Interagency Agreement
Related To Early Childhood Special Education Services and Early Intervention Services for Children Ages Birth through Five
Between
Idaho State Department of Education
And The
Idaho Department of Health and Welfare

PURPOSE FOR THE AGREEMENT:

The purpose of this agreement is to define and clarify responsibilities of both the State Department of Education (SDE) and Department of Health and Welfare (DHW) to ensure a coordinated, comprehensive service delivery system focusing on children ages birth through five. Children, families, and communities are best served when agencies collaborate to facilitate relationships and local interagency collaboration.

The parties agree to utilize, adhere to, and implement the guidance outlined in Attachment A, the Idaho Part C and B Joint Policy Guidance on Early Transition.

The SDE serves as the lead agency at the state level for the provision of a free and appropriate public education for children ages three through five who are eligible for early childhood special education services in Idaho. The SDE also provides oversight to the agencies and programs that provide special education and related services to three through five-year-old children under Part B of the Individuals with Disabilities Education Act (IDEA 2004).

DHW serves as the lead agency at the state level for the provision of early intervention services for children from birth to age three who are eligible for said services in Idaho. DHW also provides oversight to all agencies and programs (including private contracted personnel) that provide early intervention services to the birth to age three population under Part C of IDEA 2004.

With respect to both parties and their obligations regarding the provision of quality special education and early intervention services to children and families, the SDE and DHW commit to the following:

PROVISION A: PERSONNEL DEVELOPMENT

The SDE and DHW commit to jointly determine training and technical assistance needs and to coordinate and share training and technical assistance opportunities for both agencies' personnel and their primary target audiences at local school districts and regional programs with respect to early intervention, special education, transition procedures, conflict and dispute resolution, cultural sensitivity and family centered practices.

PROVISION B: PROMOTION OF LOCAL INTERAGENCY AGREEMENTS

The SDE and DHW agree to develop, provide, and promote the use of standard templates for use by local school districts and Infant Toddler Program regional programs. These templates, see Attachment B (the Early Childhood Interagency Protocol), include a standard format that may be

developed by any combination of districts and agencies as locally determined and includes instructions that the local process should address specific local issues and be reviewed annually and updated as needed. The recommended templates delineate roles and responsibilities. The SDE will receive assurances annually from local school districts regarding the existence of local interagency protocols and will monitor these agreements through a periodic sampling procedure. The Infant Toddler Program will receive a record of the number of existing protocol as part of the Regional Annual Performance Report. Training regarding transition procedures and interagency coordination will be provided at least every three years to local school districts and regional Infant Toddler Program personnel. Training will promote the development of Interagency Protocols that align with the attached Policy Guidance and include:

- Contact information for local school district special education and regional Infant Toddler Program personnel
- Jointly scheduled and coordinated child find activities
- Procedures for the regional Infant Toddler Program to provide notification to the Local Educational Agency (LEA)
- Procedures for exchange of information
- Provisions for a team/family transition planning conference: at least 90 days and not more than 9 months prior to the child's 3rd birthday
- Transition contacts/timelines/meeting requirements
- Responsibilities for evaluations/assessments
- Determination of the use of Individualized Family Service Plan (IFSP) or Individual Educational Program (IEP) at transition
- Acceptance and use of the dispute process outlined in this agreement
- Jointly identify training and technical assistance needs and coordinate personnel development efforts

PROVISION C: TRAINING AND MONITORING REFERRAL, EVALUATION, AND JOINT IEP TEAM MEETINGS

The SDE agrees:

To provide training regarding the provisions and requirements of the IDEA 2004, Part B and to monitor the local school districts for adherence to these provisions and to the transition process outlined in the attached Idaho Part C and Part B Joint Policy Guidance on Early Transition by ensuring that all children suspected of having a disability are evaluated in a timely manner and to determine if the children are eligible for Part B services. Program monitoring will determine whether evaluations are completed, eligibility determined, and the IEP completed within 60 calendar days of obtaining parental consent for evaluation, and *prior to the child's third birthday,* for children transitioning from Part C to B.

