

# Building the Legacy for Our Youngest Children with Disabilities:

## Module 9

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### Development of the Transition Plan



*This module was developed  
in collaboration by:*

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All of the modules in the Part C training curriculum can be found online at:  
**Center for Parent Information and Resources**  
<http://www.parentcenterhub.org/repository/legacy-partc/>

**A training curriculum on Part C of IDEA 2004**

February 2014

National Dissemination Center for Children with Disabilities

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Suggested citation:

Suggested citation: Küpper, L. (Ed.). (2014, February). Development of the transition plan (Module 9). *Building the legacy for our youngest children with disabilities: A training curriculum on Part C of IDEA 2004*. Washington, DC: National Dissemination Center for Children with Disabilities.

Available online at: <http://www.parentcenterhub.org/repository/legacy-partc/>



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This training curriculum is designed and produced by NICHCY, the National Dissemination Center for Children with Disabilities, at the request of our funder, the Office of Special Education Programs (OSEP) at the U.S. Department of Education, and through Cooperative Agreement #H326N110002 between FHI 360 and OSEP.

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Although funding for NICHCY has officially ended except for completing the Part C training curriculum, its rich website (including these training materials) will remain online until September 30, 2014. Thereafter, all training materials in this Part C training curriculum will be made available at the website of the Center for Parent Information and Resources, at:

<http://www.parentcenterhub.org/repository/legacy-partc/>

## Background and Discussion

This module is part of a training package on the Part C regulations of the Individuals with Disabilities Education Act, as amended in 2004.

This training curriculum provides a detailed discussion of the Part C regulations as published in the *Federal Register* on September 28, 2011.<sup>1</sup>

The curriculum is entitled *Building the Legacy for Our Youngest Children with Disabilities*. This module is entitled *Development of the Transition Plan* and is the 9th module in the curriculum.

The information in this module is *not* a substitute for the requirements reflected in the IDEA statute and Part C regulations.

### Early Intervention and IDEA

Thanks to a powerful and important federal law called the Individuals with Disabilities Education Act, or IDEA, 333,982 eligible infants and toddlers birth through age 2 received early intervention services in 2012 under Part C of IDEA.<sup>2</sup>

Early intervention services are concerned with all the basic and brand-new developmental skills that babies typically develop during the first three years of life, such as:

- physical (reaching, rolling, crawling, and walking);
- cognitive (thinking, learning, solving problems);
- communication (talking, listening, understanding);

### How the Trainer's Guide is Organized

*This trainer's guide is organized by slide.* A thumbnail picture of each slide is presented, along with brief instructions as to how the slide operates. This is followed by a discussion intended to provide trainers with background information about what's on the slide. Any or all of this information might be appropriate to share with an audience, but that decision is left up to each trainer.

- social/emotional (playing, feeling secure and happy); or
- adaptive behavior (eating, dressing).<sup>3</sup>



appropriate programs, environments, or services—including, for many, special education and related services made available under Part B of IDEA.

Early intervention services are designed to meet the needs of eligible infants and toddlers who have a *developmental delay* or *disability*. Services may also address the needs and priorities of each child's family, to help family members understand the special needs of the child and how to enhance his or her development.<sup>4</sup>

### This Module in the Context of Early Intervention

As stated in Module 8 (the first module under the theme of transition), eligibility for early intervention services under Part C typically ends when a child reaches his or her third birthday. Most children then exit the Part C system and move on to other

Therefore, as toddlers receiving early intervention services approach their third birthday, it's time to start planning ahead for when they (and their families) leave the Part C system and move on to either Part B services or other appropriate programs or services. This module and its companion, Module 8, together take a detailed look at what the Part C regulations require in terms of the transition planning and activities that must occur.



### Trainer's Note

Throughout this training module, all references in the discussion section for a slide are provided at the *end* of that slide's discussion.

## Foundations of Transition

An introduction to transition planning was provided in the opening pages of Module 8. Rather than repeat the intro here, we'd suggest that you consult Module 8. The introduction will give you both a foundation for the transition processes required by the Part C regulations and a summary of our knowledge to date regarding effective transition practices.



**Theme C** | Evaluating Infants and Toddlers for Disabilities (Post-Referral Activities)

**Theme D** | Individualized Family Service Plan (IFSP)

**Theme E** | Transition from Part C to Part B of IDEA

**Theme F** | Procedural Safeguards

**Theme G** | Use of Funds

Module 9 and its companion, Module 8, together address Theme E: Transition from Part C to Part B of IDEA.

## Federal and State Law and Policy

One of the major service components under the IDEA for young children with disabilities and their families is specific planning and support for transition as children move from Part C to other programs and from Part B preschool to kindergarten. Building adequate State and local infrastructures to support and guide effective transition for children with disabilities and their families is a complex undertaking that requires collaboration among all agencies providing early childhood services to children and their families, collaborative leadership, and resource commitment.

The Part C regulations<sup>5</sup> require States to have policies and procedures to ensure a smooth transition for infants and toddlers with disabilities and their families from receiving early intervention under Part C of IDEA to preschool, or kindergarten, or elementary school. This module looks in detail at the nuts and bolts of Federal law and transition policy, which serve as requirements and guidelines for States with respect to ensuring smooth transitions from Part C for young children with disabilities and their families.

## This Module in the Part C Training Curriculum

The training curriculum on Part C of IDEA is organized into separate themes, which multiple training modules under each theme. The themes are:

**Theme A** | Welcome to IDEA

**Theme B** | Public Awareness Program and the Child Find System

## For Whom Is This Module Designed?

This module is primarily intended for trainers to use with audiences who are responsible for addressing children's transition from Part C to either Part B or other appropriate programs or services. This includes but is not limited to:

- lead agency staff; SEA personnel; staff in LEAs with early childhood programs; and administrators at the SEA, LEA, and lead agency levels;
- members of State Interagency Coordinating Councils (ICCs), which guide and advise the State's lead agency;
- stakeholders in the early childhood community, including Head Start and Early Head Start personnel, preschool professionals, and early childhood educators;
- parents and family members of a toddler receiving early intervention services under Part C, as that toddler approaches his or her third birthday;
- staff of Parent Training and Information (PTI) centers and of Community Parent Resource Centers (CPRCs); and
- preservice early childhood candidates who are learning about the Part C system or specializing in early childhood transitions.

## Files You'll Need for This Module

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All of these files can be downloaded free of charge from the Center for Parent Information and Resources website, at: <http://www.parentcenterhub.org/repository/legacy-partc/>

- **Slideshow.** NICHCY is pleased to provide a four-color slideshow (produced in PowerPoint®) around which trainers can frame their presentations and training on the transition planning process in Part C.

*Important note:* You do NOT need the PowerPoint® software to use the slideshow. It's saved as a "show"—which means it will launch when you open the file.

- **Trainer's Guide Discussion.** The trainer's guide describes how the slides operate and explains the content of each slide, including relevant requirements of the statute passed by Congress in December 2004 and the final regulations for Part C published in September 2011. The trainer's guide is available in PDF and Word® formats.
- **Speaker Notes.** Provided as a Word file, the Speaker Notes show thumbnail pictures of all slides in the presentation, with blank lines next to each for you to annotate your presentation, if you wish. You can also share the Speaker Notes with participants, where *they* can take notes.

- **Handouts and Activity Sheets for Participants.** Module 9 includes several handouts and optional activity sheets for participants. You select which fit your training session, attendees, and purposes.

Each is available in PDF and Word. The PDFs are designed to share with participants. The Word versions are made available for those participants who need or request accessible materials.

Specific to Module 9 are these handouts and activity sheets:

- Handout 9—Transition to Preschool and Other Programs
- Handout 11—OSEP's Model IFSP Form
- Handout 12—Transition Planning and Conference: A Child and Family Study
- Activity Sheet 5—Parents and Service Providers Speak
- Activity Sheet 6—Effective Transition Practices and Strategies

## References & Footnotes

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- <sup>1</sup> U.S. Department of Education. (2011, September 28). Early intervention program for infants and toddlers with disabilities: Rules and regulations. *Federal Register*, 76(188), 60140- 60309. Washington, DC: Office of Special Education and Rehabilitative Services, Department of Education. Online at: <http://www.gpo.gov/fdsys/pkg/FR-2011-09-28/pdf/2011-22783.pdf>
- <sup>2</sup> data.gov. (2013). *2012 IDEA Part C child count and settings*. Retrieved January 21, 2014 from the data.gov website: <https://explore.data.gov/Education/2012-IDEA-Part-C-Child-Count-and-Settings/dg4k-psxe>
- <sup>3</sup> National Dissemination Center for Children with Disabilities. (2012, December). *Overview of early intervention*. Washington, DC: Author. Online at: <http://www.parentcenterhub.org/repository/ei-overview/>
- <sup>4</sup> §303.13(b)(3) of the Part C regulations.
- <sup>5</sup> See Part C regulations at §303.209(a)(1) (transition to preschool and other programs) and §303.211(b)(6)(ii) (State option to make Part C services available to children age three and older).



## Looking for IDEA 2004?

Visit the Center for Parent Information and Resources' website, where you can download copies of:

- **IDEA's statute** (the law passed by Congress in 2004)
- **Part C regulations** (published by the U.S. Department of Education on September 28, 2011)
- **Part B regulations** (published by the U.S. Department of Education on August 14, 2006)

Find all at: <http://www.parentcenterhub.org/repository/idea-copies/>

## Finding Specific Sections of the Regulations: 34 CFR

As you read the explanations about the Part C regulations, you will find references to specific sections, such as §303.21. (The symbol § means "Section.") These references can be used to locate the precise sections in the Part C regulations that address the issue being discussed. In most instances, we've also provided the verbatim text of the Part C regulations so that you don't have to go looking for them.

The Part C regulations will be codified in Title 34 of the *Code of Federal Regulations*. This is more commonly referred to as 34 CFR or 34 C.F.R. It's not unusual to see references to specific sections of IDEA's regulations include this—such as 34 CFR §303.21, which is where you'd find Part C's definition of "infant or toddler with a disability." We have omitted the 34 CFR in this training curriculum for ease of reading.

## Citing the Regulations in This Training Curriculum

You'll be seeing a lot of citations in this module—and all the other modules, too!—that look like this: 76 Fed. Reg. at 60250

This means that whatever is being quoted may be found in the *Federal Register* published on September 28, 2011—Volume 76, Number 188, to be precise. The number at the end of the citation (in our example, 60250) refers to the page number on which the quotation appears in that volume. Where can you find Volume 76 of the *Federal Register*? At this address:

<http://www.gpo.gov/fdsys/pkg/FR-2011-09-28/pdf/2011-22783.pdf>



*How to Operate the Slide:*

Slide loads fully.

No clicks are necessary except to advance to the next slide.

CLICK to advance to next slide.

Slide 1 is the title slide for this module. You don't really need to say much about the slide—it's meant to orient the audience to the training session you're about to present.

However, you may wish to take this opportunity to engage participants in a brief discussion of your own choosing or an opening activity, as best fits the needs and prior knowledge of your particular participants and, of course, your particular training style. Talking with participants right from the start is a great way to break the ice, put them at their ease, and at the same time activate their world and personal knowledge of the subject at hand.

