



**District of Columbia**  
**Office of the State Superintendent of Education**  
**Early Childhood Transition Guidelines**

Issued: August 4, 2014

The Individuals with Disabilities Improvement Act of 2004 (IDEA) sets standards and requirements for the provision of services to infants, toddlers and children with disabilities birth through age 21. There are several sections to the law: Part B focuses on ages three through 21, including Section 619 for ages three through five, while Part C focuses on birth through age two.

The law requires that for all children who receive services in Part C (Early Intervention) and who are potentially eligible for Part B services (preschool special education), there is a smooth and effective transition from one system to the next.

Specific regulations for Part B and for Part C set forth the programmatic requirements that must take place to ensure a child's smooth and effective transition.

For Early Intervention Programs (EIP), transition related regulations include but are not limited to the following:

### **§303.209 Transition to preschool and other programs**

Notification to the SEA and appropriate LEA: When a toddler is potentially eligible for preschool services under Part B of the Act, notification to the SEA and the LEA must be provided at least 90 days before the toddler's third birthday. When a toddler is determined eligible for Part C services more than 45 but less than 90 days before the toddler's third birthday and if that toddler is potentially eligible for preschool services under Part B, the lead agency must provide notification to the SEA and the LEA as soon as possible after determining the child's Part C eligibility. When a toddler is referred to the EIP less than 45 days before that toddler's third birthday and that toddler is potentially eligible for preschool services under Part B, the EIP will refer the toddler to the SEA and the LEA after receiving parental consent but need not conduct an evaluation, assessment or initial IFSP meeting.

Transition plan: In preparation for the exit from Part C at age 3, the EIP must review program options for the toddler, with the family, for the period from third birthday through the remainder of the school year. The transition plan is established in the IFSP not fewer than 90 days—and, at the discretion of all parties, not more than 9 months—before the toddler's third birthday. The plan must also include: steps for the toddler with a disability and his or her family to exit from the part C program; and any transition services that the IFSP Team identifies as needed by that toddler and his or her family.

Conference to discuss services: The EIP, with the family's consent, must convene a conference with the family and the LEA at least 90 days and no more than 9 months before the toddler's third birthday to discuss any services the toddler may receive under Part B of the Act.

For preschool special education programs, transition related regulations include but are not limited to the following:

### **§300.101 Free appropriate public education**

A free appropriate public education (FAPE) is available no later than the child's third birthday with an IEP in effect as of that date; if the child's third birthday occurs during the summer, initiation of services is determined by the IEP Team.

**§300.111 Child find**

Responsibilities are to locate, evaluate and identify children with disabilities, consistent with OSSE's Comprehensive Child Find System.<sup>1</sup>

**§300.124 Transition of children from Part C programs to preschool programs**

The State must have in effect policies and procedures to ensure that:

- a) Children participating in early intervention programs assisted under Part C of the Act, and who will participate in preschool programs assisted under Part B of the Act, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9) of the Act;
- b) An IEP has been developed and implemented by the third birthday of a child transitioning from a Part C program consistent with §300.101; and
- c) Each affected LEA will participate in the transition planning conference arranged by the Part C program.

Transition is a state compliance measure for preschool special education. Each state must report its level of compliance to the federal Office of Special Education Programs (OSEP) on an annual basis. OSEP has set a target goal of 100% compliance for all states and the District of Columbia.

**Compliance Measure**

**A child who is transitioning from Early Intervention and is eligible for preschool special education must have an IEP in effect and implemented by the child's third birthday.**

In addition to the federal regulations, the Lead Agency for Early Intervention and the State Preschool Special Education Program have developed a Memorandum of Understanding to highlight the responsibilities of each party that will ensure a smooth and effective transition for infants and toddlers with disabilities into preschool special education programs.

The dates provided in this document are approximate deadlines for completion of the steps indicated, with the exception of the exit from Early Intervention Services and the development and implementation of an Individualized Education Program (IEP). These actions occur simultaneously upon the child's third birthday, unless the family chooses to participate in the Extended IFSP Option under Part C, at which time the deadline for exiting Part C and implementation of the IEP is the first day of school following the child's 4<sup>th</sup> birthday.

Finally, these guidelines serve as procedures that shall be used by Early Intervention Providers and Local Education Agencies (LEAs) to ensure a smooth transition for infants and toddlers and their

<sup>1</sup> <http://osse.dc.gov/publication/comprehensive-child-find-system-final-march-22-2010>

families receiving early intervention services under Part C of IDEA and who are potentially eligible for preschool services under Part B of IDEA.