DHW agrees:

To monitor regional programs for assurance that they initiate and follow the transition process described in the attached Idaho Part C and Part B Joint Policy Guidance on Early Transition for children younger than three who are currently served by Infant Toddler Program. DHW will also monitor regional programs to evaluate that they participate in, or conduct, evaluations as specified in the transition plan or according to the local interagency protocol or provide to the

school district existing evaluations/assessments that may be used to determine eligibility for Part B services.

PROVISION D: FAMILY PARTICIPATION

Both the SDE and DHW agree to ensure opportunities and accommodations (e.g. interpreters, translators, etc.) for family participation in all aspects of planning, policy development, training, and service evaluation. Both agencies agree to ensure that the families of toddlers and children will be included in the transition planning according to IDEA, Sec. 637(a)(9)(i). These considerations will also be promoted for inclusion in the development of local transition protocols.

PROVISION E: DISPUTE RESOLUTION

Both agencies agree to resolve disputes that arise related to policy or state level system issues related to the transition from early intervention services to early childhood special education services, in a non-adversarial manner and to ensure that policies support and promote continuity of services to children and families, by using the following process to resolve interagency disputes:

1. An individual or agency with a concern will first use the agency's internal procedures to address the concern. Technical assistance to clarify the intent of the agreement may be sought from the SDE Special Education Division or DHW Infant Toddler Program.

2. If resolution is not achieved at the previous level, the issue and all relevant information will be forwarded to the Director of Special Education at the SDE and the Program Manager of Infant Toddler Program. The dispute will be reviewed and discussions will be held between the DHW Infant Toddler Program Manager and the Special Education Director, to reach a consensus decision. If these parties cannot agree, the parties will obtain the services of a trained mediator, pursuant to existing agency dispute resolutions policies, to assist in resolving the dispute and generating a mediation agreement within 30 days. Provisions of the mediation agreement will be addressed in the next renewal of this interagency agreement.

3. Any mediation agreement will be forwarded to the State Superintendent of Public Instruction and the DHW Division Administrator for Family and Children's Services

4. All steps of the dispute resolution process must be completed no later than 45 calendar days after the issue is referred to either agency.

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GENERAL PROVISIONS:

The provisions of this agreement may be extended, modified, or changed upon a written amendment signed by both parties, and such amendment when so signed, will become a part of this agreement. This agreement becomes effective on the date signed by all parties. The agreement is automatically renewed on July 1of each year unless either party requests a review of the agreement prior to June 1. Either party may terminate this agreement with a 30 day notice to the other party.

Signatures:

By: Luna Willits Chief of staff Date: 7-19-12

Tom Luna
State Superintendent of Public Instruction

AMS

By: Date: 7-30-12

Richard M. Armstrong
Director, Idaho Department of Health & Welfare

Idaho Parts C and B Joint Policy/Guidance On Early Childhood Transition [1]

A. Overview

Transitions are times of change or modification in services or personnel for children and families. A significant transition occurs when a child reaches age three (3) and the child and family is no longer eligible for early intervention services under the Infant Toddler Program. Upon reaching age three (3), a child may be eligible for services through the local educational agency (LEA). Planning for transition is an ongoing interagency process that explores options and provides information, support, and linkages to new situations and services. Joint planning between agencies is necessary to ensure a smooth and effective transition for children and their families.

Discussions about transition from the early intervention system will begin at the IFSP meeting closest to the child's second (2nd) birthday to help prepare the family and allow time to coordinate between agencies. Transition activities that need to be accomplished by The Infant Toddler Program prior to age three include the following:

- Orient the family to the concept of transition, the transition process, and possible community resources for when the child turns three (typically this occurs on an ongoing basis between 2 years 3 months of age and 90 days prior to age 3 (except for late referrals between 89 and 46 days prior to the 3rd birthday).
- Assist the family to review the child's program options that will be available at age three. Options will vary depending upon child's age, geographic location, unique interests/resources and capabilities of the child and family. Sharing information about a variety of community partners is encouraged- including HS, child care centers, private preschool, community groups, or LEA preschool, etc.
- Develop a transition plan as part of the IFSP nearest 2 years 6 months of age that includes the steps and services to ensure a smooth transition to LEA preschool special education or other community services as appropriate.
- Make a referral to the receiving agency.
- Schedule a transition conference with the receiving agency with parent approval.