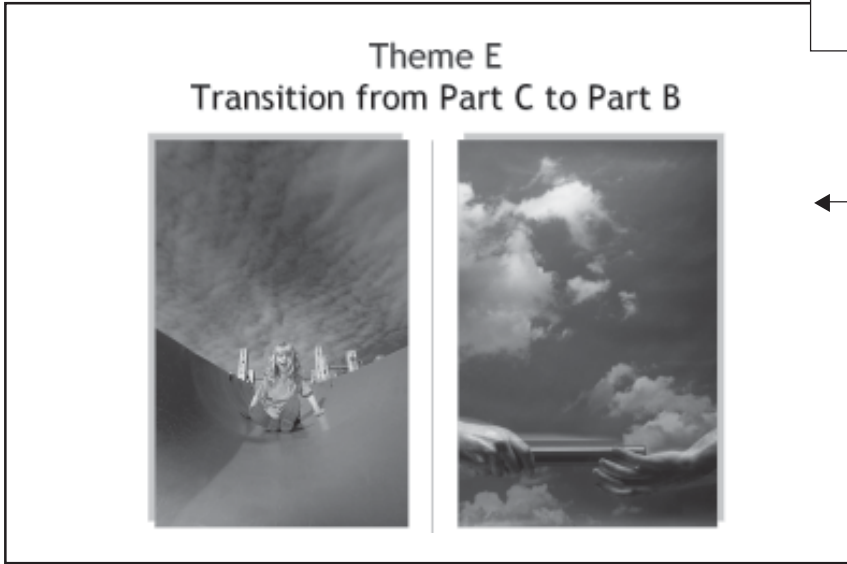
### **Suggestion**

Talk with participants for a few moments about their "transition" experience. Try to get a sense of how much they already know about developing transition plans for toddlers in early intervention who are approaching their third birthday. Ask questions such as:

- How many of you have been involved in developing a transition plan for a toddler about to exit early intervention?

- Were you involved as a parent, service provider, service coordinator, or in some other capacity?
- How soon before the child's third birthday did you start developing his or her transition plan?
- Who was involved?
- Did the planning go smoothly? What were the "tough" parts or issues that came up?
- What kinds of information did you put into the plan?

When you've given participants the opportunity to voice their experiences and perspectives on developing a transition plan—including not knowing much about it!—CLICK to move on to the Theme E in a Nutshell slide.



**Opening View**

← Slide loads with this view.

<p><b>Module 8</b></p> <p><b>The Transition Process</b></p> <p>⌘</p> <p><b>Lead Agency Notification to LEA &amp; SEA</b></p>	 <p><b>Module 9</b></p> <p><b>Development of a Transition Plan</b></p>
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**CLICK I**

← *Click 1:*  
The photos lift away and, and the two modules in Theme E are revealed.

Stars appear in the Module 9 section to indicate that *this* is the module participants are involved in.

**CLICK AGAIN** to advance to next slide.

Slide 2 lets participants know that this training session is part of a theme of importance within the Part C training curriculum—and that theme is **Transition from Part C to Part B**.

**Lift Off the Pictures and Reveal the Modules under Theme E**

**CLICK** to lift off the pictures and give the audience the snapshot titles of the two modules that will address Theme E’s focus on transition. Which one they’re currently involved in will be clear by the smattering of stars that appear next to Module 9’s title.



**In this module you'll learn:**

- **Why** transition planning for toddlers & families in Part C is important
- **How** a child's transition plan is developed, by whom, and by when



**Opening View**

Slide loads with this view, the toddler pointing and two items on the learning agenda for this module.

**In this module you'll learn:**

- **Why** transition planning for toddlers & families in Part C is important
- **How** a child's transition plan is developed, by whom, and by when
- **What** information a transition plan must contain
- **What** IDEA's Part C regulations say about developing the transition plan, *verbatim*

**CLICK 1**

Click 1: The photo lifts away and two more agenda items are revealed.

CLICK AGAIN to advance to next slide.

**Slide 3: Background and Discussion**

**Pertinent Handouts:**

- Activity Sheet 5, *Parents and Service Providers Speak*

1 Click



Slide 3 is an advance organizer for the audience, to alert participants to the areas covered in this training module. You can either go through the "to be learned" items in brief, or take 10 minutes and have participants complete **Activity Sheet 5** in pairs. This activity is described on the next page, followed by more detailed information about the research and findings quoted on the activity sheet.



## Opening Activity

### Purpose

To get participants thinking about what's involved in the transition planning process (e.g., real people, several agencies and staff, the family, emotional issues), using a framework that's solidly based on research.

### Time Activity Takes

10 minutes.

### Group Size

Have participants work in pairs or groups of 4 (5 minutes). Call the full group back together to exchange answers aloud (5 minutes).

### Materials

Activity Sheet 5, Parents and Service Providers Speak

### Background Info to Share

As the activity sheet says, the National Early Childhood Transition Center (NECTC) has investigated parents' and service providers' perceptions of transition from one service

system to another for young children with disabilities and their families. What parents and service providers had to say about the transition process was distilled in NECTC's *Technical Report #6*.<sup>6</sup>

The activity sheet uses direct quotes from that report as examples of key issues and critical aspects in effective transition planning.

### Instructions

1. Provide the audience with the background information above. Indicate that NECTC is an OSEP-funded center whose mission is to examine factors that promote successful transitions between infant/toddler programs, preschool programs, and public school programs for young children with disabilities and their families. NECTC has a rich body of work available publicly at: <http://www.hdi.uky.edu/nectc/NECTC/Home.aspx>

2. Have the audience break up into pairs (or groups of 4, if you prefer) and take out the activity sheet. Explain that the left column puts forth the exact things that parents and service providers said in NECTC's research. The right column lists some aspects in transition planning that emerged as critical from this (and other) research.

Take a moment to read through the list of critical aspects, so that participants understand what they're about. Can participants see how the answer given for #1 makes sense?

3. Give the audience 5 minutes to complete as much as they can of the activity sheet.

4. Call the audience back together and go over the answers they came up with. Answers may differ, and multiple answers may be possible.

### Suggested answers:

- |            |            |
|------------|------------|
| 1. B       | 7. A       |
| 2. C       | 8. A and C |
| 3. G       | 9. E and C |
| 4. C       | 10. D      |
| 5. F and D | 11. G      |
| 6. G       | 12. B      |

## Additional Information

While you don't have to share this information with the audience, it's nice to have, should you need to make a more detailed explanation of NECTC's research. Here's the abstract that appeared in *Technical Report #6*.

**C**ritical Incident Technique (CIT) is a research strategy used to gather and analyze information from key informants about a significant experience in their lives (Flanagan, 1954). The National Early Childhood Transition Center (NECTC) used CIT to investigate parents' and service providers' perceptions of transition from one service system to another for young children with disabilities and their families.

Respondents in the study resided across the United States and participated in a myriad of service systems. Qualitative analysis from 65 participants defined salient issues and suggested practices across these four themes related to transition at ages three and five for children with disabilities and their families: transition processes, evaluation of transition, transition outcomes, and family experiences in transition.

The findings of this investigation are considered valuable in their own right, and they contributed to the recommendations from an array of NECTC studies designed to improve early childhood transition policies and practice.<sup>7</sup>

CLICK to move on to the next slide, which will look at some basic facts and set the context for this training session.



## References & Footnotes

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<sup>6</sup> Dogaru, C., Rosenkoetter, S., & Rous, B. (2009). *A critical incident study of the transition experience for young children with disabilities: Recounts by parents and professionals* (Technical Report #6). Lexington: University of Kentucky, Human Development Institute, National Early Childhood Transition Center. Available online at: [http://www.hdi.uky.edu/nectc/Libraries/NECTC\\_Papers\\_and\\_Reports/Technical\\_Report\\_6.sflb.ashx](http://www.hdi.uky.edu/nectc/Libraries/NECTC_Papers_and_Reports/Technical_Report_6.sflb.ashx)

<sup>7</sup> *Ibid.* Quotation from page 5.

**Basic Facts**

<ul style="list-style-type: none"> <li>The transition plan is <i>part</i> of the IFSP, not a separate document</li> </ul>	
<p><b>Part C</b> INDIVIDUALIZED FAMILY SERVICE PLAN</p> <hr/> <p><b>TRANSITION FROM PART C SERVICES</b></p> <p>Not fewer than 90 days, and, at the discretion of all parties (if more than 9 months before the toddler's third birthday, the IF</p>	

**Opening View**

Slide loads with this view—three pictures covering text and one bulleted “Basic Fact.”

**Basic Facts**

<ul style="list-style-type: none"> <li>The transition plan is <i>part</i> of the IFSP, not a separate document</li> </ul>	<ul style="list-style-type: none"> <li>Every toddler in Part C must have a transition plan in the IFSP <i>at least 90 days before</i> turning 3</li> </ul>
<ul style="list-style-type: none"> <li>OSEP has published a model IFSP form that includes a transition plan</li> </ul>	<ul style="list-style-type: none"> <li>In 2011, <b>349,370</b> toddlers exited Part C</li> </ul>

**CLICKS 1-3**

*Clicks 1-3:* Each time you **CLICK**, one of the pictures will lift away, until these 4 basic facts are revealed.

**CLICK AGAIN** to advance to next slide.

See discussion on next page 

## Slide 4: Background and Discussion

3 Clicks



### **Pertinent Handouts:**

- Handout 9, Transition to Preschool and Other Programs
- Handout 11, OSEP’s Model IFSP Form

Slide 4 is meant to set the context for this training session and why it’s important (beyond federal and State law!) to develop transition plans for toddlers who are exiting from early intervention services to other programs and settings. Four basic facts are given, as discussed below.

The slide loads with four pictures obscuring the basic facts. The first picture will lift off automatically to display Fact #1. You’ll have to **CLICK** each time after that to lift off another picture and reveal a new fact.



### **Fact #1 | Transition Plan is Part of the IFSP**

It’s best to get this fact on the table from the get-go, because it’s easy to miss or mistake. The transition plan that is developed for toddlers exiting Part C is *part of the IFSP*, not a separate document.

That’s all you really need to say at this point, but for your own information, the Part C regulations clearly make this a “fact” at §303.209(d)(2), which reads:

**(d) Transition plan. The State lead agency must ensure that for all toddlers with disabilities—**

(1)(i) It reviews...

(ii) Each family ...

**(2) It establishes a transition plan 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... [emphasis added]**

The Part C regulations describing the content of the IFSP also mention the inclusion of “transition from Part C services” and begin as follows:

**(h) Transition from Part C services. (1) The IFSP must include the steps and services to be taken to support the smooth transition of the child... [§303.344(h)]**

We’ll be looking more at both of these regulations in this training session, and both can be found on **Handout 9**.



### **Fact #2 | Every Transitioning Toddler Needs a Plan within This Timeline**

As toddlers in early intervention programs approach their third birthdays, it’s time to start planning ahead for their exit from Part C services into other settings or services. While it’s possible that some children may continue to receive Part C services in States that have adopted the Part C extension option,<sup>8</sup> others will leave early intervention and go on to...well, there are many possibilities. Is the toddler eligible or potentially eligible for special education and related services under Part B of IDEA? Is he or she moving on to a Head Start program, or a preschool? Perhaps an early childhood education program?

