

**Key Elements of Early Transition:
A Guide for Planning, Implementing, and Evaluating Smooth and Effective Transitions
for Children and their Families from Local Early Childhood Intervention Programs to
Local Preschool Programs for Children with Disabilities**

The purpose of this document is to provide guidance in the building of relationships between local Early Childhood Intervention programs and Local Educational Agencies as they work together to develop, maintain, evaluate, and refine their collaborative systems for the smooth transition of children and their families who leave Early Childhood Intervention services and enter public school services. As feedback is consistently elicited and reviewed, the systems and programs that facilitate early transition continuously improve to meet the individual needs of the children, families, and staff.

This document provides a checklist of the key elements of early transition for children who leave Early Childhood Intervention (ECI) services and enter the public school Preschool Program for Children with Disabilities (PPCD). The key elements of early transition are color-coded with blue and the symbol [R] indicating required elements and green with the symbol [S] indicating suggested elements.

The elements are listed in chronological order and each is accompanied by its corresponding reference(s) in the Individuals with Disabilities Education Improvement Act (IDEA) 2004, the Code of Federal Regulations (CFR) for IDEA 2004, the Texas Administrative Code (TAC), ECI Policy, the TEA/DARS-ECI Early Transition Memorandum of Understanding (MOU), the State Performance Plan (SPP), and/or the Office of Special Education Programs (OSEP) Texas Monitoring Report. Websites for accessing the references are listed at the end of the document as are the acronyms that are used in the document.

Key Elements	References
<p><input type="checkbox"/> 1. The Local Educational Agency (LEA) and the local Early Childhood Intervention (ECI) program have developed a collaborative child find system. [R]</p>	<p>34 CFR §300.111 Child find. (a) <i>General.</i> (1) The State must have in effect policies and procedures to ensure that- (i) All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated.</p> <p>TEA/DARS-ECI Early Transition MOU, Child Find (Child Find Guidance, p. 6) (1st bullet) Child find is a collaborative effort between ECI (Part C) and TEA (Part B) and the two systems have overlapping responsibilities in this area. (3rd bullet) LEAs and ECI programs are encouraged to establish local policies and procedures in which a collaborative child find system can be maintained for their communities.</p> <p>Part B SPP, Child Find, Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an Individualized Education Program (IEP) developed and implemented by their third birthdays.</p>
<p><input type="checkbox"/> 2. The LEA child find contact person is aware that “notice”(i.e., personally identifiable information) will be sent to the appropriate LEA for each child in the local ECI program prior to that child’s second birthday. [R]</p> <p>The LEA and local ECI program have a system in place for the transfer and confirmation of receipt of identifying information regarding children who will transition out of ECI services. [S]</p> <p>Note: “Notice” includes the following information: child’s name, date of birth, parent’s or guardian’s name, address, telephone listing, and date of enrollment in ECI. Parent consent is not required for notice to be sent. [R]</p>	<p>34 CFR §300.111 Child find. (a) <i>General.</i> (1) The State must have in effect policies and procedures to ensure that- (i) All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated.</p> <p>20 USC §1437 (a)(9)(A) (ii)(I) notify the LEA for the area in which such a child resides that the child will shortly reach the age of eligibility for preschool services under Part B, as determined in accordance with State law</p> <p>ECI Policy III.4C, Transition, Policy 6 A. Notification to public school child find personnel on or before a child’s second birthday.</p> <p>ECI Policy III.4C, Transition, Policy 8. Programs must notify parents that personally identifiable information regarding their child will be sent to the LEA by the child’s second birthday. Personally identifiable information includes: child’s name, date of birth, parent or guardian’s name, address, telephone listing, and date of enrollment in ECI.</p> <p>TEA/DARS-ECI Early Transition MOU, Child Find (ECI [Part C] column, p.4, 3rd paragraph) ECI must notify the Local Education Agency, for the area in which the child resides, that the child will shortly reach the age of eligibility for preschool services for children with disabilities. By the child’s second birthday, programs must notify the appropriate LEA child find personnel of the child’s birth date. The notification must be written and include the following information: child’s name, parent(s) or guardian(s) name, address, telephone listing, date of enrollment in ECI.</p> <p>TEA/DARS-ECI Early Transition MOU, Child Find (Child Find Guidance, p. 6, 2nd bullet) ECI programs will notify the appropriate LEA when a child enrolled in the ECI program reaches his/her second birthday... ECI programs must work with the LEAs to develop a system for the transfer of the identifying information, which includes confirmation that the LEA has received the information (i.e., information submitted by fax could request a faxed confirmation). The LEA must maintain the identifying information received from ECI.</p> <p>Part B SPP, Child Find, Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>

