

PERSONNEL TRAINING AND STANDARDS

Introduction

The quality of staff is the single most important determinant of the quality of an early intervention program. The foundation for building a quality program begins with employing or contracting with personnel who meet the highest entry-level requirements for their discipline. Many professional disciplines play a role in the provision of early identification and intervention services for infants and toddlers with developmental delay or disabilities.

Not only are a variety of professional disciplines involved with the infant-toddler population, but young children are served in a variety of locations. Some providers identify professional standards that staff must meet in order to be employed (e.g., hospitals). The appropriate location for some infants and toddlers might be a hospital setting. It is important to provide early intervention services in settings and facilities that do not remove the child from natural environments (e.g., the home, child care centers, or other community settings).

I. Availability of Personnel [20 U.S.C. 1435(a)(8)(9)]

The provision of early identification and intervention services for infants and toddlers and their families is dependent on the availability of personnel qualified to work with them. The Kansas Department of Health and Environment (KDHE) and the Infant-Toddler Services/tiny-k networks must provide training for professionals, paraprofessionals, and primary referral sources with respect to the basic components of early intervention services available in the state, that include

- A. implementing innovative strategies and activities for the recruitment and retention of early intervention service providers;
- B. promoting the preparation of early intervention service providers who are fully and appropriately qualified to provide early intervention services; and
- C. training personnel to coordinate transition services for infants and toddlers with disabilities who are transitioning from an early intervention services program under Part C to a preschool program under Part B, Head Start, Early Head Start or another appropriate program.

This may include

- 1. training personnel to work in rural and inner-city areas;
- 2. training personnel in the emotional and social development of young children; and
- 3. training personnel to support families in participating fully in the development and implementation of the child's Individualized Family Service Program (IFSP).

II. Qualified Personnel [34 CFR 303.12(e); 34 CFR 303.22; 34 CFR 303.361]

Qualification standards for personnel providing early intervention services must be consistent with any state-approved or state-recognized certification, licensing, registration, or other comparable requirements that apply to the profession, discipline, or area in which personnel are providing early intervention services. While Part C of IDEA specifically identifies 12 professional disciplines, it notes that this list is not exhaustive and that other types of services may be involved (e.g., vision, interpreter, applied behavioral analysis).

Personnel providing early intervention services for eligible infants and toddlers must hold current and valid credentials in their professional field of practice as follows:

1. *Audiologists* must be licensed by the Kansas Department of Health and Environment.
2. *Family therapists* must be registered by the state of Kansas as meeting requirements including a master's degree in marriage and family therapy, or in a related field, including social work, psychology, counseling, nursing, medicine, or theology.
3. *Nurses* must be licensed as registered professional nurses by the Kansas Board of Nursing.
4. *Occupational therapists* must be registered by the Kansas Board of Healing Arts.
5. *Orientation and mobility specialists* must be credentialed by meeting standards established by the Association for Education and Rehabilitation of Blind and Visually Impaired, Association of Orientation and Mobility Specialists, Certified Orientation and Mobility Specialists.
6. *Pediatricians* and other physicians must be licensed by the Kansas Board of Healing Arts and board certified in their specialty area.
7. *Physical therapists* must be registered by the Kansas Board of Healing Arts.
8. *Psychologists* must be either registered or licensed by the Kansas Behavioral Sciences Regulatory Board (no categorical aid unless hired before 7-1-2007), or licensed as school psychologists by the Kansas State Board of Education.
9. *Registered dietitian (nutritionist)* must be licensed by the Kansas Department of Health and Environment.
10. *Social workers* must hold a current and valid license issued by the Behavioral Sciences Regulatory Board, at the Licensed Master Social Worker (LMSW), Licensed Specialist Clinical Social Worker (LSCSW), or Temporary Licensed Master's Social Worker (TLMSW or LMSWT) level, or be licensed as school social worker by the Kansas State Board of Education.

11. *Special educators* must be licensed by the Kansas State Board of Education and includes:

- *Early Childhood Special Education:* Early Childhood Handicapped or Early Childhood Unified Birth-Grade 3 or Early Childhood Unified Birth-K.
- *Teachers of the hearing impaired:* with early childhood endorsement.
- *Teachers of the blind and visually impaired:* with early childhood endorsement.
- *School psychologists:* with early childhood endorsement.

12. *Speech-language pathologists* must be licensed by the KDHE.