Clearly, there's a myriad of possible "next" settings or programs for young children at this point in time. Which is why it's important to plan ahead and decide what will come "next" for each child. Which is why *all* transitioning toddlers in Part C must have a transition plan in the IFSP as they approach that pivotal third birthday.

You can see this requirement in the Part C regulations cited under Fact #1, which started, "*The State lead agency must ensure that for all toddlers with disabilities...*"

**By when must the plan be in the IFSP?** | The slide answers this visually and with words. The picture over this fact (which lifts off at your CLICK) has a big number 90 on it. Hmmm, think that's connected?

*Suggestion:* Before clicking to lift the picture away, use the picture to elicit from the audience a guess as to what the 90 is going to refer to. It doesn't matter if they can guess it's going to refer to a timeline or not. Linking the visual on the screen to the timeline (discussed below) can help participants later remember that timeline, especially those who are visual learners. The visual learner "better understands and retains information when ideas, words, and concepts are associated with images."<sup>9</sup> The graphic of 90 is now imbued with the *meaning* of what lies beneath it.

Okay, now for the timeline itself. As the slide states, "Every toddler in Part C must have a transition plan in the IFSP *at least 90 days before turning 3.*"

As the Department explains, the at-least-90-days-before timeline aligns the timeline for transition planning with:

- the timeline for the SEA and LEA notification requirements (at §303.209(b), as discussed in Module 8); and
- the timeline for the transition conference for toddlers with disabilities potentially eligible for Part B services (at §303.209(c), also discussed in Module 8).<sup>10</sup>

It's important to note for participants that the at-least-90-days-before timeline is actually the *minimum* time frame for including the transition plan in a child's IFSP. Refer the audience to the regulation at §303.209(d) on **Handout 9** (see page 2, column 1, toward the bottom), which was mentioned under Fact #1 and which is repeated here for your convenience:

(d) *Transition plan.* The State lead agency must ensure that for all toddlers with disabilities—

....

(2) It establishes a transition plan 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... [emphasis added]

So, if all parties agree, the transition plan can be developed and included in a toddler's IFSP up to *9 months before* the toddler turns age 3. Not more than 9 months before, however.

The Department offers a salient explanation of this outer time limit. Depending on the information needs and experience of your audience, you may wish to share the explanation with participants.

The outer limit of this timeline... is intended to protect toddlers, whose needs change frequently at this age. The Department's position is that if transition planning occurs more than nine months prior to a toddler's third birthday, this planning may not accurately reflect the needs of the child at the time of transition. For this reason, the regulations only allow the parties to establish a transition plan for a child not earlier than nine months prior to the child's third birthday.<sup>11</sup>

*Note:* In prior regulations, the outer limit of the timeline for including a transition plan in a toddler's IFSP was *six months* before the child's third birthday,<sup>12</sup> at the discretion of all parties.



### **Fact #3 | The Model IFSP Form from OSEP**

Did you know that OSEP has published a Model IFSP Form<sup>13</sup> that State lead agencies and EI providers can use in designing their own IFSP forms? The model form is "legally sufficient" in terms of what the Part C regulations require, and makes it very easy for users to see what type of information needs to be included in an IFSP.

Including, happily, a model transition plan for toddlers approaching their third birthdays!

This is mentioned as a “basic fact,” because we’ll be using screen shots from that Model IFSP Form (from its transition plan, to be precise) to frame upcoming discussions across several slides. Such a screen shot appears on *this* slide, covering Fact #3 beneath. The visual shows both “Part C | Individualized Family Service Plan” and “Transition from Part C Services,” along with a snippet of the timeline just discussed.

**Using the visual as a lead-in |**  
The visual covering Fact #3 can be imbued with meaning and context for your visual and other learners. Take advantage of the specificity of the image (taken directly from the Model IFSP Form) to:

- draw participants’ attention to how the visual incorporates and validates the first two basic facts given;
- introduce the fact at hand—the availability of a model transition plan within a larger Model IFSP Form; and
- indicate that they’ll be seeing more of that model transition plan as the training progresses.

We’ve provided OSEP’s Model IFSP Form in this curriculum as **Handout 11**. You can either mention the handout at this point or wait until Slide 6, when participants will again see screen shots of the Model IFSP Form and discuss in more detail the model transition plan.



#### **Fact #4 | How Many Toddlers Are We Talking About?**

To put this module into a real-world perspective, Fact #4 tells us how many toddlers exited Part C in 2011—**349,370!**

That is a lot of toddlers! That’s a lot of transition plans needed. That’s a lot of good reasons for this training module...

## References & Footnotes

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- <sup>8</sup> The Part C regulations at §303.221 give States the option of continuing to provide early intervention services to children in Part C who’ve passed their third birthday. In States that adopt the Part C extension option, early intervention services may continue to be made available, with parental consent, to children beginning at three years of age until the children enter, or are eligible under State law to enter, kindergarten or elementary school. (76 Fed. Reg. at 60178)
- <sup>9</sup> Inspiration Software. (n.d.). *What is visual thinking and visual learning?* Retrieved March 25, 2013 from the Inspiration Software website: <http://www.inspiration.com/visual-learning>
- <sup>10</sup> 76 Fed. Reg. at 60176.
- <sup>11</sup> 76 Fed. Reg. at 60176.
- <sup>12</sup> In the 1999 Part C regulations, at §303.148(b)(2)(i).
- <sup>13</sup> Office of Special Education Programs, U.S. Department of Education. (2011, September 28). *Model Form: Individualized Family Service Plan*. Washington, DC: Author. Available online at: [http://www.parentcenterhub.org/wp-content/uploads/repo\\_items/model.ifsp.form.pdf](http://www.parentcenterhub.org/wp-content/uploads/repo_items/model.ifsp.form.pdf)
- <sup>14</sup> Data Accountability Center. (2013, February). *Part C Exiting (2010-11): Table C3-1. Number of infants and toddlers ages birth through 2 served under IDEA, Part C, who exited Part C programs, by exit reason and state: 2010-11*. Retrieved January 21, 2014, from: <http://uploads.tadnet.org/centers/97/assets/2404/download>

### Developing the Transition Plan

#### Opening View

For all toddlers with disabilities

**Lead agency must ensure:**

Program options are reviewed for the toddler \*

Family is included in developing transition plan

\* from 3rd birthday to end of school year



Slide loads with this view. Emphasis is on reviewing program options for the toddler and involving the family in developing the child's transition plan.

### Developing the Transition Plan

#### CLICK I

For all toddlers with disabilities

**Lead agency must ensure:**

Program options are reviewed for the toddler \*

Family is included in developing transition plan

\* from 3rd birthday to end of school year

The transition plan must include\*\* as appropriate:

- Steps for toddler and family to exit Part C program
- Any transition services the IFSP Team identifies as needed by the toddler and family

\*\* consistent with §303.344(h)

Click 1: Picture lifts away and reveals more about the transition plan and what it must contain.

CLICK AGAIN to advance to next slide.

See discussion on next page



## Slide 5: Background and Discussion

I Click



### **Pertinent Handouts:**

- Handout 9, Transition to Preschool and Other Programs

Slide 5 is very similar to one of the final slides shown in Module 8, where it was used to give audiences a preview of “next steps” in the transition planning process.

Here, in the current module, the slide is no longer a preview but, rather, begins a more detailed look at what the Part C regulations require of lead agencies with respect to developing a transition plan for all toddlers approaching their third birthdays.

### **For Whom is a Transition Plan Necessary?**

As was indicated on the previous slide, a transition plan must be included in the IFSP of *all* toddlers with disabilities receiving early intervention services under Part C. To say this another way, it doesn’t matter if a toddler may or may not be eligible for services under Part B upon reaching the age of three. This requirement applies to *all* toddlers in Part C before they reach their third birthday. It’s important to reiterate this point.

### **The Part C Regulations**

The relevant Part C regulations are found at §303.209(d), which are provided on **Handout 9** (see page 2). These regulations are distilled on the slide, should be the substance of this slide’s

discussion, and are provided in the box below for your convenient reference.

### **Family Involvement and Review of Program Options**

As can be seen by the slide and the provisions of the first part of §303.209(d), the lead agency must involve the family in the development of the transition plan for their toddler. Family

involvement is not only required, it’s *important*, because families are the primary decision makers for their child. According to the California Department of Education:

Transition planning should be approached as though the team were consultants to the family, providing them with the information they need to assess the various program options in

### **Transition Plans Are Required for All Toddlers with Disabilities Exiting Early Intervention Services under Part C: §303.209(d)**

(d) *Transition plan.* The State lead agency must ensure that for all toddlers with disabilities—

(1)(i) It reviews the program options for the toddler with a disability for the period from the toddler’s third birthday through the remainder of the school year; and

(ii) Each family of a toddler with a disability who is served under this part is included in the development of the transition plan required under this section and §303.344(h);

(2) It establishes a transition plan 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; and

(3) The transition plan in the IFSP includes, consistent with §303.344(h), as appropriate—

(i) Steps for the toddler with a disability and his or her family to exit from the Part C program; and

(ii) Any transition services that the IFSP Team identifies as needed by that toddler and his or her family. [§303.209(d)]

light of their child’s and family’s needs and resources.<sup>15</sup>

Together the IFSP Team members (including the parents) review the program options available to the toddler once he or she exits from Part C services. These options may include:

- preschool services under Part B of the Act (if the toddler is eligible);
- elementary school or preschool services for children participating under a State’s extended Part C option<sup>16</sup> to provide early intervention services to children ages three and older;
- early education, Head Start, and Early Head Start or child care programs; or
- other appropriate services. [§303.344(h)]

These program options are examples of the types of “next services” or “next settings” to which toddlers may exit from Part C. The actual options will vary from community to community and from State to State, because they depend on what is available nearby. Other options might include public charter schools, private schools, or programs or caregiving settings available in the community.

**What’s this about “through the remainder of the school year”?** | Program options to be reviewed are those that fall within the scope of time from the child’s third birthday through however much remains of the public school year for school-aged children. That scope may sound strange at first, considering we’re talking about a toddler in early intervention, but once that

toddler reaches the third birthday, he or she actually is considered as a school-aged child (which includes preschool).

So, for example, if Benjamin is going to turn three years old in February, the family and lead agency (and others, as appropriate) would review program options relevant for the child and family from February through the end of the school year in that vicinity — perhaps May or June.



**What about those summer months?** | The issue of what happens during the summer months for Benjamin, program-wise and service-wise, will depend upon the program option his family chooses as the next step.

For example, if Benjamin transitioned in February to preschool services under Part B of IDEA, then he has an IEP in place<sup>17</sup> when the school year ends in May or June. If his IEP Team (which includes his parents) has determined that extended school year services (ESY)<sup>18</sup> are necessary for Benjamin to receive a free appropriate public education (FAPE) and documented this in his IEP, Benjamin would then receive ESY services throughout the summer in keeping with the IEP.