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<input type="checkbox"/> 3. The LEA child find contact person has a system in place to maintain confidentiality of personally identifiable information as it is received, maintained, used and as appropriate, destroyed. [R]	<p>34 CFR§300.623 Safeguards (a) Each participating agency must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. (b) One official at each participating agency must assume responsibility for ensuring the confidentiality of any personally identifiable information. (c) All persons collecting or using personally identifiable information must receive training or instruction regarding the State’s policies and procedures under § 300.123 and 34 CFR part 99. (d) Each participating agency must maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.</p> <p>34 CF R§300.624 Destruction of Information (a) the public agency must inform parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child. (b) The information must be destroyed at the request of the parents. However, a permanent record of a student’s name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.</p>
<input type="checkbox"/> 4. The LEA child find contact person is aware that ECI will send notification of children who are determined eligible for ECI after their second birthdays within 5 working days of the determination of their eligibility. [R]	<p>TEA/DARS-ECI Early Transition MOU, Child Find (Child Find Guidance, p. 6, 2nd bullet)...If a child is determined eligible for ECI after the 2nd birthday, notification to the LEA should be made within 5 working days of eligibility determination.</p>
<input type="checkbox"/> 5. LEA staff has a system in place that ensures their participation in transition conferences between LEA staff, ECI staff, and ECI families that occur from 9 months to 4 months (120 days) prior to the child’s 3 rd birthday. [R] <p>Note: Transition conferences are initiated by the local ECI program service coordinator with parental consent. [R]</p>	<p>20 USC §1437 (a)(9)(A)(ii)(II) in the case of a child who may be eligible for such preschool services, with the approval of the family of the child, convene a conference among the lead agency, the family, and the LEA not less than 90 days (and at the discretion of all such parties, not more than 9 months) before the child is eligible for the preschool services, to discuss any such services that the child may receive</p> <p>34 CFR §300.124 Transition of children from the Part C program to preschool programs. The State must have in effect policies and procedures to ensure that- (c) Each affected LEA will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10) of the Act.</p> <p>ECI Policy III.4C, Transition, Policy 3B. If the parent(s) agree, at least 120 days prior to the child’s third birthday, a face-to-face conference must be convened with the family, the ECI program, and representatives of the child’s possible future setting.</p> <p>TEA/DARS-ECI Early Transition MOU, Transition Process (TEA [Part B] column, p. 7, 1st paragraph). Each LEA will participate in transition planning conferences arranged by the designated local ECI program. In Texas, the transition planning conferences are held 120 days before the child’s third birthday.</p>
<input type="checkbox"/> 6. LEA staff is aware that a Department of Assistive and Rehabilitative Services (DARS) Division for Blind Services Specialist will be involved in the transition process for children with a visual impairment (VI). [R]	<p>ECI Policy III.4C, Transition, Policy 3B. ...When a child has a severe vision impairment, the DARS Division for Blind Services specialist must be included in the transition process.</p> <p>DARS-ECI/TEA AI/VI MOU “AI/VI Frequently Asked Questions” (April 2004) (question # 35) What does the transition process look like for children with auditory and/or visual impairments (AI/VI) who have been served by both ECI and school district programs? The transition process is the same as for any other child moving from IDEA-Part C to IDEA-Part B services.</p>

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<p><input type="checkbox"/> 7. LEA staff is aware that children enrolled in the Regional Day School Program for the Deaf (RDSPD) will have the required transition conferences between 9 and 4 months prior to the child's 3rd birthday and referral at least 90 days prior to the child's 3rd birthday. [R]</p>	<p>20 USC§ 1437 (a)(9)(A)(ii)(II) in the case of a child who may be eligible for such preschool services, with the approval of the family of the child, convene a conference among the lead agency, the family, and the LEA not less than 90 days (and at the discretion of all such parties, not more than 9 months) before the child is eligible for the preschool services, to discuss any such services that the child may receive</p> <p>20 USC§ 1436(d)(8)Content of IFSP. The steps to be taken to support the transition of the toddler with a disability to preschool or other appropriate services</p> <p>ECI Policy III.4C Transition Policy 3D. For children already enrolled in the RDSPD, ECI requirements regarding the 120-day face-to-face conference and the 90-day referral must be met. Service provision from the RDSPD does not fulfill referral to the LEA.</p> <p>DARS-ECI/TEA AI/VI MOU “AI/VI Frequently Asked Questions” (April 2004) (question # 35) What does the transition process look like for children with auditory and/or visual impairments who have been served by both ECI and school district programs? The transition process is the same as for any other child moving from IDEA-Part C to IDEA-Part B services.</p>
<p><input type="checkbox"/> 8. LEA staff documents the date of the transition conference, participants, and the steps to determine the child's Part B eligibility. [S]</p> <p>The local ECI program staff documents who is invited to attend the transition conference, the date of the conference with the LEA, notes of the discussion that occurred during the conference, and the contents of the transition plan. [S]</p> <p>Each program shares documentation with the other. [S]</p>	<p>OSEP Texas Monitoring Report, March 10, 2003, V. Parts C/B: Early Childhood Transition, Suggested Area for Improved Results for Children with Disabilities, Documenting Transition Processes (p. 18)</p> <p>“...ECI records should document inviting the local education agency to the transition conference, the date of the transition conference, the discussion during the conference,...and the contents of the transition plan. The local school system's records should document the participation of staff in the transition conference, the steps to determine the child's Part B eligibility, and the minutes of the child's IEP meeting.”</p>
<p>Tip from the field: “When I have a transition conference I have a form where I write the date of the conference, the names of the people who attended, what we talked about, and anything I need to follow-up on. After the conference I make a copy of the completed form and send it to the ECI program. Also, the ECI service coordinator sends me a copy of the documentation of the conference date and people who were invited. I file both of the documents (the one from ECI and my conference notes) in a folder I have started for the child.” [S]</p> <p>Tip from the field: “When I have transition conferences with families I talk to them about their child and what they want for their child. Then I tell them about the individualized services our school district offers for preschoolers with disabilities, how children are determined to be eligible for the services, and the variety of placement options where the preschool services can occur. I have to be conscious of making it clear that the decision about the setting where the services will happen is decided by a committee that includes the parents (i.e., the Admission, Review, and Dismissal [ARD] committee), so I cannot tell them exactly which placement option will be selected for their child. But still, I offer them an opportunity to visit any of the placement options they want to. Also, during the conference I make sure I've answered the parents' questions, ask if they have any more questions or concerns, and then I tell them what to expect next. A question that is often asked is about transportation. When a family asks this question I explain that transportation is a related service that the ARD committee discusses and decides on and how this service typically works. During the conference I feel that there is a delicate balance between how much information to give the family and how much is too much to tell them at this time.” [S]</p>	

