

TRANSITIONS

Introduction

Transition is defined as a change or movement from one place, plan, or interactional situation to another. Transitions occur for children across their lifespan. Examples of transitions for young children and their families include, but are not limited to, transition from Part C to Part B systems and services, a move from the hospital to home, a replacement of a service provider, the introduction of a new service, a move from the Individualized Family Service Plan (IFSP) to the Individualized Education Plan (IEP), changing from receiving services in a home setting to a child care setting, or any event that has a major impact on the child and family.

Transitions require sufficient preparatory time, collaboration, cooperation, and coordination, with family involvement at every phase. Good transitions are timely and well-planned processes that occur over time and are not isolated events. They are enhanced by effective communication, collaboration, and coordination of activities among individuals, families, and agencies. They work best when communities develop and design transition procedures between agencies based upon the strengths and needs of their unique situations and resources.

Families have the right and responsibility to make informed decisions about their choices and options concerning transitions. This may include having the opportunity to visit programs and agencies before decisions are made, having discussions with providers or other family members, reviewing materials, and being fully informed about services delivery options, including inclusion of their child in community settings. Families must be prepared for, and provided information about, possible differences in service delivery models. Service providers must be careful to present facts only, and not introduce personal opinion or bias into the discussion about service delivery in the future settings. Positively supporting families in becoming more informed about community transition options will strengthen their ability to make decisions that fit their needs and beliefs, and support their comfort with the change. In Part C of the IDEA, the Family Service Coordinator (FSC) serves as the facilitator in the planning and implementation of transitions for children and families. The FSC ensures the family is involved in planning transitions and provides assistance and ensures the process goes smoothly. In Kansas, the FSC may appoint someone to serve in his/her capacity as the facilitator in the planning and implementation of transition; however, it is the ultimate responsibility of the FSC to assure the transition is completed.

I. Part C to Part B, or Other Appropriate Services, at or near Age 3 [34 CFR 303.209; 303.344(h); 303.401(d); 303.34(b)(10)]

Federal law requires states to develop and use policies and procedures to ensure a smooth transition for toddlers receiving early intervention services under Part C of IDEA to preschool, other appropriate services, or exiting the program. [34 CFR 303.209 (a)(1)]

Local tiny-k programs are required to utilize the Statewide IFSP form and documents for transition planning and conferences. More information about completing these forms is found in the IFSP section of this manual. Resources for families can be found in the *Step Ahead At Age Three* document.

The Step Ahead At Age Three Booklet can be found at:

<http://familiestogetherinc.org/wp-content/uploads/2011/07/StepAheadBooklet.pdf>

A. Definitions

Potentially eligible: Kansas Department of Health and Environment (KDHE) has elected to define all eligible Part C children receiving services 90 days prior to their third birthday, or determined eligible for Part C services at least 45 days prior to their third birthday, as **potentially eligible** for Part B services, for purposes as allowed by law and as used in the Interagency Memorandum of Agreement with the Kansas State Department of Education (KSDE).

Referral: Required referral of Part C children found **potentially eligible** (see above definition) for Part B special education services. There is only one referral required as part of the Transition from Part C to Part B.