### **Definitions:**

**Early Intervention Record:** Documentation of the services and supports provided to the eligible child and his/her family, including but not limited to: evaluation reports, IFSP documents, Child Outcome Summary Scores, and service notes.

**Individualized Education Program (IEP):** A written document that defines a child's special education program. The document is designed to reflect the disability under which the child qualifies for Special Education Services; the services the team has determined the school will provide; the child's yearly goals and objectives; and any accommodations that must be made to assist the student's learning.

**Individualized Family Service Plan (IFSP):** A written document used to record and guide the early intervention process for infants and toddlers with disabilities and their families. The document is designed to reflect individual concerns, priorities, resources and services to meet the developmental goals of infants and toddlers and their families.

**Local Education Agency (LEA):** A school district providing IDEA funded Special Education Services. The LEA in which the child is enrolled—or, if not enrolled in an LEA at the time transition notification occurs, the LEA in which the child resides—receives notification of potential eligibility from the EIP, and is responsible for participating in the transition conference and all of the associated transition requirements thereafter.

***Note:*** LEAs are responsible for ensuring a smooth transition to preschool special education once the child is enrolled in the LEA. Consistent with Federal and Municipal regulations<sup>2</sup> and OSSE's LEA Data Management Policy, issued January 4, 2011, within 5 days of the LEA's receipt of the completed registration packet, a child must be enrolled in the LEA and the parent must be notified of the enrollment. If the child has not been enrolled in any LEA at the time transition notification must be sent, DCPS will receive notification.

**Prior Written Notice:** Written notice provided to a parent by the Early Intervention Provider or LEA that documents any proposal to make a change in the identification, evaluation, service or placement/setting of an infant, toddler or child, with a disability. This notice must be provided to the parent in a timely manner prior to making the proposed change.

**Procedural Safeguards Notice:** Notice given to parents regarding his or her rights under IDEA, including a description of dispute resolution options: how to request mediation, how to file a State complaint, how to file a due process complaint, and any timelines under those procedures.

**Referral to Part B:** The EIP is required to notify the LEA of all potentially eligible children that will shortly reach the age of eligibility for services. This notification constitutes a referral to Part B. The date that the child appears on the list is the date of referral to Part B. Part C may also make referrals

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<sup>2</sup> Compulsory Education and School Attendance, 5 DCMR A Chapter 21.

to Part B on paper (using LEA specific referral forms); the date the form is submitted is the date of referral in these cases.

Service Coordinator: Early Intervention staff or contractor who is responsible for coordinating all Part C services; serves as the single point of contact for child's parents and service providers.