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<input type="checkbox"/> 9. The LEA representative and the ECI service coordinator collaboratively follow up with the family as appropriate after the transition conference. [S]	
<input type="checkbox"/> 10. The LEA receives referral for special education (made with written parental consent) at least 90 days before the child's 3 rd birthday. [R]	<p>ECI Policy III.4C Transition, Policy 3 C. With written parental consent, at least 90 days prior to the child's third birthday, the child who "appears to be eligible" must be referred to the public school's preschool program for children with disabilities or to other service settings as described in the Individualized Family Service Plan (IFSP) and agreed upon by the parents. With parental consent, IFSP and assessment information may accompany this referral.</p> <p>Part B SPP, Child Find, Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>
<input type="checkbox"/> 11. The LEA receives child information (e.g., most recent IFSP, child assessment information, etc.) sent by the ECI service coordinator with parent consent. [R]	<p>ECI Policy III.4C Transition, Policy 3 C. With written parental consent, at least 90 days prior to the child's third birthday, the child who "appears to be eligible" must be referred to the public school's preschool program for children with disabilities or to other service settings as described in the IFSP and agreed upon by the parents. With parental consent, IFSP and assessment information may accompany this referral.</p>
<input type="checkbox"/> 12. The LEA collaborates with the local ECI program to develop guidelines to be followed when a child is referred close to his/her third birthday in order to ensure that an IEP is in place upon the child's third birthday if he/she is determined eligible for services. [S]	<p>TEA/DARS-ECI Early Transition MOU, Transition Process (Transition Process Guidance, pp. 10-11, all 10 bullets)</p> <p>Part B SPP, Child Find, Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>
<input type="checkbox"/> 13. The LEA has procedures in place which meet the timeline requirements for evaluation and the initial ARD committee meeting for children referred during the summer. The ARD committee decides when services begin for these children on an individual basis (i.e., immediately with Extended School Year [ESY] services or when school begins). [R]	<p>34 CFR §300.101 Free Appropriate Public Education (FAPE). (b) <i>FAPE for children beginning at age 3.</i> (2) If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP or IFSP will begin.</p> <p>TEA/DARS-ECI Early Transition MOU, Transition Process (Transition Process Guidance, p. 10, 6th bullet) When a child turns three during the summer, the ARD committee, which includes the family, may begin to implement the IEP upon the start of the school year. Or, if necessary for the child to receive a FAPE, the ARD committee may decide to begin to implement the IEP through ESY services.</p> <p>TEA/DARS-ECI Early Transition MOU, Transition Process (Transition Process Guidance, p. 11, 2nd bullet) LEAs must have procedures in place for children referred during summer months (i.e., June, July, August) that ensure that services begin as soon as necessary to guarantee FAPE. Procedures should include evaluation processes, eligibility determination, and IEP development, which occur within prescribed timelines. The ARD committee should determine if it is necessary for services to begin immediately, through ESY services, or whether they will begin on the first day of the regular school year.</p>