III. Qualifications for State Categorical Aid Reimbursement

Professional personnel who meet the Kansas State Department of Education (KSDE) requirements are eligible for state categorical aid reimbursement to the Infant-Toddler Services/tiny-k network. To be eligible for categorical aid reimbursement, an early intervention service must be identified on the child's IFSP, and the provider of the service must meet the state-approved or state-recognized certification, licensing, registration, or other comparable requirements that apply to the profession, discipline, or area in which personnel are providing early intervention services. Categorical aid may be accessed through the local education agency (LEA) by submitting qualified personnel on the KSDE personnel report or through the use of individual student contracts.

Additionally, paraeducators and interpreters working in an early intervention program may be eligible for state categorical aid reimbursement through KSDE. In order to be eligible, the paraeducator must work under the supervision of a professional in a given discipline according to the standards of his or her profession and must complete the required inservice training hours based on education and experience. Similarly, an interpreter may qualify as a professional by meeting specific requirements.

Additional information about state categorical aid reimbursement may be found in the *KSDE Special Education Reimbursement Guide* at <http://www.ksde.org/Default.aspx?tabid=2583> (updated annually).

IV. Continuing Education for Credentialed Professionals and Paraeducators

Continuing education experience is required to maintain current license, registration, or certification for personnel providing early intervention services.

- A. Continuing education experience must include discipline or cross-discipline offerings when the offerings are clearly related to the enhancement of the practice, value, skills, and knowledge of working with the children with special needs, from birth through age 5, and their families.
 1. The content of the continuing education training must focus on young children with disabilities, with developmental delay, or with at-risk conditions, and their families. More specifically, the content shall include a focus on:

- young children: birth to kindergarten. This age range supports the perception of seamless services between Part C and Part B programs; or
 - young children with developmental delay, with a disability, or at risk for developmental delay; or
 - services/intervention techniques/special strategies for working with young children and their families; or
 - special materials and equipment relevant to the special needs of young children eligible for Part C of IDEA; or
 - other relevant resources to meet the needs of young children and their families.
- B. Where continuing education is a requirement for license, certification, or registration renewal, a minimum of one third of the required number of credits, units, points, or hours shall focus on the content noted in Paragraph 1 above, except for early childhood special educators, for whom one third of the required continuing education hours shall be relevant to children with special needs, from birth through age 2, and their families.
- C. Where there is no continuing education requirement for professional credential renewal, 24 continuing education hours over a 3-year period shall be required which focus on the content described in Paragraph 1 above.
- D. Infant-Toddler Services/tiny-k networks should ensure continued education of personnel is obtained at the birth to kindergarten content areas.

V. Family Service Coordinator [34 CFR 303.23; 34 CFR 303.344(g)]

The family service coordinator should be selected from the profession most immediately relevant to the child's or family's needs (or otherwise be qualified to carry out all applicable responsibilities). The family service coordinator will be responsible for ensuring proper implementation of the early intervention services identified in a child's IFSP, including transition services and coordination with other agencies and persons. Personnel who will be assuming the responsibility of family service coordination are required to complete family service coordination training within three months of assuming their role.

VI. Targeted Case Management

Coordination of services for infants, toddlers, and their families is intended to help them access all services needed to limit the severity of their disability and/or the need for more intensive services as the child ages. This coordination of services also maximizes the capacity of families to access services to meet the needs of their infant or toddler with a disability. These qualifications differ from target case management (TCM) services provided for mental retardation and other developmental disabilities because TCM family services coordination applies to the population of children ages 0-3 with disabilities and their families.

Qualifications of providers of TCM family services:

- Must meet state-approved or state-recognized certification, licensing, registration, or other comparable requirements that apply to the area in which the individuals are providing early intervention services.
- Must have successfully completed the Introduction to TCM Family Services Coordination training.
- Must participate annually in eight hours of state- or locally sponsored Part C Infant-Toddler training to ensure proficiency of the program, services, rules, regulations, policies, and procedures set forth by the state agency.
- Must have demonstrated knowledge and understanding about the nature and scope of medical, social, educational and other services which are accessed by eligible infants and toddlers and their families.