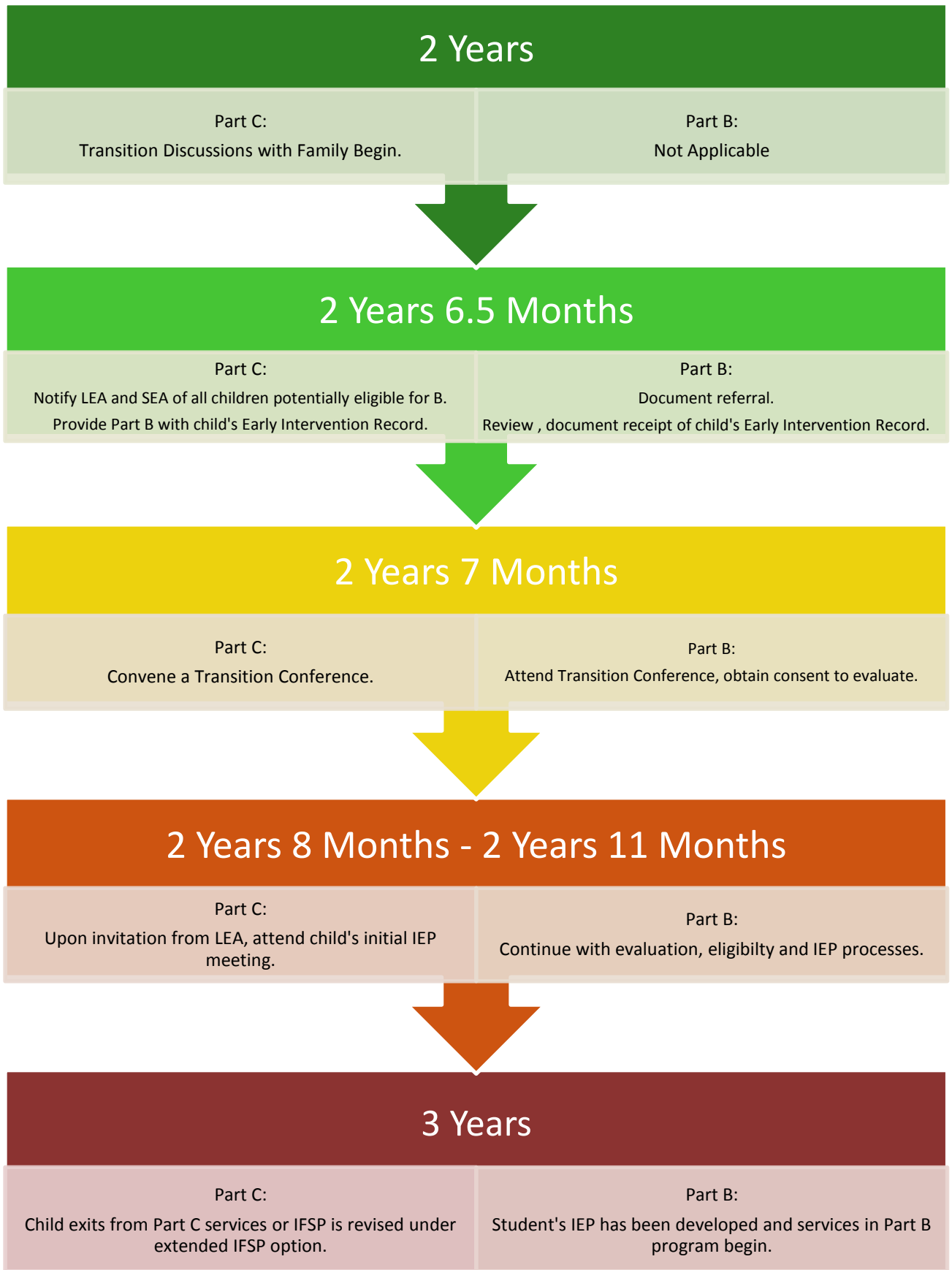
Transition Plan: An element of the IFSP for children 2 years and 3 months or older that includes, as appropriate, steps for the toddler with a disability and his or her family to exit from the EIP and any transition services that the IFSP Team identifies as needed by that toddler and his or her family.

Transition Planning Meeting: Meeting convened with the service coordinator and the family (at minimum); specifically for the initiation of a plan to include the steps, services and program options for the child after age three. The meeting specifically is held to:

- discuss program and service delivery options for child after 3 years of age;
- identify potential Transition Conference participants;
- discuss developmental evaluation that has been or will be conducted;
- obtain consent to share the Early Intervention Record with the LEA.

Transition Conference: Meeting convened by the service coordinator at least 90 days and not more than nine months prior to the toddler's third birthday for children who will be exiting Early Intervention services to discuss the services the toddler may receive under Part B Special Education or other community resources as appropriate. Participants include the child's IFSP team and the LEA in which the child is enrolled or in which the child resides.

Transition Process Overview



# 2 Years

The table below outlines key activities for each respective program/agency to support a smooth and effective transition at the above age:

| Early Intervention Program  | Local Education Agency |
|---|------------------------|
| The EIP will inform parents of its requirement to notify the LEA that their child is potentially eligible for Part B services EIP and explain the “ <b>opt-out</b> ” policy.  | Not Applicable (N/A)   |
| The EIP shall: <ul style="list-style-type: none"> <li>- provide families an overview of the similarities and differences between Part C and Part B special education services; and</li> <li>- Inform the family of the extended IFSP option.</li> </ul> | N/A                    |
| If the parent chooses to opt-out of referral to the LEA, the EIP will inform the parent that they will not be eligible for the extended IFSP option.  | N/A                    |