B. Part C Referral to the State Education Agency (SEA) and Local Education Agency (LEA)

1) Referral of children deemed **potentially eligible** for Part B services

- (a) KDHE has established a definition of “**potentially eligible** for Part B services,” as found in Subsection 1, topic A above. This definition was established collaboratively with the State Interagency Coordinating Council (SICC), State Education Agency (SEA) and stakeholders.
- (b) For a child who is potentially eligible for Part B services, the local tiny-k program must refer the child no more than 9 months but not fewer than 90 days before the toddler’s third birthday, to the State Education Agency (SEA) and the Local Education Agency (LEA) for the area where the toddler resides. This timely referral informs the SEA and LEA that the toddler, on his or her birthday, will reach the age of eligibility for services under Part B.
- (c) The Referral to the LEA and SEA must include
 - i. the child’s name,
 - ii. date of birth, and
 - iii. parent contact information.
- (d) Parental consent for the referral to the LEA and SEA is not required and must be made even if the child’s parents do not give consent to hold a transition conference. Parents cannot deny referral to Part B.
- (e) If the local tiny-k program determines a child to be eligible for Part C early intervention services between 45 and 90 days prior to the toddler’s third birthday, the tiny-k program must provide the SEA/LEA referral as soon as possible after the toddler’s eligibility determination.
- (f) This is considered to be a referral to Part B. Therefore, Part B is required to complete the following actions:
 - i. Send procedural safeguards to the child’s parents
 - ii. Attend the transition conference, if the parents give consent to hold a transition conference

- 2) Sending the procedural safeguards to the family does not initiate the Part B timeline for initial evaluation. The timeline starts when parental consent for initial evaluation is obtained.

C. Transition Conference for Children Potentially Eligible under Part B [34 CFR 303.209(c)]

- 1) If the child is **potentially eligible** for Part B special education services, the local tiny-k program, with the approval of the family, will convene a transition conference at least 90 calendar days before the child's third birthday, but, at the discretion of all parties, it may occur up to 9 months prior to the child's third birthday.
- 2) The transition conference is considered an IFSP meeting and therefore, must meet the IFSP meeting requirements. The Transition Conference Documentation Form is located in the Statewide IFSP form and is required.

The Transition Conference Form can be found at:

http://www.ksits.org/download/Transition_Conference.doc

- 3) The local tiny-k program must invite the LEA representative to the transition conference if the child is **potentially eligible** for Part B services. All effort should be made to coordinate with the LEA to schedule a meeting date where the LEA may attend, within the required timeframe. This accommodation cannot call for the conference to be held in a time period less than 90 days before the child's third birthday. While the LEA cannot cause the local tiny-k program to be out of compliance, parents can always delay the transition conference if family circumstances warrant.
- 4) LEA participation is required in transition conferences arranged by the local tiny-k program for toddlers with disabilities who may be eligible for preschool services under Part B of IDEA. Section 300.124(c)
- 5) If the LEA is unable to send a representative to the transition conference, the local tiny-k program is still responsible for convening a timely transition conference and conveys the information required by the Part B program to the parent.
- 6) If the parent does not consent to the conference, there will be no "official" transition conference.
- 7) The following information is required for all transition conferences and must be provided to the parents.
 - (a) A description of the Part B eligibility definitions
 - (b) State timelines and processes for consenting to an evaluation and conducting eligibility determination under Part B
 - (c) The availability of special education and related services
 - (d) Other service options available to the family in the community

- 8) If the parent does not provide approval to conduct the transition conference, the local tiny-k program must still provide LEA referral for these children.
- 9) The members of the transition conference include the following:
 - (a) Parent(s) (or guardian or child advocate)
 - (b) Family service coordinator
 - (c) Representative from the LEA for children **potentially eligible** for Part B preschool special education services
 - (d) Representative and/or providers of the services the child may be eligible for or participate in
 - (e) Any other person or service providers invited by the parent or the LEA who might help support and develop the transition plan

D. Transition Plan [34 CFR 303.209(d)]

A transition plan, inclusive of steps to exit from the program and to appropriate services, is a part of the Individualized Family Service Plan (IFSP). This plan must be developed not fewer than 90 days, and at the discretion of all parties, not more than nine months before the child's third birthday.

- 1) The transition team, including the parent(s), is responsible for developing the transition plan.
- 2) The local tiny-k program may develop the transition plan as part of the IFSP at the transition conference. In some instances, the transition plan may be a continuing part of the IFSP, and the transition conference for a child **potentially eligible** for Part B is conducted in a separate meeting.
- 3) The transition team must review program options for the child with a disability who is **potentially eligible** for Part B services for the period from that child's third birthday through the remainder of the school year.