Federal Statute 2004

20 U.S.C. 1435. REQUIREMENTS FOR STATEWIDE SYSTEM.

(a) IN GENERAL.—A statewide system described in section 633 shall include, at a minimum, the following components:

(8) A comprehensive system of personnel development, including the training of paraprofessionals and the training of primary referral sources with respect to the basic components of early intervention services available in the State that—

(A) shall include—

- (i) implementing innovative strategies and activities for the recruitment and retention of early education service providers;
- (ii) promoting the preparation of early intervention providers who are fully and appropriately qualified to provide early intervention services under this part; and
- (iii) training personnel to coordinate transition services for infants and toddlers served under this part from a program providing early intervention services under this part and under part B (other than section 619), to a preschool program receiving funds under section 619, or another appropriate program; and

(B) may include—

- (i) training personnel to work in rural and inner city areas; and
- (ii) training personnel in the emotional and social development of young children.

(9) Policies and procedures relating to the establishment and maintenance of qualifications to ensure that personnel necessary to carry out this part are appropriately and adequately prepared and trained, including the establishment and maintenance of qualifications that are consistent with any State-approved or recognized certification, licensing, registration, or other comparable requirements that apply to the area in which such personnel are providing early intervention services, except that nothing in this part (including this paragraph) shall be construed to prohibit the use of paraprofessionals and assistants who are appropriately trained and supervised in accordance with State law, regulation, or written policy, to assist in the provision of early intervention services under this part to infants and toddlers with disabilities.

Federal Regulations 1997

34 C.F.R. 303.12 Early intervention services.

(e) Qualified personnel. Early intervention services must be provided by qualified personnel, including—

- (1) Audiologists;
- (2) Family therapists;
- (3) Nurses;
- (4) Nutritionists;
- (5) Occupational therapists;
- (6) Orientation and mobility specialists;
- (7) Pediatricians and other physicians;
- (8) Physical therapists;
- (9) Psychologists;
- (10) Social workers;
- (11) Special educators; and
- (12) Speech and language pathologists.

(Authority: 20 U.S.C. 1401(1) and (2); 1432(4))

Note: The lists of services in paragraph (d) and qualified personnel in paragraph (e) of this section are not exhaustive. Early intervention services may include such services as the provision of respite and other family support services. Qualified personnel may include such personnel as vision specialists, paraprofessionals, and parent-to-parent support personnel.

34 C.F.R. 303.22 Qualified.

As used in this part, qualified means that a person has met State approved or recognized certification, licensing, registration, or other comparable requirements that apply to the area in which the person is providing early intervention services.

(Authority: 20 U.S.C. 1432(4))

Note: These regulations contain the following provisions relating to a State's responsibility to ensure that personnel are qualified to provide early intervention services:

1. Section 303.12(a)(4) provides that early intervention services must meet State standards. This provision implements a requirement that is similar to a longstanding provision under part B of the Act (i.e., that the State educational agency establish standards and ensure that those standards are currently met for all programs providing special education and related services).

2. Section 303.12(a)(3)(ii) provides that early intervention services must be provided by qualified personnel.

3. Section 303.361(b) requires statewide systems to have policies and procedures relating to personnel standards.

34 C.F.R. 303.23 Service coordination (case management).

(c) Employment and assignment of service coordinators. (1) Service coordinators may be employed or assigned in any way that is permitted under State law, so long as it is consistent with the requirements of this part.

(2) A State's policies and procedures for implementing the statewide system of early intervention services must be designed and implemented to ensure that service coordinators are able to effectively carry out on an interagency basis the functions and services listed under paragraphs

(a) and (b) of this section.

(d) Qualifications of service coordinators. Service coordinators must be persons who, consistent with Sec. 303.344(g), have demonstrated knowledge and understanding about--

(1) Infants and toddlers who are eligible under this part;

(2) Part C of the Act and the regulations in this part; and

(3) The nature and scope of services available under the State's early intervention program, the system of payments for services in the State, and other pertinent information.

(Authority: 20 U.S.C. 1432(4))

Note 1: If States have existing service coordination systems, the States may use or adapt those systems, so long as they are consistent with the requirements of this part.

Note 2: The legislative history of the 1991 amendments to the Act indicates that the use of the term "service coordination" was not intended to affect the authority to seek reimbursement for services provided under Medicaid or any other legislation that makes reference to "case management" services. See H.R. Rep. No. 198, 102d Cong., 1st Sess. 12 (1991); S. Rep. No. 84, 102d Cong., 1st Sess. 20 (1991).