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	<p>Evaluation and timeline requirements are available online in the “Legal Framework for the Child-Centered Special Education Process” at http://framework.esc18.net/.</p> <p>Part B SPP, Child Find, Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>
<p><input type="checkbox"/> 14. The written report for the full and individual initial evaluation (FIIE) is completed not later than 60 calendar days after the parent or guardian’s written consent is received. [R]</p> <p>Note: Child is placed and services begin upon the child’s 3rd birthday regardless of completion of the FIIE. [R]</p>	<p>34 CFR §300.301 Initial evaluations. (c) <i>Procedures for initial evaluation.</i> The initial evaluation-(1)(i) Must be conducted within 60 days of receiving parental consent for the evaluation;</p> <p>TEC 29.004 Full Individual and initial evaluation. (a) A written report of a full individual and initial evaluation of a student for purposes of special education services shall be completed not later than the 60th calendar day following the date on which the school district, in accordance with 20 U.S.C. Section 1414(a), as amended, receives written consent for the evaluation, signed by the student’s parent or legal guardian.</p> <p>Part B SPP, Child Find, Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>
<p><input type="checkbox"/> 15. Initial ARD committee meeting is held within 30 calendar days following completion of the written FIIE report or sooner if the date of the child’s 3rd birthday is eminent. [R]</p>	<p>34 CFR §300.323 When IEPs must be in effect. (c) <i>Initial IEPs; provision of services.</i> Each public agency must ensure that- (1) A meeting to develop an IEP for a child is conducted within 30 days of a determination that the child needs special education and related services; and (2) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child’s IEP.</p> <p>19 TAC §89.1050 The Admission, Review and Dismissal ARD Committee. (d) The ARD committee shall make its decisions regarding students referred for a full and individual initial evaluation within 30 calendar days from the date of the completion of the written full and individual initial evaluation report. If the 30th day falls during the summer and school is not in session, the ARD committee shall have until the first day of classes in the fall to finalize decisions concerning the initial eligibility determination, the IEP, and placement, unless the full and individual initial evaluation indicates that the student will need extended school year (ESY) services during that summer.</p> <p>Part B SPP, Child Find, Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>

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<input type="checkbox"/> 16. Upon parent request, the ECI service coordinator or other ECI representative is invited to attend the initial ARD committee meeting. Other ARD committee members as required by federal law also attend (i.e., the child's parents, a general education teacher, a special education teacher, a representative of the LEA, and someone who can interpret the instructional implications of the evaluation results. [R]	34 CFR §300.321 IEP Team. (f) <i>Initial IEP Team meeting for child under Part C.</i> In the case of a child who was previously served under Part C of the Act, an invitation to the initial IEP Team meeting must, at the request of the parent, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services.
<input type="checkbox"/> 17. A general education teacher attends initial ARD committee meetings for children transitioning out of ECI and into Part B PPCD services. [R] The general education teacher who attends the initial ARD for a child transitioning from ECI to PPCD is knowledgeable about child development for a preschool-aged child and familiar with the typical routines, schedule, environment, curriculum, and appropriate activities for preschool children. [S]	34 CFR §300.321 IEP Team. (a) <i>General.</i> The public agency must ensure that the IEP Team for each child with a disability includes- (2) Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment) 34 CFR §300.324 Development, review, and revision of IEP. (a) <i>Development of IEP-</i> (3) <i>Requirement with respect to regular education teacher.</i> A regular education teacher of a child with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the child, including the determination of— (i) Appropriate positive behavioral interventions and supports and other strategies for the child; and (ii) Supplementary aids and services, program modifications, and support for school personnel consistent with Sec. 300.320 (a)(4). 19 TAC §89.1050 The Annual, Review and Dismissal Committee. (c) ARD committee membership. (1) ARD committees shall include those persons identified in 34 CFR, §300.321(a), as follows: (A) the parent(s) of the child; (B) not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment); (C) not less than one special education teacher of the child, or where appropriate..... TEA/DARS-ECI Early Transition MOU, IFSP/IEP Process (IFSP/IEP Process Guidance, p. 23, 7th bullet) For children who are not yet in an early childhood setting, the general education teacher, for ARD committee attendance purposes, could be someone who is familiar with the routines, schedule, environment, curriculum, and appropriate activities for preschool children. For children already in an early childhood setting, the most appropriate general education teacher would be the one who is currently providing services (i.e., Head Start teacher, Child Care provider, etc.).
<input type="checkbox"/> 18. The membership of the ARD committee is appropriate to address the needs of the child. Members of the ARD Committee will consist of the parents of the child, one regular education teacher of the child, one special education teacher or special education provider of the child, a representative of the public agency, an individual who can interpret the instructional implications of the evaluation and when appropriate the child with a disability. [R]	34 CFR §300.321 IEP Team. (a) <i>General.</i> The public agency must ensure that the IEP Team for each child with a disability includes- (1) The parents of the child; (2) Not less than one regular education teacher of the child...; (3) Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child; (4) A representative of the public agency who—(i) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; (ii) Is knowledgeable about the general education curriculum; and (iii) Is knowledgeable about the availability of resources of the public agency. (5) An individual who can interpret the instructional implications of evaluation results,... (6) At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child,... (7) Whenever appropriate, the child with a disability.