Transition activities that need to be accomplished by Part B for children who are referred to Part B by Infant Toddler Program to determine eligibility for preschool special education services and to ensure that IEP can be developed and implemented by the child's third birthday include the following:

- Provide information to family about Part B when notification is received
- Participate in the transition conference and provide parents at the conference with information about LEA preschool services
- Obtain consent from the parent for initial evaluation

[1] The joint policy decisions in this document are based on policy issues identified by stakeholders at the Early Childhood Transition Meeting in March 2008 and discussions among the working team. Infant Toddler Program also had input from a small group of stakeholders in making some of the decisions.

- Review Infant Toddler Program's and other existing information to identify additional data needed to determine whether the child is eligible for Part B services
- Conduct initial evaluation and determine eligibility within state timelines
- Invite ITP service coordinator to IEP meeting, if parent requests
- Conduct IEP meeting, develop IEP, and receive consent for initial placement from parent

Transition issues may include the shift from one service system to another, differences in eligibility requirements, new demands for child participation, differing expectations for child behavior and "readiness", new types and levels of staff involvement and training, and philosophical shifts in intervention models. Careful and thoughtful joint planning by the local early intervention program and the local school district (LEA) will promote smooth and coordinated movement between programs and services.

B. Notification to State Educational Agency (SEA) and Local Education Agency) (LEA)

Under Part C of IDEA, the Infant Toddler Program is responsible for notification to the State Department of Education (SEA) and a Local Educational Agency (LEA)/School District for potentially eligible children who are at least 2 years 6 months of age. Parental consent is not required for this notification; notification will be provided on all potentially eligible children, even if a parent is uncertain or not interested in pursuing Part B eligibility or services.

Notification to the SEA and LEA of <u>children who are potentially eligible</u> for Part B services at age three is required in accordance with IDEA. This information about potentially eligible children will be used for planning within the LEA and for measurements of Annual Performance Report (APR) Part C Indicator 8b and Part B Indicator 12a.

a. The Infant Toddler Program will provide a list of all potentially eligible children reaching 2 years 6 months of age, including the child's name, date of birth, and parent contact information (names, addresses and telephone numbers) to each school district and to the State Department of Education on a monthly basis. This may also include the service coordinator's name and contact information and the language(s) spoken by the child and family to further assist the LEA in meeting the child find responsibilities.
Some children with significant involvement may require intensive transition planning; In these instances, it may be necessary and is appropriate to provide notification as early as 2 years 3 months of age.

b. This limited child find information may be provided electronically or in hard copy to the LEA according to the interagency agreement. Some programs that partner with districts serving small numbers of children may send individual letters as needed rather than a monthly list. This notification <u>is</u> a referral for Part B services.

c. *To Accomplish Notification to the SEA (State Department of Education), an electronic copy of the list of all potentially eligible children will be sent to the 619 Coordinator at the SDE on a monthly basis. The subject line should contain the DHW Region number, the month the notifications apply to. Please attach individual documents for each district being reported . This notification will be emailed to the following address: <u>InfantToddlerNotification@sde.idaho.gov</u>*

c. **The following definition of "potentially eligible" will be used:**

A child ***is potentially eligible*** and should be referred to the LEA for transition planning and a Referral to Consider Special Education Evaluation if they meet the following conditions:

- Child is over age 2.6 (or in some instances, as early as 2 years 3 months) and is eligible for Early Intervention services, and
- Child is eligible for Part C under the category of "Developmental Delay" (DD), or
- Child is eligible for Part C under the category of "Established Condition" (EC) with exception of the following subcategories which have a low likelihood of impacting the child's educational performance and require an individual review and determination of potential eligibility:
  - Premature Infant under 32 weeks Gestational Age
  - Premature Infant with Environmental Risk Factors
  - Medically Fragile Condition