What about toddlers who turn three *during* the summer months? Is transition planning affected? The simple answer is “no, not really.” The point of planning ahead is to prepare for a known,

anticipated event. It will be evident to the child’s IFSP Team that he or she is going to turn three during the summer months and that their transition planning must take that into account. For a child who will transition to Part B services upon turning three, transition planning would include determining whether ESY services are necessary for the child to receive FAPE. However, that’s a determination that must be made for each individual child by that child’s IEP Team.

## Steps and Transition Services

The slide loaded only the first part of §303.209(d) automatically. On your **Click**, the picture will lift off and the last part of §303.209(d) will come into view, presented as two summarizing bullets that are based on the actual provision, which reads:

(3) The transition plan in the IFSP includes, **consistent with §303.344(h)**, as appropriate—

(i) **Steps** for the toddler with a disability and his or her family to exit from the Part C program; and

(ii) Any transition **services** that the IFSP Team identifies as needed by that toddler and his or her family. [§303.209(d), bold added]

Ask participants to consider the double-asterick on the slide, next to the phrase “the transition plan must include...”. What is the \*\* referring to? Its meaning will have appeared automatically at the bottom of the screen, as the phrase “consistent with §303.344(h).” (We bolded this phrase above, so you can quickly

see where it appears in the Part C regulations.)

But—to what does §303.344(h) refer? Does anyone know?

Have participants look at page 2 of **Handout 9** (2nd column, top), where they'll find the reference to §303.344(h). It's been underlined and accompanied by a note that says, "see 'Additional Regulations' in this handout: B | Transition in the IFSP." It looks like this:

Now have participants find "B | Transition in the IFSP" on the handout (it's on page 4). Evidently, §303.344(h) is referencing the transition content that must be included as part of the IFSP—specifically, "the steps and services to be taken to support the smooth transition of the child."

And that's not all that §303.344(h) says, as the next several slides will reveal.

## Transition to Preschool and Other Programs

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(3) The transition plan in the IFSP includes, consistent with §303.344(h), as appropriate—

(i) Steps for the toddler with a disability and his or her family to exit from the Part C program; and

(ii) Any transition services that the IFSP Team identifies as needed by that toddler and his or her family.

see "Additional Regulations" in this handout: B | Transition in the IFSP

## References & Footnotes

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<sup>15</sup> California Department of Education. (2005). *The handbook on transition from early childhood special education programs*. Sacramento, CA: Author. (Quotation from page 6.) Available online at: <http://www.cde.ca.gov/sp/se/fp/documents/ectransitn.pdf>

<sup>16</sup> §303.211.

<sup>17</sup> It's possible that Benjamin may have an IFSP in place instead of an IEP. Under Part B, an IFSP may serve as the IEP of the child if using the IFSP as the IEP is consistent with State policy and agreed to by the agency and the child's parents. [§300.323(b)(1)] The IFSP, however, must now include an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills. [§303.344(d)(4)]

<sup>18</sup> Extended school year services are addressed in the Part B regulations at §300.106.

- **Transition Steps**

Discussions with, and training of, parents, as appropriate, regarding future placements and other matters related to the child's transition. §303.344(h)(2)(i)

Procedures to prepare the child for a change in service delivery, including steps to help the child:

- adjust to, and function in, a new setting
- exit from the Part C program.

§303.209(d)(3)(i) and §303.344(h)(2)(ii)

Slide loads fully.

No clicks are necessary except to advance to the next slide.

CLICK to advance to next slide.

**Pertinent Handouts:**

- Handout 9, Transition to Preschool and Other Programs
- Handout 11, OSEP's Model IFSP Form (optional)

Slide 6 focuses on the "steps to be taken to support the smooth transition of the child," as §303.344(h) states. When you continue reading §303.344(h) (see **Handout 9**, page 4), it's clear that the steps to be taken must include:

- discussions with, and training of, parents, as appropriate, regarding future placements and other matters related to the child's transition;
- procedures to prepare the child for changes in service delivery, including steps to help the child adjust to, and function in, a new setting;
- confirmation that child find information about the child has been transmitted to the LEA or other relevant agency (the subject of Slide 7); and
- identification of transition services and other activities that the IFSP Team determines are necessary to support the transition of the child (the subject of Slide 8).

**Enter the Model Form!**

The first two bullets above are the subject of this slide. The actual content of the slide comes from the Model IFSP Form developed by OSEP, which we discussed earlier (see Fact #3 on Slide 4). The Model IFSP Form is available as **Handout 11**.

## Bullet 1 | Discussions with, and Training of, Parents

As Bullet 1 indicates, the “steps” to be taken must include discussions with, and training of parents (as appropriate) about future placements and “other matters” related to their child’s transition. This is consistent with the strong support within Part C of IDEA for:

- building the knowledge base of parents so they are better equipped to address the developmental needs of their child;<sup>19</sup> and
- the active participation of families in determining their child’s services and service settings.<sup>20</sup>

It’s not difficult to see how these two aspects of Part C go hand in hand. When parents are equipped with accurate knowledge and detailed information, they can serve as informed decision makers and advocates for their child. NECTC observes:

Successful transitions for both the child with disabilities and his or her family require that families be informed consumers. Without sufficient information, it is more difficult for families to make good or informed decisions.<sup>21</sup>

Thus, an important part of preparing the child and family for the upcoming transition to another setting or program is to **inform the parents as fully as possible as to the program options** (or “future placements”) available to the child upon transition. The review of program options was discussed in the previous slide, you’ll recall. That review dovetails



nicely with the Part C requirement to hold discussions with, or train parents on, future placements for their child and other matters associated with their child’s transition from Part C.

In order to choose between the program options, and then prepare for the specific program option selected, parents may need information on such variables as each program’s:

- eligibility criteria;
- service delivery models;
- location;
- provision of transportation; and/or
- staffing and program quality.<sup>22</sup>

**Don’t forget the emotional element** | The transition process can be very emotional for parents, and this, too, must be considered during discussions with the family at this time. Families face such issues as loss of familiar staff, meeting new service providers and developing relationships with them, confronting questions about the availability of services and technologies,



and determining how the child will fit into the new school environment and how new teachers will treat their child.<sup>23</sup> The lead agency personnel working with parents need to be aware of, and sensitive to, the stress and uncertainty that parents may be feeling as transition planning begins and unfolds.

It’s also important to recognize that **cultural or linguistic diversity** can affect how families experience or react to transition, including the kind of information they need.<sup>24</sup> There may be differences in their concerns and preferences, or challenges they face in cross-cultural communication within the community or within available program options, for example.

**Individualizing transition planning to respond to family needs and concerns** | Here’s a story that illustrates how discussions with, and training of, parents can make an enormous difference in people’s lives and transition experiences. The story also reveals the very individualized nature of transition planning and the importance of tailoring transition steps to address the needs and priorities of each family.

I worked as a transition support coach for a family whose son was turning 3 and would begin preschool. The reason I was assisting them was that the mom was fearful about her “baby” riding the bus to and from school each day. So the task was both to develop a transition strategy which would make the experience positive and safe for the child and to assist the mom in feeling secure with the transition.

1. We wrote a social story (using pictures and words) about riding the bus.

2. We visited the school and boarded the bus numerous times.

3. We went to the bus stop and observed children boarding the bus (several mornings).

4. We set up a schedule where the child transitioned slowly to riding the bus, first for a week just coming home (mom drove him to school) and then he rode the bus in both directions.<sup>25</sup>

Now, don't you just wish this transition support coach could be available to every toddler exiting Part C! Conveniently, this story also illustrates the benefits of preparing *children* for the new setting.



### **Bullet 2 | Preparing the Child for the New Setting**

There's ample evidence that transitions can be difficult and upsetting for many young children—just ask a two-year-old to stop playing with a favorite toy because it's time to go do something else! And that's just one type of transition, and a small one (no matter how dramatic the child's reaction may be!). Think of the different types of transitions that young children routinely have to make:

- from one activity to another (e.g., playtime to lunch, recess to large group activity);

- from one setting to another (e.g., from home to child care); and
- from one program to another (e.g., from early intervention to preschool, from preschool to kindergarten).<sup>26</sup>

So it makes good sense to prepare toddlers in Part C to exit Part C and, as appropriate, to enter the new setting in which they may find themselves, come that third birthday. As Bullet 2 indicates, the Part C regulations require that the IFSP identify and include "procedures to prepare the child for changes in service delivery, including steps to help the child adjust to, and function in, a new setting" [§303.344(h)].

**Examples** | What types of procedures might prepare a child for transition from Part C to another program or setting? As suggested by the Family and Child Transitions into Least

Restrictive Environments (FACTS/LRE) project, here are six strategies that parents, other family members, and service providers can use to help prepare the child for the change that's coming.

- Begin early
- Talk about the new setting in positive ways
- Encourage the child to ask questions and express fears
- Engage the child in concrete experiences
- Teach the child specific skills and routines which will be useful in the new program

- Communicate and share information between programs in advance<sup>27</sup>

Consider discussing each of these strategies more fulsomely with the audience, asking for real-life examples or offering your own. The strategies are stated in a necessarily "generic" way, because each child's circumstances will be different, which in turn calls for identifying procedures or steps that fit the child's unique circumstances.

The FACTS/LRE project generously provides such elaborations, which you may find helpful in moving the discussion from "generic" steps to the more concrete. We've provided the project's examples in the box on the next page,<sup>28</sup> in case your audience would benefit from hearing more.

### **Who Decides the Program Option and the Transition Steps to be Taken?**

The IFSP Team (which includes the parents) is responsible for selecting the appropriate program option to which the toddler will exit. The IFSP Team is also responsible for determining what transition steps will be taken to prepare both the child and the family for exiting Part C and moving on to the selected next program option. As the Department notes, "The transition steps appropriate for a toddler with a disability will differ depending upon which program listed in §303.344(h) the IFSP Team selects."<sup>29</sup>

*continued on page 9-24* ►

## Examples from FACTS/LRE: Strategies to Help the Toddler Prepare for the New Setting

Keep on hand (in either the home or the child's current setting) a copy of a **brochure from the new program**, particularly if it contains photographs of the building, the classrooms, smiling children, and affectionate teachers. Some programs have produced videos that can be shared with children at home or in an early intervention setting.

**Shop for a new** book bag, backpack, or lunch box, which will not be used until the first day of the new program. This can present an opportunity for positive forecasting and give the child some sense of control regarding the upcoming changes.

**Use dramatic play, storybooks, and simple games** to anticipate upcoming changes. Pretend play can help children work through their anxieties as they pretend to take a bus or find their cubby at the new school. Parents and caregivers can choose story books to share in which a child starts school or goes to day care for the first time.

**Children who have had no group experiences** or who have only been in very small groups of children before will benefit from exposure to larger groups of children in new environments. For example, bring the child to a story hour at the library. Teachers at a sending program might simulate a larger classroom by combining groups for selected activities.

**Arrange for visits** to the receiving program to meet teachers, observe, or participate in classroom activities, and try out the playground equipment. Arrange an orientation time in which there are fewer children present so the child can explore the classroom and become familiar with some of the staff. Help the child to identify similarities and differences between current surroundings and future settings.



Determine **expectations for the child** in the receiving program. Questionnaires and interviews with the receiving program staff as well as direct observations can help to determine skills that will need to be addressed in order to prepare the child to function as independently as possible. Finding out in advance how daily routines such as bathroom, nap, and transitions between activities are handled is very helpful.