34 C.F.R. 303.344 Content of an IFSP.

(g) Service coordinator. (1) The IFSP must include the name of the service coordinator from the profession most immediately relevant to the child's or family's needs (or who is otherwise qualified to carry out all applicable responsibilities under this part), who will be responsible for the implementation of the IFSP and coordination with other agencies and persons.

(2) In meeting the requirements in paragraph (g)(1) of this section, the public agency may—

(i) Assign the same service coordinator who was appointed at the time that the child was initially referred for evaluation to be responsible for implementing a child's and family's IFSP; or

(ii) Appoint a new service coordinator.

(3) As used in paragraph (g)(1) of this section, the term profession includes "service coordination."

34 C.F.R. 303.360 Comprehensive system of personnel development.

(a) Each system must include a comprehensive system of personnel development.

(b) The personnel development system under this part must—

(1) Be consistent with the comprehensive system of personnel development required under part B of the Act (34 CFR 300.380 through 300.387);

(2) Provide for preservice and inservice training to be conducted on an interdisciplinary basis, to the extent appropriate;

(3) Provide for the training of a variety of personnel needed to meet the requirements of this part, including public and private providers, primary referral sources, paraprofessionals, and persons who will serve as service coordinators; and

(4) Ensure that the training provided relates specifically to—

(i) Understanding the basic components of early intervention services available in the State;

(ii) Meeting the interrelated social or emotional, health, developmental, and educational needs of eligible children under this part; and

(iii) Assisting families in enhancing the development of their children, and in participating fully in the development and implementation of IFSPs.

(c) A personnel development system under this part may include—

- (1) Implementing innovative strategies and activities for the recruitment and retention of early intervention service providers;
 - (2) Promoting the preparation of early intervention providers who are fully and appropriately qualified to provide early intervention services under this part;
 - (3) Training personnel to work in rural and inner-city areas; and
 - (4) Training personnel to coordinate transition services for infants and toddlers with disabilities from an early intervention program under this part to a preschool program under part B of the Act or to other preschool or other appropriate services.
- (Approved by the Office of Management and Budget under control number 1820-0550) (Authority: 20 U.S.C. 1435(a)(8))

34 C.F.R. 303.361 Personnel standards.

- (a) As used in this part--
 - (1) Appropriate professional requirements in the State means entry level requirements that—
 - (i) Are based on the highest requirements in the State applicable to the profession or discipline in which a person is providing early intervention services; and
 - (ii) Establish suitable qualifications for personnel providing early intervention services under this part to eligible children and their families who are served by State, local, and private agencies.
 - (2) Highest requirements in the State applicable to a specific profession or discipline means the highest entry-level academic degree needed for any State approved or recognized certification, licensing, registration, or other comparable requirements that apply to that profession or discipline.
 - (3) Profession or discipline means a specific occupational category that—
 - (i) Provides early intervention services to children eligible under this part and their families;
 - (ii) Has been established or designated by the State; and
 - (iii) Has a required scope of responsibility and degree of supervision.
 - (4) State approved or recognized certification, licensing, registration, or other comparable requirements means the requirements that a State legislature either has enacted or has authorized a State agency to promulgate through rules to establish the entry-level standards for employment in a specific profession or discipline in that State.
- (b)(1) Each statewide system must have policies and procedures relating to the establishment and maintenance of standards to ensure that personnel necessary to carry out the purposes of this part are appropriately prepared and trained.
- (2) The policies and procedures required in paragraph (b)(1) of this section must provide for the establishment and maintenance of standards that are consistent with any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the profession or discipline in which a person is providing early intervention services.
- (c) To the extent that a State's standards for a profession or discipline, including standards for temporary or emergency certification, are not based on the highest requirements in the State applicable to a specific profession or discipline, the State's application for assistance under this part must include the steps the State is taking, the procedures for notifying public agencies and personnel of those steps, and the timelines it has established for the retraining or hiring of personnel that meet appropriate professional requirements in the State.
- (d)(1) In meeting the requirements in paragraphs (b) and (c) of this section, a determination must be made about the status of personnel standards in the State. That determination must be based on current information that accurately describes, for each profession or discipline in which personnel are providing early intervention services, whether the applicable standards are consistent with the highest requirements in the State for that profession or discipline.
- (2) The information required in paragraph (d)(1) of this section must be on file in the lead agency, and available to the public.
- (e) In identifying the "highest requirements in the State" for purposes of this section, the requirements of all State statutes and the rules of all State agencies applicable to serving children eligible under this part and their families must be considered.
- (f) A State may allow paraprofessionals and assistants who are appropriately trained and supervised, in accordance with State law, regulations, or written policy, to assist in the provision of early intervention services to eligible children under this part.
- (g) In implementing this section, a State may adopt a policy that includes making ongoing good-faith efforts to recruit and hire appropriately and adequately trained personnel to provide early intervention services to eligible children, including, in a geographic area of the State where there is a shortage of personnel that meet these qualifications, the most qualified individuals available who are making satisfactory progress toward completing applicable course work necessary to meet the standards described in paragraph (b)(2) of this section, consistent with State law, within 3 years.