A child ***is NOT potentially eligible*** and should NOT be referred to the LEA for transition planning and a Referral to Consider Special Education Evaluation if they meet the following conditions:

- Child is over age 2.6 (or in some instances, as early as 2 years 3 months) and has an active IFSP, and
- Child is eligible for Part C services under the category of "Informed Clinical Opinion" (ICO).

d. After notification, the LEA will do the following:

i. Make contact with the family and
   - Provide notice of procedural safeguards.
   - Provide written information about the Part B and early childhood special education services. This information may be provided in person at a transition conference or by mail.

ii. Complete the appropriate referral and evaluation responsibilities according to Section E & F below.

C. Development of IFSP Transition Plan

In Idaho, discussion about the upcoming transition from Infant Toddler Program to other services will begin during the IFSP meeting nearest the child's 2nd birthday. At the IFSP meeting nearest 2.6 years of age, the team is responsible for developing the transition plan as part of the IFSP. The transition plan must include steps and services needed to support the transition of the child and family to preschool special education or other appropriate services. This planning must address the following:

- Discussions with parents regarding a transition conference that occurs no later than 2 years 9 months of age, future placement options, and the potential benefits of participation in early childhood learning programs;
- Procedures to prepare the child and family for changes in service delivery, including steps to help the child adjust to and function in a new learning environment; and

- If appropriate, plans for transmitting information about the child to the LEA to ensure continuity of services. With parental consent, information to be shared may include evaluation and assessment information and copies of IFSPs.
- Options available from the child's third birthday through the remainder of the school year.

The transition plan is revised at subsequent IFSP meetings and/or the transition conference as appropriate.

D. Transition Conference to Discuss Services

The purpose of the transition conference is to introduce the child/family to program or service options the child may access after age three. Unless the parent requests otherwise, the Infant Toddler Program agency is required to invite an LEA representative to the transition conference for those children that are "potentially eligible" for Part B services.

The transition conference takes place as part of an IFSP meeting and must be held at least 90 days before the child turns 3 (and at the discretion of all parties, up to 9 months before their third birthday). The transition conference typically occurs between 2 years 6 months and 2 years 9 months years of age. However, for children with complex needs or those requiring more time, it can be scheduled as early as 2 years 3 months of age. Timing will vary according to local protocol and the unique needs of the family.

Transition planning should occur for all children exiting the early intervention system. If a child with a disability is not potentially eligible, reasonable efforts should be made to hold a conference to discuss other appropriate service the child may receive.

Cross-agency planning may require sharing specific and personally identifiable information about a child (such as the most recent evaluations or medical diagnosis reports) with people outside the early intervention system. The ITP service coordinator must obtain written consent from the parent prior to exchange or release of information about their child.

All families are routinely provided written information about Part B services by their ITP service coordinator. If a parent <u>is not</u> interested in Part B services, or does not provide consent to share evaluation and service information with the LEA, transition planning will proceed without participation of the LEA. However, the LEA must still provide information to these families as specified above in Level 2(c).

If the family <u>is</u> interested in receiving early childhood special education services in their local school district, the Infant Toddler Program staff will prepare a written invitation to a transition conference and provide it to the parent, school district staff, early intervention providers, and others as requested by the family.

For a toddler who may be eligible for services under Part B, the conference includes the lead agency, the family of the toddler, and the LEA. For a toddler who is not potentially eligible, the conference includes the lead agency, the family of the toddler, and providers of other appropriate services.

Prior to the conference, the ITP service coordinator will share information about the child with school district staff as negotiated through the Interagency Protocol and specified in the Consent to Release Information form signed by the parent (i.e. the most recent evaluations and reports). This information will assist the LEA in determining whether or not a child is suspected of having a disability under Part B.

