

First Steps Policy & Procedure Manual

Chapter 10: Transition

The 2004 reauthorization of the Individuals with Disabilities Education Improvement Act (IDEA, PL 108-446) requires that certain steps be taken when a child transitions out of Part C services at age three (3). The transition process begins at the initial IFSP and is addressed throughout the First Steps process and at each IFSP team meeting.

The IDEA requires each state to have policies and procedures to ensure a smooth transition for toddlers receiving Early Intervention Services to preschool or other appropriate services, including a description of how First Steps will notify the Local Education Agency (LEA) that the child will shortly reach the age of eligibility for preschool services under Part B.

IDEA also requires the lead agency to convene a conference, with the approval of the parents, which includes the First Steps IFSP team and the LEA at least ninety (90) days before the child turns three (3) to discuss any special education services that the child may be eligible to receive from the LEA. The conference may be held as early as nine (9) months before the third birthday.

These federal policies also require the Kentucky Department of Education (KDE) to ensure that:

- (1) children served under Part C who are eligible for Part B preschool programs experience a smooth and effective transition to those preschool programs by the child's third birthday;
- (2) an Individualized Education Program (IEP) with appropriate content has been developed and implemented for the child; and
- (3) each LEA participates in transition planning conferences arranged by First Steps.

For those children and families experiencing a transition into or within the First Steps system:

- (1) The Service Coordinator must identify the specific nature of the transition with the family through the family assessment process and then discuss this with the other team members.
- (2) The IFSP team must discuss how services will be provided (or what modifications are needed) to facilitate a smooth transition and to ensure that there will be no unnecessary disruption in services for the eligible child and family. The discussion leads to at least one (1) transition outcome which is documented in the IFSP.

In addition to the actual transition that all newly referred children and families experience, some other examples of early transitions include:

- (1) Significant family or child changes:
 - (a) Impending birth of a new child;
 - (b) Family relocation or job change;
 - (c) Enrollment or change in childcare;
 - (d) Unemployment;
 - (e) Divorce or marriage; or
 - (f) Long term illness of a child; and
- (2) When terminating one (1) or more services and the child is continuing in First Steps.

10.1 Notification of Directory Information to KDE and LEA

IDEA Part C regulations require that the Part C lead agency ... "notify the local educational agency for the area in which the child resides that the child will shortly reach the age of eligibility for preschool services under Part B of the act..."

The interagency agreement between the SLA and the Kentucky Department of Education requires that the SLA notifies KDE of any children ages two (2) or above. The KDE sends the list of children who are potentially eligible for special education services to the appropriate LEA. It is important that all options,

including a referral to the local school for Part B special education services, be considered and discussed with the family.

The *Notice of Transition (FS-11)* must be completed at intake and reviewed with the family at each IFSP meeting.

Parents are informed of the release of directory information to the KDE and the LEA once the child nears age two (2) or are enrolling after age two (2). Children who are older than two (2) when enrolled in First Steps will be included in the next quarterly list provided to KDE. Parental consent is not required for First Steps to release directory information; however, parents who do not want directory information released to KDE and the LEA must complete and sign the *Notice of Transition (FS-11)*, Section 1. If parents do not complete Section 1 they are informed that the directory information will be released.

If the parent completes and signs Section 1 of the *FS-11*, the SC must uncheck item # 2 "Is the child potentially eligible for Part B?" on the Transition/Exit Information page on TOTS. If Item #2 is not unchecked, the directory information will be sent to the KDE and LEA.

10.2 Parent Opt-Out of Transition Process

Service Coordinators must fully inform the parent of the purpose of the transition conference so that the parent can make an informed decision about services after the child exits the program. The parent has the right to:

- (1) Participate in the transition conference and invite the local school system;
- (2) Participate in the transition conference but do not want to invite the local school system; or
- (3) Not participate in the transition process (Opt-Out).

The Service Coordinator must make changes to TOTS depending upon how the parent completed the form:

- (1) If the parent completes Section 2.A, the SC completes #4, "Date Parent Consent to Convene Transition Conference" on the Transition/Exit Information page in TOTS. Completion of the *FS-11* must also be documented in a Service Log.
- (2) If the parent completes Section 2.B, the SC completes #4, "Date Parent Consent to Convene Transition Conference" on the Transition/Exit Information page in TOTS. Completion of the *FS-11* must also be documented in a Service Log.
- (3) If the parent completes Section 2.C, the SC must check the box at the top of the Transition/Exit Information page on TOTS, "Family Refuses Participation in Transition Process". Once this box is checked, the transition information on this page will be disabled.

10.3 Scheduling the Transition Conference

Transition steps must be developed that identifies appropriate options for the child and family including private preschool, Head Start, Early Head Start, child care, or other community early childhood programs.

The Service Coordinator responsibility is to schedule and convene a Transition Conference between the child's two year, three month (2 yr., 3 mo.) age and two year, nine month (2 yr., 9 mo.) age in order to meet the timelines for Part B eligibility determination and IEP development. This should be part of the periodic IFSP meeting.

Service Coordinators should begin scheduling the Transition Conference early enough (at least one (1) month before the desired meeting date) so that the LEA representative can be present. Giving the school district personnel less than a two (2) week notice of the meeting will not encourage their participation.

If the LEA does not participate in the conference, the Service Coordinator must still hold a Transition Conference at least ninety (90) days (and at the discretion of all parties, nine (9) months) prior to the child's third birthday and have invited the LEA representative to the conference. The Transition Conference is waived only if the family has opted-out of the transition process as documented on the *Notice of Transition (FS-11)*.