The Statewide IFSP includes required transition steps in the Part C Transition Planning Timelines and Procedures. These are the steps to be taken to support the transition of the child to services after the age of three. This includes Part B, if eligible and elected by the parent(s), or other preschool services, including early education, Head Start and Early Head Start, community child care programs, or other appropriate services.

The Transition Plan Form can be found at:

http://www.ksits.org/download/Transition_Plan.doc

The family service coordinator, LEA representative, and the parent(s) work closely together to ensure decisions regarding child and family needs for transition services are made collectively by the team. All activities must be documented in the IFSP.

The Service Coordinator facilitates the development of the transition plan in the IFSP.

The steps in the IFSP process to ensure a smooth transition include these elements:

- 1) Arrangement for the transition conference, with approval of parent(s), in a timely manner and at a place convenient to the participants;
- 2) Discussion with and training of the parent(s), as appropriate, about possible future placements and other matters related to the child's transition
- 3) Procedures to prepare the child for changes in service delivery, including steps to help the child adjust to and function in a new setting, if appropriate
- 4) Confirmation that child find (referral) information has been transmitted to the LEA, or with parental permission, another relevant agency
- 5) With written parental consent, transferring information about the child to the new provider to ensure continuity of services, including evaluation and assessment information and a copy of the current IFSP
- 6) Discussing what is needed for eligibility for other programs/services (decisions about the responsibility for performing or sharing evaluations of children are included in the process)
- 7) Identifying transition services and other activities the IFSP team determines are necessary to support the transition of the child
- 8) Determining a timeline for review and update of the transition plan to ensure:
 - (a) services provided by the local tiny-k program continue until the child's third birthday, or other date near the third birthday, depending on appropriate service options,
 - (b) the plan delineates responsibilities of the local tiny-k program and other service agencies, and
 - (c) Part B preschool special education services, if eligible and elected by the parent(s), become available to eligible children upon the third birthday, or other date near the third birthday, depending on Part C/Part B determinations.

E. Late Referral to Part C

- 1) If the local tiny-k program determines a child to be eligible for Part C early intervention services between 45 and 90 days prior to the toddler's third birthday, the local tiny-k program must provide the SEA/LEA referral as soon as possible after the toddler's eligibility determination.
- 2) If a child is referred to the local tiny-k program fewer than 45 days before that toddler's third birthday, the local tiny-k program is not required to conduct the initial evaluation, assessment, or IFSP meeting, and the tiny-k program, with parental consent, must refer the toddler to the SEA and appropriate LEA.
- 3) For a child referred to a local tiny-k program between 45 and 90 days prior to the child's third birthday, local tiny-k **must**:

- (a) conduct an initial evaluation and assessment,
- (b) conduct an initial IFSP meeting, if eligible,
- (c) if eligible and receiving services under Part C, including service coordination services, develop a transition plan with the appropriate transition steps and services,
- (d) provide SEA/LEA referral for children **potentially eligible** for Part B services, and
- (e) schedule and conduct a transition conference as described in part C of this section.

F. Summer Birthdays and Early Transition to Part B

An eligible Part B child may begin services under an approved Individualized Education Plan (IEP) anytime during the school year in which the child has his or her third birthday. A decision may be made to begin Part B services prior to the third birthday for a variety of reasons including timing (at the beginning of a school year or before a school break period). Upon initiation of Part B services, the child may no longer receive Part C services.

If a child determined as Part B eligible has their third birthday during the summer (defined by Part B as any day after the last day of the school year and prior to the beginning of the following school year), and has an IEP in place with special education services to begin the next school year, the child may continue to be served on an IFSP by the Part C program during the summer until the IEP is implemented at the beginning of the next school year. If the local tiny-k program chooses this option, they must continue to provide Part C services pursuant to an IFSP that is revised to reflect Free Appropriate Public Education (FAPE) because this IFSP is being used as the IEP for the period from the third birthday until the date of implementation of the IEP. Specifically, this revision of the IFSP must contain an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills. The IFSP would still contain the IFSP content (34 CFR 303.344) including the provision of services in the natural environment. The services must be provided at public expense, under public supervision and direction and without charge. In addition, parents of the child must be presented with detailed information on the differences between the IEP and the IFSP and must consent to the continued use of the IFSP for the period between the child's third birthday and the implementation of the IEP.