Key Elements	References
<input type="checkbox"/> 19. The ARD committee decides if a child has a disability and educational need, and therefore is eligible for special education services. If the child is found to be eligible for special education, the ARD committee develops the IEP. [R]	<p>34 CFR §300.306 Determination of eligibility. (a) <i>General.</i> Upon completion of the administration of assessments and other evaluation measures—(1) A group of qualified professionals and the parent of the child determines whether the child is a child with a disability, as defined in §300.8, in accordance with paragraph (b) of this section and the educational needs of the child</p> <p>19 TAC §89.1040 Eligibility Criteria. (a) Special education services. To be eligible to receive special education services, a student must be a "child with a disability," as defined in 34 Code of Federal Regulations (CFR), §300.8(a), subject to the provisions of 34 CFR, §300.8(c)...</p> <p>(b) Eligibility determination. The determination of whether a student is eligible for special education and related services is made by the student's admission, review, and dismissal (ARD) committee...</p> <p>Part B SPP, Child Find, Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>
<input type="checkbox"/> 20. The LEA uses results from ECI child assessments to help determine eligibility for special education services. [S] Note: Parent consent is required to share child assessment information. [R]	<p>34 CFR §300.305 Additional requirements for evaluations and reevaluations. (a) <i>Review of existing evaluation data.</i> As part of an initial evaluation (if appropriate) and as part of any reevaluation under this part, the IEP Team and other qualified professionals, as appropriate, must- (1) Review existing evaluation data on the child</p> <p>TEA/DARS-ECI Early Transition MOU, Eligibility (Eligibility Guidance, p. 17, 2nd bullet) With parental consent, local ECI programs may bring medical information, evaluation and assessment data, and past and current IFSPs to the ARD committee meeting for use in determining eligibility for Part B services, developing the IEP, and determining the need for ESY.</p>
<input type="checkbox"/> 21. At the initial ARD committee meeting the IFSP is considered as the IEP is developed. [S]	<p>TEA/DARS-ECI Early Transition MOU, Eligibility (Eligibility Guidance, p. 17, 2nd bullet) With parental consent, local ECI programs may bring medical information, evaluation and assessment data, and past and current IFSPs to the ARD committee meeting for use in determining eligibility for Part B services, developing the IEP, and determining the need for ESY.</p> <p>TEA/DARS-ECI Early Transition MOU, IFSP/IEP Process (IFSP/IEP Process Guidance, p. 24, 2nd bullet) In order to facilitate IEP development and consideration of ESY services, the IFSP, medical records, evaluation, assessment data and other records can be provided to the LEA with parental consent.</p>
<input type="checkbox"/> 22. As it considers the child's IEP, the ARD committee members discuss and decides if the child will benefit from ESY services based on regression/recoupment information from the ECI service providers, the child's family, and formal and/or informal evaluations provided by the LEA or the parents. [R]	<p>34 CFR §300.106 Extended School Year services. (a) <i>General.</i> (2) Extended School Year services must be provided only if a child's IEP Team determines, on an individual basis, in accordance with §§300.320 through 300.324, that the services are necessary for the provision of FAPE to the child.</p> <p>(3) In implementing the requirements of this section, a public agency may not—(i) Limit extended school year services to particular categories of disability; or (ii) Unilaterally limit the type, amount, or duration of those services.</p> <p>19 TAC §89.1055 Content of the IEP. (c) If the ARD committee determines that the student is in need of extended school year (ESY) services, as described in §89.1065 of this title (relating to Extended School Year Services (ESY Services)), then the IEP must also include goals and objectives for ESY services from the student's current IEP.</p>

Key Elements	References
	<p>19 TAC §89.1065 Extended School Year Services. (1) The need for ESY services must be determined on an individual student basis by the admission, review, and dismissal (ARD) committee in accordance with 34 Code of Federal Regulations (CFR), §300.106...In determining the need for and in providing ESY services, a school district may not: (A) limit ESY services to particular categories of disability; or (B) unilaterally limit the type, amount, or duration of ESY services. (2) The need for ESY services must be documented from formal and/or informal evaluations provided by the district or the parent.</p> <p>TEA/DARS-ECI Early Transition MOU, Transition Process (TEA [Part B] column, p. 7, 6th paragraph) The need for ESY services must be determined on an individual student basis by the ARD committee.</p> <p>TEA/DARS-ECI Early Transition MOU, Transition Process (TEA [Part B] column, p. 8, entire column)</p> <p>TEA/DARS-ECI Early Transition MOU, Transition Process (Transition Process Guidance, p. 10, 6th bullet) When a child turns 3 during the summer, the ARD committee, which includes the family, may begin to implement the IEP upon the start of the school year. Or, if necessary for the child to receive FAPE, the ARD committee may decide to begin to implement the IEP through ESY services. Note: The instructional setting code for the initial ESY services should be the same as the instructional setting code for services implemented at the beginning of the fall session. The need for ESY services must be documented from formal and/or informal evaluations provided by the LEA or the parents. Another agency or an ECI program could provide formal and/or informal evaluation information as one piece of the documentation.</p> <p>TEA/DARS-ECI Early Transition MOU, Eligibility (Eligibility Guidance, p. 17, 2nd bullet) With parental consent, local ECI programs may bring medical information, evaluation and assessment data, and past and current IFSPs to the ARD committee meeting for use in determining eligibility for Part B services, developing the IEP, and determining the need for ESY.</p> <p>TEA/DARS-ECI Early Transition MOU, IFSP/IEP Process (IFSP/IEP Process Guidance, p. 24, 2nd bullet) In order to facilitate IEP development and consideration of ESY services, the IFSP, medical records, evaluation, assessment data and other records can be provided to the LEA with parental consent.</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>
<input type="checkbox"/> 23. The LEA and consenting parents consider temporary placement of children on a case-by-case basis to ensure immediate access to services while the evaluation is being completed. Interim IEPs are developed which contain the conditions and timelines for each temporary placement. Within 30 school days the ARD committee develops the finalized IEP and makes the final placement decision based on evaluation data. [R]	<p>TEA/DARS-ECI Early Transition MOU, Transition Process (Transition Process Guidance, p. 11, 1st bullet) On a case-by-case basis to ensure immediate access to services, a temporary placement may be made as a part of the evaluation process to assist the LEA in determining appropriate placement for the child.</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays</p>