**Let the staff of the receiving program know** what progress the child has made in mastering these various skills. Enlisting the receiving program staff to support and continue the instruction of these skills is critical to ensure continuity and success for the child.

**Staff from the sending program** may be helpful in demonstrating positioning, handling, or feeding techniques to the teachers of the new program. They can inform receiving program staff about behavior management strategies that have been effective.<sup>28</sup>

It is also the responsibility of the IFSP Team to determine what transition *services* are appropriate for each exiting toddler with a disability [§303.344(h)(2)(iv)], as we'll see in Slide 8. But first, there's one more item to discuss with respect to "transition steps"—and it's a mouthful, as we'll see on the next slide.



## References & Footnotes

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- <sup>19</sup> One of the five "findings" of Congress, in establishing the Part C program in IDEA 2004, was an "urgent and substantial need...to enhance the capacity of families to meet the special needs of their infants and toddlers with disabilities." 20 U.S.C. §1431 (2004). This quote comes from Section 631 of Public Law 108-446, the Individuals with Disabilities Education Act (IDEA).
- <sup>20</sup> Parents' right to actively participate in their child's early intervention program as key decision makers is undergirded by such requirements in IDEA as prior written notice, informed parent consent, membership of the IFSP Team, and more. The regulations also make it clear that it is the family that determines whether to accept or reject any early intervention service without jeopardizing other services they want (see §303.420).
- <sup>21</sup> Harbin, G., Rous, B., Peeler, N., Schuster, J., & McCormick, K. (2007, December). *Opening doors to success: Desired family outcomes of the early childhood transition process*. Lexington, KY: National Early Childhood Transition Center. Available at: [http://www.hdi.uky.edu/nectc/Libraries/NECTC\\_Research\\_Briefs/Desired\\_Family\\_Outcomes\\_of\\_the\\_Early\\_Childhood\\_Transition\\_Process.sflb.ashx](http://www.hdi.uky.edu/nectc/Libraries/NECTC_Research_Briefs/Desired_Family_Outcomes_of_the_Early_Childhood_Transition_Process.sflb.ashx)
- <sup>22</sup> Dogaru, C., Rosenkoetter, S., & Rous, B. (2009). *A critical incident study of the transition experience for young children with disabilities: Recounts by parents and professionals* (Technical Report #6). Lexington: University of Kentucky, Human Development Institute, National Early Childhood Transition Center. Available online at: [http://www.hdi.uky.edu/nectc/Libraries/NECTC\\_Papers\\_and\\_Reports/Technical\\_Report\\_6.sflb.ashx](http://www.hdi.uky.edu/nectc/Libraries/NECTC_Papers_and_Reports/Technical_Report_6.sflb.ashx)
- <sup>23</sup> Dogaru, C., Rosenkoetter, S., & Rous, B. (2009). *A critical incident study of the transition experience for young children with disabilities: Recounts by parents and professionals* (Technical Report #6). Lexington: University of Kentucky, Human Development Institute, National Early Childhood Transition Center. Available online at: [http://www.hdi.uky.edu/nectc/Libraries/NECTC\\_Papers\\_and\\_Reports/Technical\\_Report\\_6.sflb.ashx](http://www.hdi.uky.edu/nectc/Libraries/NECTC_Papers_and_Reports/Technical_Report_6.sflb.ashx)
- <sup>24</sup> Bruns, D.A., & Fowler, S. (2001). *Transition is more than a change in services: The need for a multicultural perspective* (CLAS Technical Report #4). Champaign, IL: Early Childhood Research Institute on Culturally and Linguistically Appropriate Services (CLAS). Available online at: <http://clas.uiuc.edu/techreport/tech4.html>



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- <sup>25</sup> Dogaru, C., Rosenkoetter, S., & Rous, B. (2009). *A critical incident study of the transition experience for young children with disabilities: Recounts by parents and professionals* (Technical Report #6). Lexington: University of Kentucky, Human Development Institute, National Early Childhood Transition Center. Quotation from page 20. Available online at: [http://www.hdi.uky.edu/nectc/Libraries/NECTC\\_Papers\\_and\\_Reports/Technical\\_Report\\_6.sflb.ashx](http://www.hdi.uky.edu/nectc/Libraries/NECTC_Papers_and_Reports/Technical_Report_6.sflb.ashx)
- <sup>26</sup> Center on the Social and Emotional Foundations for Early Learning. (2008, January). *Helping children make transitions between activities*. Nashville, TN: Author. Available online at: <http://csefel.vanderbilt.edu/kits/wwbtk4.pdf>
- <sup>27</sup> Donegan, M., Fink, D.B., Fowler, S.A., & Wischnowski, M.W. (1994). *Entering a new preschool: How service providers and families can ease the transitions of children turning three who have special needs* (FACTS/LRE Information Services #2). Champaign, Illinois: Family and Child Transitions into Least Restrictive Environments, University of Illinois at Urbana-Champaign. Available online at: <http://facts.crc.uiuc.edu/facts2/facts2.html>
- <sup>28</sup> Adapted from: Donegan, M., Fink, D.B., Fowler, S.A., & Wischnowski, M.W. (1994). *Entering a new preschool: How service providers and families can ease the transitions of children turning three who have special needs* (FACTS/LRE Information Services #2). Champaign, Illinois: Family and Child Transitions into Least Restrictive Environments, University of Illinois at Urbana-Champaign. Available online at: <http://facts.crc.uiuc.edu/facts2/facts2.html>
- <sup>29</sup> 76 Fed. Reg. at 60176.

Transition Steps (cont.)

✓ Confirmation that child find information about the child has been transmitted to the LEA or other relevant agency, in accordance with 34 CFR §303.209(b) (and any policy adopted by the State under 34 CFR §303.401(e)) and, with parental consent if required under 34 CFR §303.414, transmission of additional information needed by the LEA to ensure continuity of services from the Part C program to the Part B program, including a copy of the most recent evaluation and assessments of the child and the family and most recent IFSP developed in accordance with 34 CFR §§303.340 through 303.345. [34 CFR §303.344(h)(2)(III)]

I can't read that!



Opening View

Slide loads with this view—an overload of text and a baby who's crying, "I can't read that!"

Transition Steps (cont.)

Confirmation that child find information about the child has been transmitted to the LEA or other relevant agency\*



Click 1

Click 1: The unreadable text and baby picture lift away, and this simple and comprehensible statement appears.

continued on next page ►

• Transition Steps (cont.)

Confirmation that child find information about the child has been transmitted to the LEA or other relevant agency

*and...* with parental consent, if required

that additional information needed by the LEA has been transmitted

*including a copy of...* —the most recent evaluation & assessments of the child & family, *and*  
—the most recent IFSP

CLICK 2

Click 2:  
Gradually all of this text appears, listing the child find information to be transmitted to the LEA or other relevant agency.

• Transition Steps (cont.)

Confirmation that child find information about the child has been transmitted to the LEA or other relevant agency

*and...* with parental consent, if required

that additional information needed by the LEA has been transmitted

*including a copy of...* —the most recent evaluation & assessments of the child & family, *and*  
—the most recent IFSP

**To ensure continuity of services from the Part C program to the Part B program**

CLICK 3

Click 3:  
Finally, here at the bottom, this summary text appears—the reason that needed child find information is transmitted about the toddler to the LEA.

CLICK AGAIN to advance to next slide.

See discussion on next page 



**Pertinent Handouts:**

- Handout 9, Transition to Preschool and Other Programs
- Handout 11, OSEP’s Model IFSP Form

Let’s continue our look at the transition steps that must be included in the IFSP of a toddler in Part C who is approaching a third birthday and his or her exit from Part C. According to §303.344(h)(2), the transition steps must include:

(i) Discussions with, and training of, parents, as appropriate, regarding future placements and other matters related to the child’s transition;

(ii) Procedures to prepare the child for changes in service delivery, including steps to help the child adjust to, and function in, a new setting;

(iii) Confirmation that child find information about the child has been transmitted to the LEA or other relevant agency, in accordance with §303.209(b) (and any policy adopted by the State under §303.401(e)) and, with parental consent if required under §303.414, transmission of additional information needed by the LEA to ensure continuity of services from the Part C program to the Part B program, including a copy of the most recent evaluation and assessments of the child and the family

and most recent IFSP developed in accordance with §§303.340 through 303.345; and

(iv) Identification of transition services and other activities that the IFSP Team determines are necessary to support the transition of the child.

We’ve bolded the provision at (iii), which is the focus of this slide, so you can readily see how the previous slide, this slide, and the next fit together in a sequence that comes directly from the Part C regulations.

**How the Slide Unfolds— 1st Click**

The slide opens with a screen shot taken from the Model IFSP Form developed by OSEP. And yes, it’s a real mouthful...and eyeful. Let the audience get a solid look at it and perhaps do a collective moan. A photo of a crying baby on his belly fades in (he doesn’t favor the impenetrable text either).

No, you and the audience won’t have to work with that dense text. As the slide unfolds across two Clicks, pieces of the text will appear one at a time, so that the full text (what’s bolded above) is easier to read, discuss, and understand.

Click once to lift off the screen shot of the Model IFSP Form and replace it with the simple phrase:

Confirmation that child find information about the child has been transmitted to the LEA or other relevant agency

Use the discussion immediately below to shape the information you offer about this transition step.

**Confirmation Re: Transmission of Child Find Information**

If a child is potentially eligible for special education services under Part B of IDEA, the Part C program is required to transmit basic child find information about that child (i.e., name, date of birth, parents’ contact information) to the LEA where the child resides and to the SEA. This requirement is subject to limitations and conditions in keeping with:

- the privacy and confidentiality requirements of multiple laws (most notably, IDEA itself and FERPA, the Family Educational Rights and Privacy Act); and
- any “opt-out” policy a State may adopt to enable parents to object to, and effectively block, the disclosure of personally



identifiable information (PII) about their child.

The transmission of child find information about a given toddler was the primary focus of Module 8 (*The Transition Process and Lead Agency Notification to the LEA and SEA*). Module 8 discussed what information about the toddler may be disclosed by the Part C program to the LEA and SEA of the child (given applicable limitations) and by *when* it must be disclosed. Please refer to Module 8 for those details.

Feel free to pull from Module 8's content to shape the training you offer here about "confirmation that child find information has been transmitted." What details about this notification do participants need at this moment in time? What details are *relevant* to them right now? (If they participated in Module 8 training, then they'll know those details and you can do a quick review here.)

You may find it more appropriate to simply summarize and say something along the lines of the text presented in the box.

Enough said?

**What does the asterisk mean?** | You'll notice that the phrase on the screen ends with an asterisk. That asterisk (\*) refers to how the Part C regulation continues from "confirmation that child find information about the child has been transmitted to the LEA or other relevant agency." Which is: "in accordance with §303.209(b) (and any policy adopted by the State under §303.401(e))..."

OK, what's §303.209(b) referring to? And what's

### Perhaps You Might Summarize...

When a toddler in early intervention is approaching a third birthday and that toddler may be eligible for special education services under Part B of IDEA, the lead agency is required to let the State educational agency—the SEA—know. The local educational agency where the child resides—the LEA—must also be notified.