If a child determined as Part B eligible has their third birthday before the end of the school year, and it is determined by the Part B IEP team that the best interest of the child would be served by having the Part B IEP services provided by local tiny-k program providers in the child's home until the beginning of the school year, the LEA can contract with the local tiny-k program to provide those services until the beginning of the school year. The Part C IFSP will no longer apply.

Children must be exited from the Outcomes Web System (OWS) by or on the third birthday, even if they continue services on an IFSP, or via contract under an IEP, until the beginning of the school year. Children do not need to be exited from the Kansas Infant-Toddler Services database until Part C services actually end. In these instances, the exit dates in OWS and the KSITS database will differ.

G. IDEA Part B Early Childhood Transition Requirements

Additional Part B transition information can be found in the Kansas *Special Education Process Handbook* at <http://www.ksde.org/Default.aspx?tabid=3152>.

1) Services at Age 3

For a child transitioning from a local tiny-k program, the LEA must make available to each child identified as eligible for Part B special education services a free appropriate public education (FAPE) by the child's third birthday. At the discretion of the LEA, the LEA may serve a child who is 2 years old but will turn 3 during the school year.

2) The Part B IEP/IFSP Team Meeting

Prior to the child's third birthday, the Part B preschool IEP team must convene a meeting to determine eligibility and develop an IEP/IFSP for the child. Members of this team must include, if requested by the parent, a representative from the local tiny-k program (family service coordinator), and/or other representatives, as appropriate.

3) IEP Considerations

For all children who transition from Part C services to Part B, the IEP team must consider an IFSP that contains the IFSP content (including the natural environments statement) described in IDEA section 636(d) and its implementing regulations when developing the initial IEP. [300.323(b)]

If the LEA and a child's parent agree, an IFSP may serve as the IEP of a child with a disability who is 3, 4, or 5 years of age. The IFSP must meet the consent requirements of Part C and be developed in accordance with Part B procedures.

- (a) Before using an IFSP as an IEP, the LEA must provide the child's parents with a detailed explanation of the differences between an IFSP and an IEP.
- (b) If an IFSP is mutually agreed upon, the LEA must obtain written consent from the parent for use of the IFSP as the child's IEP.
- (c) If the IEP team is using an IFSP for children who are at least 3 years of age, it must contain the IFSP content, including the natural environments statement, and an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills must also be included in the IFSP.

H. Exit Information Required by Kansas Infant-Toddler Services Database

The following fields are required to be completed for all transition children to aid in the coordination between Part C and Part B:

1) KIDS ID number

- 2) Legal first and last name
- 3) Middle initial
- 4) Date of birth
- 5) School district code (USD) [or employer of Part B referral contact]
- 6) Referral date
- 7) Part B referral contact name
- 8) Part B referral contact phone number
- 9) Part B referral contact email
- 10) Current IFSP date
- 11) Local Part C tiny-k program/lead agency
- 12) Part C exit date
- 13) Late transition conference reason, if necessary.

II. Hospital to Home Transition

Hospital to home transition guidelines assure local planners, including hospital personnel, have accurate and practical information to design, implement and evaluate their transition procedures. These procedures will help them work together to

- 1) address each family's needs during the child's hospitalization,
- 2) provide a smooth transition when the family brings the child home,
- 3) utilize the hospital and community service providers' expertise to meet an array of individual needs, and
- 4) coordinate child assessments and other hospital and community procedures.

Kansas Infant-Toddler Services recognizes there are benefits to community-wide planning for transitions from hospital to community services. Local tiny-k programs are encouraged to regularly assess the need to revise, update or develop community plans to address transition from the hospital. Additionally, they are strongly encouraged to establish a line of communication between hospital and community service providers. Specific information about transitions from hospital to home can be found in the "Hospital to Home" booklet originally prepared by the Bridging Early Services Transition Taskforce, 1995 and updated by Families Together, Inc., 2011.