Key Elements	References
<input type="checkbox"/> 24. The ARD committee determines placement based on the least restrictive environment (LRE) in which a child's IEP goals can be achieved. [R]	<p>34 CFR §300.114 LRE requirements. (a) <i>General.</i> (2) Each public agency must ensure that- (i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and (ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.</p> <p>Part B SPP, FAPE in the LRE, Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p>
<input type="checkbox"/> 25. The LEA has a continuum of placement options for children from 3-5 years of age who are eligible for Part B PPCD services. [R]	<p>34 CFR §300.115 Continuum of alternative placements. (a) Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.</p> <p>TEA/DARS-ECI Early Transition MOU, Natural Environment/LRE (TEA [Part B] column, p. 25, 1st paragraph) Each LEA shall ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.</p> <p>TEA/DARS-ECI Early Transition MOU, Natural Environment/LRE (Natural Environment/LRE Guidance, p. 27, 3rd bullet) The full continuum of alternative placements, including integrated placement options, such as community-based settings with typically developing age peers, must be available to preschool children with disabilities.</p> <p>Part B SPP, FAPE in the LRE, Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p>
<input type="checkbox"/> 26. LEA staff is aware of options for parents of 3- and 4-year-old children to place their children in private school or other community-based settings and assists families in accessing these options when appropriate. [R]	<p>34 CFR §300.132 Provision of services for parentally-placed private school children with disabilities See TEA Guidance for Private School Placement http://www.tea.state.tx.us/special.ed/private/psguide.pdf</p> <p>19 TAC §89.1096 Provision of Services for Students Placed by their Parents in Private Schools or Facilities. (c) Parents of an eligible student ages 3 or 4 shall have the right to "dual enroll" their student in both the public school and the private school beginning on the student's third birthday and continuing until the end of the school year in which the student turns five or until the student is eligible to attend a district's public school kindergarten program, whichever comes first, subject to paragraphs (1)-(3) of this subsection. The public school district where a student resides is responsible for providing special education and related services to a student whose parents choose dual enrollment. (1) The student's ARD committee shall develop an individualized education program (IEP) designed to provide the student with a FAPE in the least restrictive environment appropriate for the student. (2) From the IEP, the parent and the district shall determine which special education and/or related services will be provided to the student and the location where those services will be provided, based on the requirements concerning placement in the least restrictive environment set forth in 34 CFR, §§300.114-300.120, and the policies and procedures of the district. (3) For students served under the provisions of this subsection, the school district shall be responsible for the employment and supervision of the personnel providing the service, providing the needed instructional materials, and maintaining pupil accounting records. Materials and services provided shall be consistent with those provided for students enrolled only in the public school and shall remain the property of the school district.</p>