Restrictions apply, given privacy laws, and in some States parents have the option to "opt-out" of this information being disclosed about their child.

This notification is also only required for children who may be potentially eligible for special education under Part B of IDEA. The notification is considered necessary so that the State can fulfill its child find duties, which include identifying, locating, and evaluating all children with disabilities in the State.

What's relevant here is that the IFSP must include transition steps to help the toddler and family exit from Part C and move on to the next program. And those transition steps must include a **confirmation in the IFSP** that the LEA and other relevant agencies have been notified that the child is going to turn three and may be eligible for special education under Part B.

**Confirmation**—so we're talking about an acknowledgment in writing in the IFSP that the notification to the LEA and other relevant agencies has occurred and that the child find information about the child has been sent. If the notification occurred, then the IFSP of the child must indicate as much.

§303.401(e)? You won't be surprised when we tell you!

- **§303.209(b)** appears on page 1 (column 2) of **Handout 9**. It has the subtitle "Notification to the SEA and appropriate LEA," which is described in detail in Module 8 and which we just summarized above.
- **§303.401(e)** doesn't appear on **Handout 9**, but has the sub-

title "Option to inform a parent about intended disclosure" within the section of Part C's regulations regarding confidentiality of PII. Thus, the reference to §303.401(e) is a reference to any opt-out policies a State may have adopted by which parents may block the transmission of PII about their transitioning child.

The Part C regulations have many such cross-references within them, as you probably have noticed!

## How the Slide Continues— 2nd Click

When you're ready to move on, **CLICK** again and the next part of the slide's content will come into view, automatically appearing piece by piece. That content is:

*and*, with parental consent, if required

that additional information needed by the LEA has been transmitted

including a copy of...

— the most recent evaluation & assessments of the child & family, and

— the most recent IFSP

This content is fairly self-explanatory. Additional information beyond the basic child find data may be needed by the LEA who will be receiving the child upon his or her exit from Part C. This includes the most recent evaluation and assessments of the child and the family, and the most recent IFSP—which would clearly be helpful in ensuring the continuity of services for the child when he or she turns three. Has this additional information been transmitted to the LEA? Confirmation that it has needs to be included in the IFSP.

**What about parental consent?** | This 2nd part of the slide begins with the phrase "*and*, with parental consent, if required." The actual Part C regulation finishes with "if

required under §303.414..." [§303.344(h)(2)(iii)]. What, then, does §303.414 require?



The title of §303.414 is "Consent prior to disclosure or use." The provision requires prior parental consent to be obtained before personally identifiable information is "disclosed to anyone other than authorized representatives, officials, or employees of participating agencies collecting, maintaining, or using the information under Part C" [§303.414(a)(1)]. Exceptions to this requirement are numerous, affected by State policies, and far too complicated to explain fully in this module, as you can readily see by looking at the entirety of §303.414 on **Handout 9** (see page 3, section "A | Parent Consent"). The Department does say that:

...parental consent must be obtained if personally identifiable information is disclosed as required under §303.414. Given that personally identifiable information is discussed at the IFSP meeting to develop a transition plan, if the LEA representative is from an LEA that is not a participating agency under §303.403(c) or if attendance is required of other individuals who are not employees or representatives of participating agencies, parental consent is required under §303.414 for the lead agency to be able to disclose personally identifiable information to these individuals at the meeting.<sup>30</sup>

These comments highlight the importance of the term "participating agency." The Part C regulations define this term as:

...any individual, agency, entity, or institution that collects, maintains, or uses personally identifiable information to implement the requirements in Part C of the Act and the regulations in this part with respect to a particular child. A participating agency includes the lead agency and EIS providers and any individual or entity that provides any Part C services (including service coordination, evaluations and assessments, and other Part C services), but does not include primary referral sources, or public agencies (such as the State Medicaid or CHIP program) or private entities (such as private insurance companies) that act solely as funding sources for Part C services. [§303.403(c)]

It's useful to know as well that the disclosure of child find information to the LEA and SEA for a toddler about to exit Part C is generally *not* considered a breach of privacy on the part of the lead agency or EIS provider, if:

- the toddler may be potentially eligible for Part B services, and
- the State does not have an "opt-out" policy that requires that parents be informed before the disclosure of information and given the opportunity to object.

It's also useful to know that States must establish an **inter-agency agreement** between the Part C lead agency and the SEA (which is responsible for implementing Part B of IDEA for school-aged children with disabilities). This interagency agreement must describe how the lead agency and SEA will meet the transition requirements stated in §303.209(b) through (f), which relate to:

- notifying the SEA and the child's LEA that the toddler will soon reach the age of eligibility for services under Part B;
- convening a conference to discuss any services the child may receive under Part B (if potentially eligible) or from other appropriate service providers (if the child is not eligible for Part B); and
- developing a transition plan for the toddler and his or her family.

Part of a State's interagency agreement might address the question of whether parental consent is required in order to disclose PII about a child in transition from Part C. If the lead agency is also the SEA, an **intra-agency agreement** would be required and may similarly define the State's policies regarding the need for parental consent at this time.

### **How the Slide Finishes —3rd Click**

This last click completes the slide and provides the "reason" why the regulations require "transmission of additional information needed by the LEA," including the most recent evaluation and assessments of the child and family and the child's most recent IFSP. And that reason is: **To ensure continuity of services from the Part C program to the Part B program.**

This phrase—reason—is drawn directly from the regulations at §303.344(h)(2)(iii). It probably needs little explanation, since it makes quite good sense and is completely consistent with the purpose of transition planning in the first place.



### **References & Footnotes**

<sup>30</sup> 76 Fed. Reg. at 60207.

- **Transition Services**

Identification of transition services & other activities that the IFSP team determines are necessary to support the transition of the child.



*§303.209(d)(3)(ii) and §303.344(h)(2)(iv)*

Slide loads fully.

No clicks are necessary except to advance to the next slide.

CLICK to advance to next slide.

### **Pertinent Handouts:**

- Handout 9, Transition to Preschool and Other Programs
- Handout 11, OSEP's Model IFSP Form (*optional*)
- Activity Sheet 6, Effective Transition Practices and Strategies

Time to move on to another aspect of developing a transition plan for a toddler who will soon be exiting the Part C program. As the slide indicates, that transition plan must also identify "transition services and other activities that the IFSP Team determines are necessary to support the transition of the child."

Again, the Model IFSP Form is used to present this element required in each exiting toddler's transition plan.

### **What are Transition Services?**

The Part C regulations do not define the term *transition services*. Why not? It's the Department's position that it is not appropriate to define the term. "Given that transition services are based on

the unique needs of the child and the family, States require flexibility to provide appropriate and individualized transition services for each child."<sup>31</sup>

However, the Department does offer the following useful description:

Transition services are those services that assist a toddler with a disability and his or her family to experience a smooth and effective transition from an early intervention program ... to the child's next program or other appropriate services, including services that may be identified for a child who is no longer eligible to receive Part C or Part B services.<sup>32</sup>

### **Who Decides What Transition Services are Appropriate for an Exiting Child?**

The IFSP Team, which includes the parent, determines the appropriate transition services for the toddler exiting the Part C program.<sup>33</sup>

### **Examples from the Field**

It's a bit difficult to identify concrete examples from the field that are actually *called* "transition services." By and large, examples of transition plans available online identify *activities* to be accomplished during the transition planning process, such as:



- notifying the SEA and the LEA of the child’s upcoming third birthday;
- reviewing upcoming program options with the family;
- conducting needed evaluations of the child to determine eligibility for the new program (especially if the child is potentially transitioning to Part B services);
- developing the IEP for a child who will be transitioning to Part B services;
- arranging for the child and family to visit the new setting or program;
- completing various checklists and child profiles to share with the receiving staff;
- conducting observations in the new environment to identify what types of supports are available for the child, what skills might be important for the child to have in that environment, and the routines that drive the day there; and
- so on!

Many checklists and guidelines exist to help families and service providers systematically prepare for a child’s transition to the new program or setting. Of particular note are the many resources offered by Project CONNECT.<sup>34</sup> We’ve listed a few of these in the box on this page. You can use them to expand the training you offer here, engage participants in activities, or share a list of such resources that participants can take home with them to consult later.

### Project CONNECT’s Transition Module

Project CONNECT has developed web-based, instructional resources that focus on and respond to challenges faced each day by those working with young children and their families. One of CONNECT’s modules focuses on transition—and it’s available in Spanish, too!

Access the full training module in English or Spanish at:  
<http://community.fpg.unc.edu/connect-modules/learners/module-2>

Within the training module, you’ll find worksheets and guidelines such as:

#### Transition Activities Worksheet

This handout can be used to plan how transition-related activities will be implemented both prior to the child’s start date in the new program (preparation) and after the start date (adjustment).

Family and practitioners can document details such as activity descriptions, person(s) responsible, and dates.

English version

<http://community.fpg.unc.edu/sites/community.fpg.unc.edu/files/resources/Handout/CONNECT-Handout-2-12.pdf>

Spanish version

<http://community.fpg.unc.edu/sites/community.fpg.unc.edu/files/resources/Handout/CONNECT-Folleto-2-12.pdf>

#### Observation Guide For Initial Class Visit

This handout can help families and service providers identify specific ways in which a new classroom can be modified to support the child’s engagement and adaptation.

English version

<http://community.fpg.unc.edu/sites/community.fpg.unc.edu/files/resources/Handout/CONNECT-Handout-2-6.pdf>

Spanish version

<http://community.fpg.unc.edu/sites/community.fpg.unc.edu/files/resources/Handout/CONNECT-Folleto-2-6.pdf>

### Other Helpful Resources

Be sure to check for materials produced within your own State that can help your audience decide what transition services and other activities to consider during transition planning. Many States offer a guided planning process and provide checklists and tips that families and service

providers can use to plan smooth transitions for children. For example:

*Early Childhood Transitions in North Carolina: A Parent’s Guide to the Infant-Toddler and Pre-school Programs*, produced by the Transition Committee of the North Carolina Interagency Coordinating Council. Includes

a *Transition Checklist* and a worksheet called *Information About My Child*.  
<http://www.bearly.nc.gov/data/files/pdf/transitions handbook.pdf>

*Transition Booklet Online*, a family-focused resource of the New Jersey Early Intervention System, includes:

Developing a picture/profile of your child  
<http://www.njeis.org/section5.htm>

Questions often asked while evaluating a preschool program  
<http://www.njeis.org/section7.htm>

Tips for preparing your child for preschool  
<http://www.njeis.org/section13.htm>

## **Time for Activity Worksheet 6!**

Given all that's been said and discussed to the moment in this training, perhaps now is a good time to take a break, get up and stretch, walk around a bit, and then, if you have time in the training schedule, have participants work together to complete **Activity Sheet 6, *Effective Transition Practices and Strategies***. The activity is described on the next page.

## **References & Footnotes**

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<sup>31</sup> 76 Fed. Reg. at 60177.

<sup>32</sup> 76 Fed. Reg. at 60176-60177.

<sup>33</sup> 76 Fed. Reg. at 60177.