# 2 Years 6.5 Months

The table below outlines key activities for each respective program/agency to support a smooth and effective transition at the above age:

| Early Intervention Program   | Local Education Agency   |
|--|--|
| <p>The EIP shall provide a list to the LEA and the SEA of all toddlers 2 years 6.5 months or older who are potentially eligible for Part B services, with the exception of families who have opted out of notifying the LEA of their child's potential eligibility.</p>  | <p>The LEA shall document a referral to Part B for an evaluation for special education services. The date of the referral shall be the date of receipt of the list for each child on the list who is aged 2 years, 6.5 months or older.</p> <p>Part C may also make referrals to Part B on paper (using LEA specific referral forms); the date the form is submitted is the date of referral in these cases.</p> |
| <p>The EIP shall hold a Transition Planning Meeting with the family to prepare for the Transition Conference.</p>  | <p>N/A</p>   |
| <p>With parental consent, the EIP shall provide the LEA with:</p> <ul style="list-style-type: none"> <li>- The child's early intervention record (not to exceed the period of the prior 12 months); and</li> <li>- The parent's choice to remain in Part C under the extended IFSP option or preschool special education services under Part B.</li> </ul> | <p>The LEA shall review the child's early intervention record in preparation for Transition Conference.</p>  |
| <p>The EIP shall provide Prior Written Notice of the upcoming Transition Conference to the parents and send invitations to the Transition Conference to the LEA and all other invitees.</p>  | <p>N/A</p>   |



# 2 Years 7 Months

The table below outlines key activities for each respective program/agency to support a smooth and effective transition at the above age:

| Early Intervention Program   | Local Education Agency  |
|--|---|
| <p>The EIP shall conduct a Transition Conference. Required agenda items include, but are not limited to, a review of the:</p> <ul style="list-style-type: none"> <li>- Part C procedural safeguards;</li> <li>- most recent assessment data and IFSP;</li> <li>- current services and child's therapeutic, medical and social-emotional support needs; and</li> <li>- other program options and services available to/considered by family.</li> </ul> | <p>The LEA shall attend the transition conference. Responsibilities of the LEA representative are to:</p> <ul style="list-style-type: none"> <li>- present Part B Procedural Safeguards, and;</li> <li>- describe programs and placement options within the LEA.</li> </ul> |
| <p>The EIP shall finalize the child's transition plan. The plan shall include steps needed for the toddler and his or her family to exit the Part C program and shall identify transition services needed by the toddler and his or her family.</p>  | <p>N/A</p>  |
| <p>The EIP shall confirm that the LEA has all the information needed to proceed with eligibility determination.</p>  | <p>The LEA shall enroll the student if the student is not yet enrolled in the LEA.</p>  |
| <p>N/A</p>   | <p>The LEA shall provide prior written notice and obtain parental consent for the Part B initial evaluation.</p>  |

# 2 Years 8 Months - 2 Years 11 Months

The table below outlines key activities for each respective program/agency to support a smooth and effective transition at the above age:

| Early Intervention Program   | Local Education Agency  |
|--|---|
| N/A  | With parental consent, the LEA shall analyze existing data and conduct any additional assessments as needed.  |
| N/A  | The LEA shall determine a child's eligibility for Part B services.  |
| N/A  | If the child is eligible for Part B, the LEA shall; <ul style="list-style-type: none"> <li>- provide the eligibility decision to the EIP if the parent has provided consent; or</li> <li>- The LEA shall provide the parent with prior written notice and obtain parental consent for services and schedule a meeting to develop an IEP.</li> </ul> |
| N/A  | If the parent chooses not to move forward with development of the IEP, the LEA should document that consent was requested but not granted.  |
| N/A  | If the parent chooses to access FAPE, the LEA shall conduct the IEP meeting to develop the IEP within 30 days, or no later than child's third birthday, whichever is earlier.   |
| The EIP shall, upon invitation, attend the initial IEP meeting.  | The LEA shall inform the family that their EIP service coordinator must be invited to IEP meeting at the parent's request; upon parent request, the LEA shall invite the child's Part C service coordinator to the IEP meeting.   |
| The EIP may share information about other community options between the toddler's third birthday and the IEP start date. | If the child turns 3 during a time when school is not in session, the IEP team shall determine whether ESY services are appropriate, in accordance with OSSE's ESY Policy. If ESY is not determined to be appropriate, the IEP team shall determine the child's Part B IEP start date.  |

# 3 Years

The table below outlines key activities for each respective program/agency to support a smooth and effective transition at the above age:

| Early Intervention Program   | Local Education Agency  |
|--|---|
| Exit child from Part C services or revise the IFSP under the extended IFSP option. | IEP services begin or, if the child is returning to Part C for extended IFSP services, the child is withdrawn from the LEA. |