Key Elements	References
	<p>TEA/DARS-ECI Early Transition MOU, Natural Environment/LRE (TEA [Part B] column, p. 26, 4th bullet) For students served under the dual enrollment provision, the LEA shall be responsible for employment and supervision of the personnel providing the service, providing the needed instructional materials, and maintaining pupil accounting records. Materials and services provided shall be consistent with those provided for students enrolled only in the LEA and shall remain the property of the LEA.</p> <p>Part B SPP, FAPE in the LRE, Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p>
<p><input type="checkbox"/> 27. Children who are referred by ECI prior to age 3 and who are found eligible for Part B PPCD services have IEPs developed and implemented by their 3rd birthdays. The LEA makes services available to eligible children on their third birthday. [R]</p>	<p>34 CFR §300.101 FAPE. (b) <i>FAPE for children beginning at age 3.</i> (1) Each State must ensure that- (i) The obligation to make FAPE available to each eligible child residing in the State begins no later than the child's third birthday; and (ii) An IEP or an IFSP is in effect for the child by that date, in accordance with Sec. 300.323(b).</p> <p>34 CFR §300.124 Transition of children from the Part C program to preschool programs. (b) By the third birthday of a child described in paragraph (a) of this section, an IEP or, if consistent with §300.323(b) and section 636(d) of the Act, an IFSP, has been developed and is being implemented for the child consistent with §300.101(b)</p> <p>34 CFR §300.323 When IEPs must be in effect. (c) <i>Initial IEPs; provision of services.</i> Each public agency must ensure that- (2) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child's IEP.</p> <p>19 TAC §89.1035 Age Ranges for Student Eligibility. (a) Pursuant to state and federal law, services provided in accordance with this subchapter shall be available to all eligible students ages 3-21. Services will be made available to eligible students on their third birthday.</p> <p>DARS-ECI Early Transition MOU, Transition Process (TEA [Part B] column, p. 7, 3rd paragraph) Services are made available to students on their 3rd birthday.</p> <p>TEA/DARS-ECI Early Transition MOU, IFSP/IEP Process (TEA [Part B] column, p. 18, 1st paragraph) The ARD committee must develop the IEP for each eligible special education student and services must be made available to eligible students on their 3rd birthday.</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>
<p><input type="checkbox"/> 28. The LEA provides a copy of the evaluation report, the documentation of determination of eligibility, and the IEP to the parent at no cost. [R]</p>	<p>34 CFR §300.306 Determination of eligibility. (a) <i>General.</i> (2) The public agency provides a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.</p> <p>34 CFR §300.322 Parent participation. (f) <i>Parent copy of child's IEP.</i> The public agency must give the parent a copy of the child's IEP at no cost to the parent.</p>

	Key Elements	References
<input type="checkbox"/>	29. The LEA suggests appropriate resources and/or services within the community for families whose children do and do not qualify for special education services. [S]	TEA/DARS-ECI Early Transition MOU , Eligibility (Eligibility Guidance, p. 17, 3 rd bullet) Regardless of the child’s eligibility for services under Part B, local ECI programs and LEAs should inform parents about, or refer parents to, other community resources that may be appropriate for the family and child.
<input type="checkbox"/>	30. The LEA collaborates with the local ECI program to develop a system for gathering data from families regarding the transition process (e.g., satisfaction survey, questionnaire, interview focused on evaluating the transition process, etc.). [S]	TEA/DARS-ECI Early Transition MOU , Transition Process (Transition Process Guidance, p. 11, 3 rd bullet) Parents should be given the opportunity to evaluate the transitions from the local ECI to the LEA. A parent satisfaction survey completed by the parent after the ARD meeting is one way to collect data on the parent perspective of the transition process. In order to ensure that appropriate decisions were made, the local programs could collaboratively develop a follow up survey to be completed by families 3 to 6 months after the IEP has been implemented. The information collected through surveys should be shared between the LEA and the local ECI program as one piece of evaluation data on the early transition process.
<input type="checkbox"/>	31. The LEA and the local ECI program have a system for gathering data from staff regarding the transition process (e.g., satisfaction survey, questionnaire, interview focused on evaluating the transition process, etc.). [S]	
<input type="checkbox"/>	32. The LEA has a process for sharing information gathered from evaluation of the transition process with the local ECI program staff. [S]	TEA/DARS-ECI Early Transition MOU , Transition Process (Transition Process Guidance, p. 11, 3 rd bullet) Parents should be given the opportunity to evaluate the transitions from the local ECI to the LEA. A parent satisfaction survey completed by the parent after the ARD meeting is one way to collect data on the parent perspective of the transition process. In order to ensure that appropriate decisions were made, the local programs could collaboratively develop a follow up survey to be completed by families 3 to 6 months after the IEP has been implemented. The information collected through surveys should be shared between the LEA and the local ECI program as one piece of evaluation data on the early transition process.
<input type="checkbox"/>	33. The LEA and the local ECI program work together to respond to the evaluation data regarding transition by making appropriate changes. [S]	TEA/DARS-ECI Early Transition MOU , Transition Process (Transition Process Guidance, p. 11, 3 rd bullet) Parents should be given the opportunity to evaluate the transitions from the local ECI to the LEA. A parent satisfaction survey completed by the parent after the ARD meeting is one way to collect data on the parent perspective of the transition process. In order to ensure that appropriate decisions were made, the local programs could collaboratively develop a follow up survey to be completed by families 3 to 6 months after the IEP has been implemented. The information collected through surveys should be shared between the LEA and the local ECI program as one piece of evaluation data on the early transition process.
<p>Tip from the field: “We send a birthday card to the child for his or her 3rd birthday. Inside the card is a postcard that is stamped and self-addressed to my office. On the postcard is a survey for the family to complete about the transition process. The survey has three yes-no type questions and five open-ended statements so the family can tell us how the transition went for them and give us any suggestions to improve the process. We ask them to mail the postcard with the completed survey back to us. We’ve had really good luck in getting the postcards back, and they LOVE the birthday cards! “ “The way we get ECI and LEA staff feedback about transition is each year when we get together to review and update our transition MOU we talk about things that are going well and things that need to be changed.” [S]</p>		