<sup>34</sup> CONNECT is a project within the Technical Assistance and Dissemination network (TA&D) that has been funded by OSEP to provide expertise to the field to support their implementation of IDEA and improve outcomes for children with disabilities.

<sup>35</sup> National Early Childhood Transition Center (NECTC). (2011). *NECTC transition tips: Toolkit of practices and strategies*. Online at: <http://www.hdi.uky.edu/nectc/NECTC/practicerearch.aspx>



## Participant Activity

### Purpose

To have participants apply what they've learned in the training so far, what they know from experience, and their own creativity as they review and expand upon effective transition practices and activities.

### Time Activity Takes

15-30 minutes, depending on how you assign the task.

### Group Size

Have participants work in pairs (10-15 minutes) to complete all of the activity sheet.

Alternatively, if your time is limited, assign specific items on the sheet to specific pairs (in other words, pairs only complete one or two items, not all 10 on the activity sheet).

After the allotted time, call the full group back together to exchange answers aloud (10-15 minutes).

### Materials

Activity Sheet 6, Effective Transition Practices and Strategies

### Background Info to Share

As the activity sheet says, the National Early Childhood Transition Center (NECTC) has conducted considerable research to identify factors that promote successful transitions between infant/toddler programs, preschool programs, and public school programs for young children with disabilities and their families. The activity sheet is drawn from NECTC's research and recommendations with respect to effective transition practices and strategies. The activity sheet uses direct quotes from NECTC documents as examples.

### About the Practices and Strategies on the Activity Sheet

The activity sheet highlights 10 effective transition practices and strategies identified by NECTC. It's been adapted from NECTC's original list of 21 such practices or strategies.<sup>35</sup> We've kept the original numbers used by NECTC, which is why Practice 5 (on the activity sheet) is followed immediately by Practice 10, 11, 13, 14, and 16.

### Instructions

1. Provide the audience with the background information above. Indicate that NECTC is an OSEP-funded center whose mission is to examine factors that promote successful transitions between infant/toddler programs, preschool programs, and public school programs for young children with disabilities and their families. NECTC has a rich body of work available publicly at: <http://www.hdi.uky.edu/nectc/NECTC/Home.aspx>
2. Have the audience break up into pairs and take out the activity sheet. Either have them complete the entire sheet in pairs, or divide up the work, assigning specific items to specific pairs.
3. Give the pairs 10-15 minutes to complete their work. Then call the full group back together and exchange and discuss possible answers. Answers will vary.



**Opening View**

Slide loads with this view.

- **How** a child's transition plan is developed, by whom, and by when
- **What** is required when a child is referred "late" to Part C

Additional Points

**Click 1**

Click 1:  
The picture lifts away and these two additional points of interest are shown.

CLICK AGAIN to advance to next slide.

**Slide 9: Background and Discussion**

2 Clicks



Slide 9 signals that the module is close to completion—just a few more points and you'll be done. It returns on the original agenda introduced in Slide 2 and repeats two of the items, neither of which have been covered yet. Those points are:

- How a child's transition plan is developed, by whom, and by when
- What is required when a child is referred "late" to Part C

The slide also serves as an advanced organizer for the remainder of the training today. It identifies the content that will be covered in Slides 10, 11, and 12.

### **Did the Audience Participate in Module 8 Training?**

Both of the “additional points” were covered in some detail in Module 8, *The Transition Process and Lead Agency Notification to the LEA & SEA*. We cover them again here in Module 9, in case the audience did not participate in Module 8 training.

The discussion provided for Slides 10, 11, and 12 is drawn in large part from Module 8; adjust the detail you offer now to correspond to whether or not your audience is already familiar with this information through Module 8. If they are, use this slide and upcoming slides to review that content.

### **Discussing the Slide**

Indicate to your audience that the two items listed on the screen come from the agenda they saw at the beginning. Since you haven’t covered these items yet...it’s time.

### How, By Whom, By When?

Is the toddler potentially eligible for Part B services?



Yes.

- Lead agency convenes a transition conference
- Family approval needed
- Lead agency, family, & LEA participate
- Other IFSP Team members participate, too



Opening View

Slide loads with this view.

### How, By Whom, By When?

Is the toddler potentially eligible for Part B services?



Yes.

- Lead agency convenes a transition conference
- Family approval needed
- Lead agency, family, & LEA participate
- Other IFSP Team members participate, too

#### Timelines

Not fewer than 90 days before the toddler's 3<sup>rd</sup> birthday

At the discretion of all parties, conference may also be convened up to (but not more than) 9 months before the toddler's 3<sup>rd</sup> birthday

CLICK I

← Click 1: The picture lifts away, and these two "timeline" points appear.

CLICK AGAIN to advance to next slide.

See discussion on next page ►



**Pertinent Handouts:**

- Handout 9, Transition to Preschool and Other Programs

Slide 10 takes up the “how, by whom, by when?” question associated with the development of a toddler’s transition plan.

The first step in answering this question is to ask another one—namely, is the toddler potentially eligible for Part B services?—because the answer to that question will drive how the first question is answered.

- Slide 10 looks at what’s required if the toddler IS potentially eligible for Part B services.
- Slide 11 will look at what’s required if the toddler is NOT potentially eligible for Part B.

**Yes, the Toddler Is Potentially Eligible for Part B Services**

As the slide automatically shows (no clicks are needed from you), when a toddler exiting Part C may potentially be eligible for services under Part B, then the lead agency must convene a transition conference, given family approval. The slide also identifies *who* should attend this conference. These requirements are found in the Part C regulations at §303.209(c)(1), appear on page 2 of **Handout 9**, and read as follows:

(c) *Conference to discuss services.* The State lead agency must ensure that—

(1) If a toddler with a disability may be eligible for preschool services under

Part B of the Act, the lead agency, with the approval of the family of the toddler, convenes a conference, among the lead agency, the family, and the LEA not fewer than 90 days—and, at the discretion of all parties, not more than 9 months—before the toddler’s third birthday to discuss any services the toddler may receive under Part B of the Act...

**The IFSP Team Is Involved?**

The slide specifically states that the IFSP Team also participates in the transition conference. What regulation supports that statement? There’s no mention of the IFSP Team in the regulation just cited, only “the lead agency, the family, and the LEA” as participants in the conference [§303.209(c)(1)].

If you’re going over this content for the first time (meaning, participants haven’t taken Module 8 training), refer participants to **Handout 9** (page 2).



Have them find §303.209(e) (just a bit down from the regulation cited above). Section 303.209(e) was added to the regulations to clarify who participates in the transition conference. It reads:

(e) *Transition conference and meeting to develop transition plan.* Any conference conducted under paragraph (c) of this section or meeting to develop the transition plan under paragraph (d) of this section (which conference and meeting may be combined into one meeting) must meet the requirements in §§303.342(d) and (e) and 303.343(a).

So, the transition conference must meet the requirements in §§303.342(d) and (e) and 303.343(a). What might those requirements be?

You’ll be pleased to know that these provisions also appear on **Handout 9**. Participants are instructed to “see Additional Regulations in this handout: C | Meetings.” If they turn to page 4 of the handout, they’ll find the regulations. Look in particular at §303.343(a), which lists the required participants of each initial IFSP meeting and each annual one. These are required participants in the transition conference as well.

- the parent or parents of the child;

- other family members, as requested by the parent, if feasible to do so;
- an advocate or person outside of the family, if the parent requests that the person participate;
- the service coordinator;
- a person or persons directly involved in conducting the evaluations and assessments of the child and family if appropriate; and
- as appropriate, persons who will be providing early intervention services to the child or family.

Representatives of the lead agency and the LEA must also participate in the transition conference. So there you have it!

### What About Those Other Regulations?

The transition conference must also meet the requirements of §§303.342(d) and (e). And what might those be? Here's a quick summary.

**§303.342(d)** | Applying the regulation to the transition conference means that the conference must be conducted:

- in settings and at times that are convenient for the family; and
- in the native language of the family or other mode of communication used by the family, unless it is clearly not feasible to do so.

The meeting arrangements for the transition conference must be made with the family and other participants early enough before



the meeting date to ensure that they will be able to attend. Parents must be provided with prior written notice as well.

**§303.342 (e)** | Ask participants how they would apply this provision in the context of the transition conference. Answers might include:

- fully explaining to parents the services under Part B that the toddler may receive
- obtaining parental consent before any of the services may be provided to the child

### Why Does the LEA Attend the Conference?

For one, both the Part C and Part B regulations require it:

- The lead agency must invite the LEA representative to the transition conference. [Part C regulations at §303.209(c)(1)]
- Each LEA must participate in the transition conference arranged by the lead agency. [Part B regulations at §300.124(c)]

Additionally, the LEA has multiple responsibilities to fulfill with respect to the potentially eligible toddler exiting Part C—most notably, determining whether an evaluation of the child (with parental consent) is

necessary in order to establish his or her eligibility for Part B services, and then actually conducting the evaluation, if necessary. If the child is found to be eligible, an IEP must be developed for the child by the time he or she turns three years old.

The lead agency will invite the LEA representative to the transition conference, given parental consent. As mentioned earlier in this module, personally identifiable information about the child will be disclosed and discussed during the conference, which is why parental consent is necessary before proceeding.

### Timelines

When you're ready to move on in the training, **CLICK** once and the picture will lift off, revealing the "timelines" within which the transition conference will occur, given family approval for the conference. As the slide indicates, the transition conference must be convened at least 90 days before the child turns three. If all parties agree, the conference may be convened even earlier—up to 9 months before the child turns three.



There are exceptions to these timelines, as we'll see under Slide 12. The exceptions relate to children who are referred to the Part C program with *less than* 90 days to their third birthday.



## Additional Transition Conference Information

Depending on the prior knowledge of participants (e.g., did they receive training under Module 8?) and the training time you have available, you may also wish to mention and/or discuss other specifics of the Part C regulations with respect to the transition conference and the transition plan.

**Combining the transition conference with the meeting to develop the transition plan** | The Part C regulations make it clear that the transition conference may be combined with the meeting where the transition plan for the child is developed [§303.209(e)]. The combined meeting, however, must meet the requirements set for IFSP meetings (i.e., accessibility and convenience of meetings, use of parents' native language if necessary, parental consent before implementation of the plan)<sup>36</sup> and include the participants required at the initial and annual IFSP Team meeting.<sup>37</sup>

**Does your state allow children to continue in Part C beyond the third birthday?** | As mentioned earlier, States have the option to adopt policies and procedures that allow toddlers to continue to receive early intervention services after they turn three. This is known as the Part C extension option. If your State has not adopted this option, then you may skip this point entirely.