***When a child is determined eligible for Early Intervention after 2 years, 7 months, transition activities will be conducted on the following condensed timelines, as appropriate.***

Timeline for Toddlers Determined Eligible for Early Intervention Between  
**2 Years 7 Months - 2 Years 9 Months**

| Early Intervention Program   | Local Education Agency   |
|--|--|
| Upon determination of eligibility, the EIP shall inform parents of opt- out policy.  | N/A  |
| <p>The EIP shall:</p> <ul style="list-style-type: none"> <li>- provide families an overview of the similarities and differences between Part C and Part B special education services; and</li> <li>- Inform the parent of the extended IFSP option; and</li> <li>- notify the LEA and the SEA that the child is potentially eligible for Part B services, if the parent has not opted out .</li> </ul> | <p>The LEA shall document a referral to Part B for an evaluation for special education services. The date of the referral shall be the date of receipt of the list for each child on the list who is aged 2 years, 6.5 months or older.</p> <p>Part C may also make referrals to Part B on paper (using LEA specific referral forms); the date the form is submitted is the date of referral in these cases.</p> |
| The EIP shall provide Prior Written Notice of the upcoming IFSP Meeting/Transition Conference to the parents and send invitations to the Transition Conference to the LEA and all other invitees.  | N/A  |
| <p>With parental consent, the EIP shall provide the LEA with:</p> <ul style="list-style-type: none"> <li>- the child's early intervention record (not to exceed the period of the prior 12 months); and</li> <li>- the parent's choice to remain in Part C under the extended IFSP option or preschool special education services under Part B.</li> </ul>   | The LEA shall review the child's early intervention record in preparation for Transition Conference.   |
| The EIP shall conduct the initial IFSP meeting combined with the transition planning meeting and transition conference to develop initial IFSP with transition plan (including steps and services).  | <p>The LEA shall attend the transition conference. Responsibilities of the LEA representative are to:</p> <ul style="list-style-type: none"> <li>- present Part B Procedural Safeguards, and;</li> <li>- describe programs and placement options within the LEA.</li> </ul>  |

| <b>Early Intervention Program</b>  | <b>Local Education Agency</b>  |
|--|--|
| The EIP shall confirm that the LEA has all the information needed to proceed with eligibility determination.             | The LEA shall enroll the student if the student is not yet enrolled in the LEA.  |
| N/A  | The LEA shall provide prior written notice and obtain parental consent for initial evaluation.   |
| N/A  | The LEA shall analyze existing data and conduct any additional assessments as needed.  |
| N/A  | The LEA shall determine the child's eligibility for Part B services.   |
| N/A  | If the child is eligible for Part B, the LEA shall; <ul style="list-style-type: none"> <li>- provide the eligibility decision to the EIP if the parent has provided consent; or</li> <li>- The LEA shall provide the parent with prior written notice, and obtain parental consent for services and schedule a meeting to develop an IEP.</li> </ul> |
| The EIP shall, upon invitation, attend the initial IEP meeting.  | The LEA shall inform the family that their EIP service coordinator must be invited to IEP meeting at the parent's request; upon parent request, the LEA shall invite the child's Part C service coordinator to the IEP meeting.  |
| N/A  | If the parent chooses not to move forward with the IEP, the LEA should document that consent was not obtained.   |
| N/A  | If the parent chooses to access FAPE, the LEA shall conduct IEP meeting to develop IEP as soon as possible but no later than the child's third birthday.   |
| The EIP may share information about other community options between the toddler's third birthday and the IEP start date. | If the child turns 3 during a time when school is not in session, and ESY was not determined to be appropriate for the child, the IEP Team shall determine the child's Part B IEP start date.  |
| Exit child from Part C services or revise the IFSP under the extended IFSP option.                                       | IEP services begin by age 3 or, if child is returning to Part C for extended IFSP services, the child is withdrawn from the LEA.   |

