the third birthday. The LEA follows the 30-60-30 timeline. If eligible for ECSE, an IEP must be developed within 120 days unless parent delays consent. It is acceptable for the IEP to be developed before the child's third birthday and implemented on the child's third birthday.
- ❑ A child is **referred to First Steps a little more than 90 days** before the third birthday and subsequently determined eligible for First Steps. If eligible for ECSE, the LEA must have an IEP developed by the third birthday. It is likely that the ECSE evaluation process will be expedited.
- ❑ A child is **referred to First Steps less than 90 days** before the third birthday. Regardless of First Steps eligibility, the LEA follows the 30-60-30 timeline. An IEP does **not** have to be developed by the third birthday.

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### Take-away Points: ECSE

- Key Point:** The date that ECSE receives complete directory information, in any format, **is the date of referral**. No exceptions.
- Key Point:** Parental consent to evaluate **must be obtained** before ECSE can proceed with the initial evaluation.
- Key Point:** Once determined eligible for ECSE, the IEP **must be developed** within 30 days. No exceptions.

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### Additional Questions?

For First Steps:

sefirststeps@dese.mo.gov

For ECSE:

secompliance@dese.mo.gov



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