(Approved by the Office of Management and Budget under control number 1820-0550)(Authority: 20 U.S.C. 1435(a)(9))

Note: This section requires that a State use its own existing highest requirements to determine the standards appropriate to personnel who provide early intervention services under this part. The regulations do not require States to set any specified training standard, such as a master's degree, for employment of personnel who provide services under this part.

The regulations permit each State to determine the specific occupational categories required to provide early intervention services to children eligible under this part and their families, and to revise or expand these categories as needed. The professions or disciplines need not be limited to traditional occupational categories.

Kansas Regulations 1997

KAR 28-4-564. Personnel standards.

- (a) Early intervention services shall be provided by qualified personnel.
- (b) Qualified personnel shall meet state-approved or state-recognized certification, licensing, registration, or other comparable requirements that apply to the area in which the person is providing early intervention services.

- (1) Audiologists shall be licensed by the Kansas department of health and environment.
 - (2) Marriage and family therapists shall be registered by the state of Kansas as meeting requirements including a master's degree in marriage and family therapy or in a related field including social work, psychology, counseling, nursing, medicine, or theology.
 - (3) Nurses shall be licensed as registered professional nurses by the Kansas board of nursing.
 - (4) Nutritionists shall be licensed dietitians by the Kansas department of health and environment.
 - (5) Occupational therapists shall be registered by the Kansas board of healing arts.
 - (6) Orientation and mobility specialists shall be credentialed by meeting standards established by the association for education and rehabilitation of blind and visually impaired.
 - (7) Pediatricians and other physicians shall be licensed by the Kansas board of healing arts and board certified in the specialty area.
 - (8) Physical therapists shall be registered by the Kansas board of healing arts.
 - (9) Psychologists shall be either registered or licensed by the Kansas behavioral sciences regulatory board, or credentialed as school psychologists with early childhood endorsement by the Kansas state board of education.
 - (10) Social workers shall be either licensed by the Kansas behavioral sciences regulatory board, or credentialed as school social workers with early childhood endorsement by the Kansas state board of education.
 - (11) Special educators shall be certified in early childhood special education by the Kansas state board of education.
 - (12) Speech-language pathologists shall be licensed by the Kansas department of health and environment.
 - (13) Teachers of the hearing impaired shall be certified as a teacher of the hearing impaired with early childhood endorsement by the Kansas state board of education.
 - (14) Teachers of the blind and visually impaired shall be certified as a teacher of the blind and visually impaired with early childhood endorsement by the Kansas state board of education.
- (c) Continuing education experience shall be required to maintain current license, registration, or certification for personnel providing early intervention services.
- (1) Continuing education experience shall include discipline or cross-discipline offerings when the offerings are clearly related to the enhancement of the practice, value, skills, and knowledge of working with the children with special needs, from birth through age five, and their families.
 - (2) Where continuing education is a requirement for license, certification, or registration renewal, a minimum of one-third of the required number of credits, units, points, or hours shall focus on the content noted in paragraph (c)(1), except for early childhood special educators, one-third of the required continuing education hours shall be relevant to the children with special needs, from birth through age two, and their families.
 - (3) Where there is no continuing education requirement for professional credential renewal, twenty-four continuing education hours in a three-year period shall be required which focus on the content described in paragraph (c)(1).
- (d) Aides, assistants, and paraprofessionals in early intervention programs shall work under the supervision of a professional in that discipline according to the standards of that profession. (Authorized by and implementing K.S.A. 1993 Supp. 75-5649; effective Jan. 30, 1995.)