- (1) The family, LEA representative, and any other community agency representative that the family is interested in, are sent an *IFSP Meeting Notice (FS-14)* at least seven (7) calendar days prior to the meeting. IFSP service providers are notified of the meeting by the message sent through the TOTS Scheduling Tool.
- (2) Ensure that the parent signs the *Consent to Release/Obtain Information (FS-10)* so information can be shared with the LEA.

LEA Responsibilities:

- (1) IDEA, Part B states “By the third birthday of such a child, an Individualized Education Program (IEP) ...has been developed and is being implemented for the child.” Because of the requirements to provide a Free Appropriate Public Education (FAPE), LEAs must have the evaluation completed and IEP implemented by the child’s third birthday.
- (2) Provide the team with all available service delivery options for that child.
- (3) LEAs must obtain parent consent and conduct a multidisciplinary evaluation of the child to determine eligibility for Part B services.

Family Responsibilities:

- (1) Sign a *Consent to Release/Obtain Information (FS-10)* in order to send the IFSP, assessment information and progress reports to the LEA;
- (2) Attend the Transition Conference;
- (3) Participate in the Exit 5AA evaluation; and
- (4) Participate in the LEA evaluation.

10.4 The Transition Conference

The purpose of the meeting is to discuss and develop steps for the upcoming transition of the child from Part C. IDEA requires that, with the family’s approval, an IFSP meeting to discuss the upcoming transition will be held between two years, three months (2 yr., 3 mo.) and two years, nine months (2 yr., 9 mo.) of age.

The transition discussion must include:

- (1) a transition plan that includes the steps to exit from Part C; and
- (2) a review of the child’s options from the child’s third birthday through the remainder of the school year.

Other community partners such as community preschool agency representatives, Head Start, community or private childcare agencies, etc. may be invited to the Transition Conference. This is their opportunity to describe the services provided by their agency and answer any questions the parent may have.

***Note:** It is the LEA’s responsibility to attend the Transition Conference. The conference must be held no later than ninety (90) calendar days prior to the child’s third birthday even if the LEA is unable to attend.

Service Coordinators are responsible to ensure that parents are provided the following information during the Transition Conference:

- (1) a description of the Part B eligibility definitions;
- (2) state timelines and process for consenting to an evaluation and conducting eligibility determinations under Part B; and
- (3) the availability of special education and related services.

This requirement is accomplished by the provision of this information by the LEA representative or by giving the parent the *First Steps Transition: Part B Special Education Fact Sheet*.

10.5 Documenting the Transition Steps

Documenting transition includes the following activities:

- (1) Complete the IFSP page on TOTS by documenting in the IFSP Meeting Note box the discussions that have taken place with the family regarding transition from First Steps. Complete the following:
 - (a) Procedures the team will use to prepare the child for the upcoming transition:

1. Discussions about the steps and services necessary to prepare the child and parents for changes in service delivery;
 2. Discussions with parents regarding future placements and other matters related to the child's transition; and
 3. Discussions with parents regarding community programs available following transition from Part C.
- (b) Program options identified by the team. Possible options include but are not limited to:
1. Part B;
 2. Head Start/Early Head Start;
 3. Child Care;
 4. Other community resources;
 5. Medicaid EPSDT services; and/or
 6. Other

The Service Coordinator must indicate that the IFSP is the Transition IFSP by checking the box, "This is the official Transition Plan" on the IFSP screen in TOTS. Once the transition box is marked on the IFSP page, the information that is entered into the "IFSP Meeting Note" box will transfer to the Transition/Exit Information page #9, "Transition Meeting Note". The Service Coordinator must complete #1-8 of the Transition/Exit Information page. The SC is responsible to ensure that all elements identified throughout the Transition Conference are properly implemented.

***Note:** The box labeled "This is the official Transition Plan" must be unchecked if another IFSP is pre-populated. Otherwise, the new IFSP information will overwrite the transition information.

10.6 Admissions and Release Committee (ARC) and IEP Participation by IFSP Team Members

Part B regulations required that the LEA invite a representative of the Part C program to the IEP meeting if the parent requests their attendance. Many LEAs hold two (2) ARC meetings; the first ARC is to discuss the referral and plan the Part B evaluation and the second ARC meeting is to develop the IEP.

The Service Coordinator must make every effort to participate in the ARC meetings if invited by the LEA at the request of the parent. The SC documents attendance or inability to attend in a Service Log or Communication Log on TOTS.

The PSP may attend one (1) ARC meeting at the expense of First Steps. The IFSP team needs to determine which meeting is most appropriate for the PSP to attend at First Steps cost.

10.7 Exit IFSP Meeting

To support a smooth transition from First Steps, an exit IFSP meeting may be held. Discussions at this meeting should focus on the results of the 5AA, review of the current developmental status, review of the progress the child and family has achieved, and review of the supports and services available after age three (3). This meeting is optional and provides closure to the family as they exit First Steps.

Once the Exit IFSP has been scheduled, the SC must send participants an *IFSP Meeting Notice (FS-14)* at least seven (7) calendar days prior to the meeting. This is documented in the Communication Log in TOTS.

The SC must ensure:

- (1) the exit 5AA has been conducted and report is available for the meeting. The SC must ensure that a copy has been provided to the family; and
- (2) that providers have completed discharge summaries and mailed a copy to the parent at least five (5) working days prior to the meeting.