	Key Elements	References
☐	34. LEA staff is informed and implements the federal requirement that children who have participated in ECI services and who are determined eligible for Part B preschool services experience a smooth and effective transition. [R]	<p>34 CFR §300.124 Transition of children from the Part C program to preschool programs. The State must have in effect policies and procedures to ensure that—</p> <p>(a) Children participating in early intervention programs assisted under Part C of the Act, and who will participate in preschool programs assisted under Part B of the Act, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9) of the Act</p> <p>Part B SPP, Effective Transition, Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>
☐	35. The LEA and the local ECI program have developed a collaborative written agreement for the transition process from ECI to the LEA. [S]	<p>34 CFR §300.124 Transition of children from the Part C program to preschool programs. The State must have in effect policies and procedures to ensure that—</p> <p>(a) Children participating in early intervention programs assisted under Part C of the Act, and who will participate in preschool programs assisted under Part B of the Act, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9) of the Act</p>
<p>Tip from the field: “We have ‘cookie time’ with people from our local ECI program. We meet with folks from ECI every 3 months and talk about how many kids will be transitioning out of ECI within the next 9 months. ECI tells us if they have any newly enrolled children who are between 28 to 33 months or 34 to 35 months so we can get ready for them possibly transitioning into PPCD. We make tentative plans for transition conferences (that is, if the parents want to have them), and we talk about any special arrangements we will need to make for the upcoming evaluations.”</p> <p>“Other topics that come up during our cookie time meetings are things like any problems we have had or that we anticipate with transition, community events that we collaborate on, child find issues, if paperwork was sent and received, things like that. Oh, the reason we call it ‘cookie time’ is we have snacks during our meetings! We eat ‘n meet!”</p>		

Acronyms

AI	Auditory Impairment	LEA	Local Educational Agency
ARD	Admission, Review, & Dismissal	LRE	Least Restrictive Environment
CFR	Code of Federal Regulations (Federal Regulations for IDEIA)	MOU	Memorandum of Understanding
DARS	Department of Assistive and Rehabilitative Services	OSEP	Office of Special Education Programs
ECI	Early Childhood Intervention	PPCD	Preschool Program for Children with Disabilities
EIS	Early Intervention Specialist	RDSPD	Regional Day School Program for the Deaf
ESY	Extended School Year	SC	Service Coordinator
FAPE	Free Appropriate Public Education	SEA	State Educational Agency
FIE	Full and Individual Evaluation	SPP	State Performance Plan
FIIE	Full and Individual Initial Evaluation	TAC	Texas Administrative Code (Commissioner’s Rules and State Board of Education Rules)
IDEA	Individuals with Disabilities Education Act (2004)	TEA	Texas Education Agency
	Part B contains mandates for students with disabilities age 3 through 21 years	TEC	Texas Education Code (State Law)
	Part C contains mandates for infants and toddlers from birth through age 2	USC	United States Code (Federal Law)
IEP	Individualized Education Program	VI	Visual Impairment
IFSP	Individualized Family Service Plan		

Definitions of the above terms are in the State level TEA/DARS-ECI Early Transition Memorandum of Understanding (pages 34-38) available at the following website:
<http://www.tea.state.tx.us/special.ed/mou/etmou.html>

Resources

IDEA Part B	http://www.tea.state.tx.us/special.ed/rules/cfr.html
IDEA Part C	http://www.access.gpo.gov/uscode/title20/chapter33_subchapteriii_.html
The State Board of Education (SBOE) Rules for Special Education	http://www.tea.state.tx.us/special.ed/rules/sboe.html
The Commissioner's Rules Concerning Special Education Services	http://www.tea.state.tx.us/special.ed/rules/comm.html
Texas Education Code	http://tlo2.tlc.state.tx.us/statutes/ed.toc.htm
TEA/DARS-ECI Early Transition MOU	http://www.tea.state.tx.us/special.ed/mou/etmou.html
DARS-ECI/TEA AI/VI MOU	http://www.tea.state.tx.us/special.ed/mou/pdf/aivimou.pdf
DARS-ECI/TEA AI/VI MOU: "Frequently Asked Questions"	http://www.tea.state.tx.us/special.ed/mou/pdf/aivifaq.pdf
"Legal Framework for the Child-Centered Special Education Process"	http://framework_esc18.net/
TEA Guidance for Private School Placement	http://www.tea.state.tx.us/special.ed/private/
ECI State Policy Manual	http://www.dars.state.tx.us/ecis/providers/policymanual.shtml
<i>Beyond ECI</i> available on ECI's website at:	http://www.dars.state.tx.us/ecis/publications/EngTransition.pdf (English version) http://www.dars.state.tx.us/ecis/publications/SpanishTransition.pdf (Spanish version)
<i>Beyond ECI</i> available on TEA's website at:	http://www.tea.state.tx.us/special.ed/resources/e-beyondeci.pdf (English version) http://www.tea.state.tx.us/special.ed/resources/s-beyondeci.pdf (Spanish version)