The Hospital to Home Booklet can be found at:

http://families-together-inc.org/wp-content/uploads/2011/07/Hospital_to_Home_Final_July_2011.pdf

III. Transition of a Child Between Local tiny-k Programs and States

As indicated in the Introduction of this Section, transition is a change or movement from one place, plan, or interactional situation to another. For some local tiny-k programs, and the children and families they serve, there is movement from one local lead agency to another. When this transition process takes place, the local tiny-k program will follow these steps:

A. Transition of a Child Between Local tiny-k Programs

- 1) Receive referral to your network
- 2) Look up child in the infant-toddler database (ITS) and find out what information already exists for this child and family (this will save you time when you re-enter in the database later)
- 3) Discuss the new referral at your team meeting and decide on what team members are most appropriate to support this family based upon the existing IFSP
- 4) Designate a primary provider to support the family
- 5) Schedule an IFSP review meeting with family, primary provider and other team members, as appropriate. **The purpose of this review is not to evaluate the child; it is to gather enough information to update the IFSP.**
- 6) Hold the IFSP review and make changes to the IFSP as appropriate (update services page, revise outcomes, etc.)
- 7) Part C referral date, initial IFSP, and initial eligibility dates stay the same. Fields #26-32 and #34 on IFSP form will retain the current dates. Field #33 will change to 6 months from the date the tiny-k program is reviewing the IFSP.
- 8) Field #38 is the date the IFSP review is held. The IFSP review date is updated in ITS database.
- 9) Eligibility section stays the same because the child only needs to qualify for early intervention services, not specific services within early intervention (e.g., speech, PT). **This is initial eligibility for early intervention services.**
- 10) Review all sections to insure accuracy of information. Gather all current information such as doctors, phone numbers etc.
- 11) Enter this data into the infant-toddler database (ITS).
 - a) Enter as child from your network
 - b) Update IFSP review date, any services that changed, use all dates as listed on the IFSP in the database
- 12) Enter this child into the OWS. A child who is transferring should have a KIDS ID#. Look up the child in OWS to find this number. Please do not assign another KIDS # for the child.

- a) Change circumstance, child is entering an organization
- b) Previous tiny-k program should have entered an organizational exit. If the previous tiny-k program has not entered a child or given him an organizational exit, please alert the previous program or Kansas Infant Toddler Services immediately so it is rectified.

B. Transition of a Child from Out of State

- 1) Receive referral from out of state.
- 2) If child has active IFSP, they should be considered eligible for Part C services in Kansas.
- 3) Discuss the new referral at your team meeting and decide on what team members are most appropriate to support this family based upon the existing IFSP.
- 4) Designate a primary provider to support the family.
- 5) Schedule an IFSP review meeting with family, primary provider and other team members, as appropriate. **The purpose of this review is not to evaluate the child; it is to gather enough information to update the IFSP.**
- 6) If there is strong evidence this child may not be eligible in the state of Kansas, complete the standard process of IFSP review, and then determine if re-evaluation is necessary. If the team decides to re-evaluate, this documentation must clearly show evidence of non-eligibility.
- 7) The Part C referral date would be when referred to Kansas. The Initial IFSP date is when Kansas accepted IFSP from the other State.
- 8) Initial IFSP, initial eligibility and current IFSP date is the same as the date IFSP is accepted by the local tiny-k program. **This differs from when the child transfers from within the state.**
- 9) All data would be entered into ITS database as a new child to Kansas.
- 10) A new entry rating into the OWS system would be required (even though the child may have a rating from another state).

IV. Change in Lead or Fiscal Agency for the Local tiny-k Program

Important factors in planning for a change in lead agencies are timely notification of the imminent change, a well-planned process, cooperation among those involved, and effective, accurate, timely communication. See *Change in Lead Agency Plan*.