If your State has adopted the Part C extension option, then you may wish to tell the audience about it. The option works like this: Children who are eligible for Part B services may actually continue in the Part C program past their third birthdays (with parental consent) until they enter, or are eligible under State law to enter, kindergarten or elementary school or until the school year following their third, fourth, or fifth birthdays.<sup>38</sup>

How does this relate to the transition conference we've been discussing? It relates, because, in States that offer the Part C extension option:

- Parents must be fully informed about this option to have their child continue to receive early intervention services after they've turned three, instead of moving on to preschool services under section 619 (Part B for preschoolers).
- The lead agency must explain this option to parents at the transition conference, where the child's program options are discussed. The Part C extension will be one of the program options available to the child and family.
- An annual notice must be provided to parents as well (the initial notice would be provided in the transition conference), which describes their right to elect to receive services under Part C or under Part B of IDEA. The annual notice will also explain the differences between the two sets of services—including the types of services and the locations at which the services are provided,

which procedural safeguards apply, and possible costs (if any) to parents of children eligible under Part B.<sup>39</sup>

- The lead agency must obtain informed consent from the parent for the continuation of early intervention services for the child. Consent must be obtained before the child reaches three years of age, where practicable.<sup>40</sup>



**Separate transition requirements under the Part C extension option** | For children who are three and older who receive services under the Part C extension option, there are transition requirements additional to those described in this module and in Module 8. Handout 9 provides these separate requirements (see "F| Separate Transition Requirements under 303.211(b)(6)(ii)" on page 6 of the handout).

Essentially, the transition process we've described in Modules 8 and 9 is repeated—from the lead agency notification to the SEA and the child's LEA, to the convening of a transition conference, to the transition plan that's developed and included in the child's IFSP. The Part C extension option "runs out," you might say; States are not permitted to provide Part C services beyond the age at which the child actually enters, or is eligible under State law to enter, kindergarten or elementary school.<sup>41</sup>

## Moving On

We've covered the transition conference that's held (with parental consent, if required) for toddlers in Part C who may be eligible for preschool services under Part B when they reach their third birthday.

What happens when children are *not* potentially eligible for Part B services upon exiting Part C? Let's see.

## References & Footnotes

<sup>36</sup> §§303.342(d) and (e).

<sup>37</sup> See §303.343(a), where participants of the initial and annual IFSP meeting are identified.

<sup>38</sup> §303.211, *also* 76 Fed. Reg. at 60178

<sup>39</sup> The contents of the annual notice are described at §303.211(b)(1), which is also shown on **Handout 9** under "E| Annual Notice—303.211(b)(1)" (see pages 5 and 6 of the handout). More information is also available under Slide 10 of Module 8.

<sup>40</sup> §303.211(b)(5).

<sup>41</sup> §303.211(a)(3).

### Slide 11

#### Additional Points (Slide 3 of 4)

### How, By Whom, By When?

*Is the toddler potentially eligible for Part B services?*



→ **No.**

- Lead agency makes "reasonable efforts" to convene a transition conference
- Family approval needed
- Lead agency, family, & providers of other appropriate services participate
- Other IFSP Team members participate, too

Slide loads fully.

No clicks are necessary except to advance to the next slide.

CLICK to advance to next slide.

#### **Pertinent Handouts:**

- Handout 9, Transition to Preschool and Other Programs

Slide 11 summarizes what's required, transition-planning-wise, for Part C toddlers who will *not* be eligible for Part B services when they reach their third birthday.

You'll note that the question of eligibility (*is the toddler potentially eligible for Part B services?*) repeats from the last slide, but this time the answer is "no." The slide loads fully and automatically; no clicks are necessary for the content to appear smoothly.

## The Relevant Regulation

The content of this slide is drawn from §303.209(c)(2), which is provided in the box at the right.

Refer participants to **Handout 9** again (page 2, column 1), where they can read the provision for themselves.

## Discussing the Slide

On first blush, there doesn't appear to be much difference between this slide and the last one, does there? That's because IDEA's requirements for transition planning for toddlers exiting Part C are strikingly consistent across both populations of toddlers—those who are potentially eligible for Part B services and those who are not. The goals of transition planning are the same, regardless—to prepare the child and family for the next set of circumstances.

**What's consistent?** | The transition planning process for each group of children involves similar (although not identical) features:

- the convening of a transition conference, with family approval;
- the development of a transition plan for the child and family;
- the involvement of the family and the lead agency in the conference; and
- the involvement of the IFSP Team.

**What's different?** | Two notable differences exist, however, between what's required for children potentially eligible for

### Transition Conference When a Toddler Will Not Be Eligible for Part B Services: §303.209(c)(2)

(c) *Conference to discuss services.* The State lead agency must ensure that—

(1) If a toddler with a disability may be eligible for preschool services under Part B of the Act, the lead agency, with the approval of the family of the toddler, convenes a conference, among the lead agency, the family, and the LEA not fewer than 90 days—and, at the discretion of all parties, not more than 9 months—before the toddler's third birthday to discuss any services the toddler may receive under Part B of the Act; and

(2) **If the lead agency determines that a toddler with a disability is not potentially eligible for preschool services under Part B of the Act, the lead agency, with the approval of the family of that toddler, makes reasonable efforts to convene a conference among the lead agency, the family, and providers of other appropriate services for the toddler to discuss appropriate services that the toddler may receive.** [bold added]

Part B and those who are not. Ask participants if they can identify what those differences are.

- “reasonable efforts” versus *must*—When an exiting toddler is *not* eligible for Part B services, the lead agency is required to make “reasonable efforts” to convene the transition conference. This contrasts with the lead agency's responsibility when an exiting toddler is potentially eligible for Part B. In that circumstance, the lead agency *must* ensure that the transition conference is convened, given family approval for the conference.
- “providers of other appropriate services” versus the *LEA*—When an exiting toddler is not eligible for Part B services and will not be moving on to

school-aged special education services, there is no need for the LEA to attend the transition conference. What's relevant for the toddler instead is the presence of providers of *other appropriate services*.

The Part C regulations do not give examples of who might be “providers of other appropriate services.” For children not transitioning to Part B, however, other appropriate services might include such programs or settings as Head Start, Early Head Start, early education, and child care programs.

## References & Footnotes

<sup>42</sup> 76 Fed. Reg. at 60176, 60207.

## Transition Requirements for “Late” Referrals to Part C



**When there’s less than  
90 or 45 days to go  
before the child’s 3<sup>rd</sup>  
birthday...**

There’s not enough time  
left to hold transition  
conference & develop  
transition plan!

**What’s a lead agency  
to do?**

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except to advance to the  
next slide.

CLICK to advance to next slide.

Slide 12 addresses the special circumstance of children who are referred “late” to the Part C program. Within the Part C regulations, two such scenarios are noted—

- when a child will turn three years old in *45-90 days*; and
- when a child will turn three years old in *fewer than 45 days*.

These are the same scenarios of timing that were discussed in Module 8, *The Transition Process and Lead Agency Notification to the LEA and SEA*.

### The Impact of “Late” Referral to Part C

When children are referred to Part C with less than 90 days to go before they turn three years

old, many of the timelines established in the Part C regulations cannot be met. This is especially true when there are less than 45 days until the child turns three; the time left is so tight, many deadlines have already passed!

Consider, for example, these obligations of the lead agency for children in Part C who will soon be turning three, the age of eligibility for preschool services under Part B:

- Notifying the SEA and the child’s LEA “not fewer than 90 days before” the child’s third birthday that the child will soon reach the age of eligibility for services under Part B (applies only to children potentially eligible for Part B services);<sup>43</sup>

- Convening a transition conference (with family approval) “not fewer than 90 days before” the child’s third birthday, to discuss what services the child may receive in his or her next setting or program;<sup>44</sup> and
- Establishing a transition plan in the child’s IFSP “no fewer than 90 days before” the toddler’s third birthday.<sup>45</sup>

Clearly, when children are referred to the Part C program with less than 90 days before they turn three, the ability of the lead agency to meet its obligations within stated deadlines is hopelessly compromised.

## Adjusted Lead Agency Transition Responsibilities

Fortunately, the Part C regulations provide lead agencies with what we'll call "adjusted" requirements. Since the agencies can no longer meet transition deadlines, what *are* they supposed to do?

**Notification of the SEA and child's LEA** | With certain exceptions, the lead agency must still notify the SEA and the child's LEA (the LEA where the child resides) that the child will soon be reaching the age of eligibility for Part B services.

*When there are 45-90 days left before the child's third birthday*

The lead agency's obligation to provide notification remains unchanged in essence.

Notification is still required for children who are potentially eligible for preschool services under Part B, but now must occur **as soon as possible** after the child's eligibility for Part C is established.

Notification is not required if the child is not eligible for Part B. [§303.209(b)(1)(ii)]

*When there are less than 45 days left before the child's third birthday*

In this scenario, the lead agency will not have enough time to conduct screenings, evaluation, or assessments of the child and



family, nor to develop an IFSP for the child. Recognizing this reality, the Part C regulations exempt the lead agency from each of those responsibilities. Its responsibilities for notification of the LEA and SEA, however, are impacted.

Because the lead agency is not responsible for evaluating the child to determine his or her eligibility for Part C, it's not possible for the Part C program to determine that a child may be eligible for services under Part B (such a determination would trigger notification of the SEA and child's LEA). In

this circumstance, the lead agency must still provide the SEA and child's LEA with notification that the child will soon reach the age of eligibility for Part B, but it must first obtain the parent's consent for the disclosure of this information if such consent would be required under 34 CFR §303.414.<sup>46</sup>

If consent is required and the parent does not provide consent, the lead agency may **not** use due process procedures to try and override the parent's refusal of consent.<sup>47</sup>

**A**nd that's it! You are nearly done with Module 9!

## References & Footnotes

<sup>43</sup> §303.209(b)—Notification to the SEA and appropriate LEA.

<sup>44</sup> §303.209(c)—Conference to discuss services.

<sup>45</sup> §303.209(d)—Transition plan.

<sup>46</sup> §303.209(b)(1)(iii).

<sup>47</sup> §303.420(c).



**Roundup Time!**

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CLICK to END the slideshow.

### **Pertinent Handouts:**

- Handout 12, Transition Plan & Conference: A Child and Family Study

Depending on how much time you have available at the end of your training session, you can use this slide:

- for a quick review and recap of your own devising,
- to open the floor up for a question and answer period,
- by having participants complete a closing activity of your choice and discuss in the large group afterwards, or
- to share **Handout 12** with participants and use the child and family case study summarized there to review how transition planning might occur for a toddler who's eligible for Part B services upon leaving early intervention.

### **Suggestions for Using Handout 12**

The story of Emma and her family and their transition planning experience is just one example of how families and IFSP teams might join together to discuss the toddler's next setting after leaving early intervention and Part C. Design your own activity around this case study or consider any of the following as possible ways to review the content presented about transition planning and end the training session.

**Focus on the "Child and Family Study Questions"** | Share the intro paragraphs with the audience, then work in the large group (or break into small groups) to answer the two study questions.

**Break the audience into pairs** | Have pairs identify five key points in the story that show the lead agency meeting its obligations to Emma and her family with respect to transition planning. Examples might include:

- The service coordinator, Chris, schedules the transition planning conference with Emma's parents within the timeframe required by IDEA (at least 90 days before she turns three).
- The lead agency decides that, based on Emma's most recent evaluation, she is potentially eligible for Part B (preschool) services under IDEA. With the parents' approval, a representative from the LEA is invited to attend the transition conference.
- The lead agency actively involves Emma's parents in planning for Emma's transition from Part C.

**What if Emma were not potentially eligible for Part B?** | In this case study, the toddler is eligible for Part B services, but how would transition planning be different if Emma weren't eligible? Have the audience generate the transition-planning story of another toddler—one who isn't eligible for preschool services under Part B.