Timeline for Toddlers Determined Eligible for Early Intervention Between  
**2 Years 9 Months - 2 Years 10.5 Months**

| Early Intervention Program  | Local Education Agency   |
|---|--|
| Upon determination of eligibility, the EIP shall inform parents of opt- out policy.   | N/A  |
| The EIP shall: <ul style="list-style-type: none"> <li>- provide families an overview of the similarities and differences between Part C and Part B special education services; and</li> <li>- inform the parent of the extended IFSP option.</li> </ul>   | N/A  |
| The EIP shall make a referral to the LEA within 24 hours of the child being determined eligible for early intervention services, if the family has not opted out. The child will also be included on the list of children who are potentially eligible for Part B that is sent to the LEA and the SEA.  | The LEA shall document a referral to Part B. This referral will be made on paper using an LEA specific referral form; the date the form is submitted is the date of referral in these cases.<br><br>The LEA will provide the family with a copy of the procedural safeguards notice. |
| With parental consent, the EIP shall provide the LEA with: <ul style="list-style-type: none"> <li>- the child's early intervention record (not to exceed the period of the prior 12 months); and</li> <li>- the parent's choice to remain in Part C under the extended IFSP option or preschool special education services under Part B.</li> </ul> | Upon receipt, the LEA shall review the child's early intervention record.  |
| The EIP shall conduct initial IFSP meeting to develop the initial IFSP. Though a transition plan and the transition conference are <b>NOT</b> required, the EIP shall include a discussion of transition next steps during the initial IFSP meeting.  | N/A  |
| N/A   | The LEA shall provide prior written notice and obtain parental consent for the initial evaluation.   |
| N/A   | The LEA shall analyze existing data and conduct any additional assessments as needed.  |
| N/A   | The LEA shall determine a child's eligibility for Part B services.   |

|   |   |
|---|---|
| N/A   | <p>If the child is eligible for Part B, the LEA shall;</p> <ul style="list-style-type: none"> <li>- provide the eligibility decision to the EIP if parent has provided consent; or</li> <li>- The LEA shall provide the parent with prior written notice, and obtain parental consent for services and schedule a meeting to develop an IEP.</li> </ul> |
| N/A   | <p>If the parent chooses not to move forward with the IEP, the LEA should document that consent was not obtained.</p>   |
| <p>The EIP shall, upon invitation, attend the initial IEP meeting.</p>  | <p>The LEA shall inform the family that their EIP service coordinator must be invited to the IEP meeting at the parent's request; upon parent request, the LEA shall invite the child's Part C service coordinator to the IEP meeting.</p>  |
| N/A   | <p>If the parent chooses to access FAPE, the LEA shall conduct IEP meeting to develop IEP as soon as possible but no later than the child's third birthday.</p>   |
| <p>The EIP may share information about other community options between the toddler's third birthday and the IEP start date.</p> | <p>If the child turns 3 during a time when school is not in session, the IEP team shall determine whether ESY services are appropriate, in accordance with OSSE's ESY Policy. If ESY is not determined to be appropriate, the IEP team shall determine the child's Part B IEP start date.</p>   |
| <p>Exit child from Part C services or revise the IFSP under the extended IFSP option.</p>                                       | <p>IEP services begin by age 3 or, if child is returning to Part C for extended IFSP services, the child is withdrawn from the LEA.</p>   |

***When a child is referred for Early Intervention services within 45 days of his or her third birthday, a referral is sent to the LEA (with parental consent).***

Timeline for Toddlers Referred to Early Intervention After

## 2 Years 10.5 Months

(within 45 days of toddler's third birthday)

| Early Intervention Program   | Local Education Agency   |
|--|--|
| The EIP may provide parents with information (as part of public awareness) regarding preschool special education programs. | N/A  |
| The EIP shall refer the child to a preschool special education program with parental consent.                              | The LEA shall document a referral to Part B for an evaluation for special education services. This referral is considered a Part B child find referral, not a referral from the EIP.   |
| N/A  | The LEA shall contact the parent and provide the parent with procedural safeguards notice.   |
| N/A  | The LEA shall provide prior written notice and obtain parental consent for initial evaluation.   |
| N/A  | The LEA shall conduct an initial evaluation, and determine eligibility in accordance with federal and municipal regulations.   |
| N/A  | If the child is found eligible, the LEA shall provide the parent with prior written notice and obtain parental consent for services and schedule a meeting to develop an IEP.  |
| N/A  | If the child is found ineligible, the LEA will document the child's ineligibility.   |
| N/A  | If the child turns 3 during a time when school is not in session, the IEP team shall determine whether ESY services are appropriate, in accordance with OSSE's ESY Policy. If ESY is not determined to be appropriate, the IEP team shall determine the child's Part B IEP start date. |
| N/A  | The LEA shall implement the child's IEP in accordance with federal and municipal regulations.  |