The Change in Lead Agency Plan can be found at:

http://www.ksits.org/download/Lead_Agency_Transition_Plan.pdf

A. Important Considerations

- 1) Both State and Local agencies will ensure uninterrupted services to children and families.

- 2) Procedural safeguards and parental rights will be maintained during the transition process.
- 3) The selection/replacement process will be timely.
- 4) A transition plan will be in place between the two local lead agencies and KDHE to ensure the above criteria are met.
- 5) Selection of a new and qualified Lead/Fiscal Agency will be fairly determined.

B) Recommended General Guidelines for Notification and Selection

- 1) The local Part C lead agency notifies Local ICC and KDHE Infant-Toddler Services of the decision to discontinue its contract as Lead/Fiscal Agency with an effective date for termination of services.
- 2) KDHE Infant-Toddler Services notifies State ICC of Local Part C Lead/Fiscal Agency decision to discontinue the current contract.
- 3) KDHE and Local ICC hold public forum in local community to announce coming change in Lead/Fiscal Agency. Staff from the State ICC will be invited to participate in this forum as appropriate. The purpose of the public forum is twofold. One is to explain the process becoming the local Lead/Fiscal Agency (make Procedural Manual available to any interested parties, give an estimate of what grant amount will be for next year, and explain the application process, etc.) and two, get public feedback as to what the local community wants and considers strengths to provide quality Infant-Toddler services.
- 4) KDHE will make an announcement to other local tiny-k programs and their lead/fiscal agencies that an opportunity exists for a new Lead/Fiscal Agency. They will be informed of the forum date should they be interested in an opportunity to meet with Local ICC.
- 5) KDHE will notify the departing Lead/Fiscal Agency of their official last day of responsibility.
- 6) KDHE and Local ICC agree on a timeline and process for selection when notified by former local Lead/Fiscal Agency of intention to discontinue its contract. The State ICC will be informed of the process.
- 7) Public Comment Required. No less than two comment periods will be provided affording opportunity for feedback.
 - (a) One public comment opportunity with 14 calendar days notice shall be provided by the LICC to the local community.
 - (b) Another opportunity could be held at the State ICC or within the local community depending on which would expedite the selection process.

- 8) The Local ICC will make a determination on which proposal shall move forward. KDHE will receive one (1) application from the local community which has been signed off by the Chairperson of the Local ICC. KDHE will review the application and either approve, give guidance for revisions, or deny.

C. Recommended General Guidelines if Local Lead or Fiscal Agency Discontinues Services During Contract Year:

- 1) KDHE will identify what resources are available to assist with continuing services in the network.
- 2) KDHE will convene an emergency Local ICC meeting/public meeting as soon as possible. Two things need to be addressed at this meeting:
 - (a) Formation of a plan for the continuation of services and
 - (b) Identification of another agency to become the lead and/or fiscal agency. The State ICC will be informed of any interim and/or permanent plan that is developed.
- 3) If KDHE and the Local ICC cannot identify someone to continue services in the local community, then KDHE will assist the LICC in identifying potential lead and or fiscal agencies, including contacting surrounding local tiny-k programs. This may also be an option in identifying a new lead agency if no one from the local community can be found.

D. Declaration of Conflict

Each Local ICC will follow their own by-laws in determining which members should declare a conflict of interest, and whether or not any member should vote in determining a new Lead/Fiscal Agency.

E. Once a New Lead or Fiscal Agency Has Been Identified:

Representatives of both lead/fiscal Agencies involved in transition will meet to develop a transition plan. A representative of KDHE will facilitate the development of the plan. A representative of the State ICC will be invited, as appropriate. The transition plan will be signed by representatives of both lead/fiscal agencies and KDHE, and will consist of the following procedures:

- 1) Plan to continue services for families and ensure a smooth transition
- 2) Transfer of records
- 3) Transfer of finances
- 4) Plan for staff
- 5) Plan to meet State/Federal compliance
- 6) Plan for transfer of resources
- 7) Plan for training