The LEA is required to participate in the transition conference; however if the LEA does not participate in the conference, the Infant Toddler Program must still hold a transition conference at least 90 days (and at the discretion of all parties, up to nine months) prior to the child's third birthday and must have invited the LEA representative to the conference.
The meeting may also include other providers such as Head Start (if the local program grant allows for service provision to 3 yr olds), Idaho Educational Services for the Deaf and Blind and other community programs/resources the family is currently involved with or is interested in accessing.

The following activities must occur at the transition conference:

- With written parental consent to release information, review existing evaluation and service information that are reflective of the child's current development and performance.
- Provide information about Part B preschool services (including a description of the Part B eligibility definitions, state timelines and process for consenting to an evaluation and conducting eligibility determinations under Part B, and the availability of special education and related services
- Review the child's options from the child's third birthday through the remainder of the school year.
- Determine whether the forms titled *Referral to Part B for Special Education Evaluation* and *Consent for Assessment* are appropriate.

The following may occur at the transition conference:

- Coordinate activities between the family and receiving agency, such as making arrangements to share information, meet the teacher, explore the classroom
- Modify the IFSP to address specific steps/actions needed to assure child and family are well prepared to be successful in the new location (orient to new environment and activities, riding bus, etc., review AT needs and update if necessary, work on needed skills such as separation, participation in group, following directions, etc.)
- Assure that parents have received and understand their rights and protections under Part B (prior notice and parent consent requirements under 34 CFR 300.504-300.505).
- If appropriate, complete referral forms (Part B Form 330a, Referral to Consider Special Education Evaluation), review existing evaluation/assessment information, obtain consent for initial evaluation, and determine eligibility for Part B. These tasks may also occur in subsequent meetings. (See the Sections E-Referral and F-Evaluations and Eligibility Determination below)

E. Referral to Part B Preschool Special Education Services

If the child will be/is referred to the LEA to determine eligibility for Part B services, both Infant Toddler Program and the LEA must complete certain activities.

The Infant Toddler staff or Service Coordinator must get written parental consent to release information (use form HW0322 Authorization for Disclosure). Then the following documents will be compiled and included in a referral packet:

- Signed "consent to release information"
- Existing ITP evaluations/assessments, including specific test/cut off scores when available
- Current IFSP

The LEA must:

- Review or complete a *Referral to Consider a Special Education Evaluation form.*
- Provide the parent a copy of the *Procedural safeguards Notice* and discuss and explain their importance.
- Afford the parent an opportunity to provide input regarding the need for and scope of the initial evaluation.
- Review all available information and records, including family and health history, and previous assessments and evaluations conducted if parental consent for release of information has been obtained by Infant Toddler Program (use form HW0322 Authorization for Disclosure).
- Decide what additional information, if any, is needed. If additional assessments are needed, parental consent must be obtained by the LEA and written notice provided to the parent. This review and determination process can take place at a face-to-face meeting of the evaluation team or through an alternate format, unless the parent desires that a meeting be held.
- If the child is determined eligible, the IEP must be developed and implemented by the child's 3rd birthday.
- If the team determines that the student is not eligible for Part B services, the team should seek other avenues for services to meet any identified needs. **Written notice of the district's decision** shall be provided to the parent.

<u>Unique Circumstances</u>: Late Referral to Infant Toddler Program , Late Referrals to Part B from ITP , and Summer Birthdays

1. ***"Late Referral" to Infant Toddler Program*** – For children who are referred to ITP late (after 2 years 6 months of age), different procedures will be followed in making transition based upon the child's age when referral occurs.

a. Children referred to Infant Toddler Program between 2 years 6 months and 2 years 9 months of age - Children who are referred to ITP between 180 days and 90 days prior to the child's third birthday must have the following activities completed by the Infant Toddler Program:

   i. Evaluation and assessment and eligibility determination
   ii. If eligible, an IFSP outlining the services required, including a strong focus on steps and services necessary to effectively transition the child and family into the next learning environment at age 3
   iii. Notification of children who are potentially eligible is provided to the SEA and LEA as soon as possible after IFSP is completed. This will ensure that the LEA has sufficient time to complete the initial evaluation for eligibility within the required timelines and develop an IEP by the child's third birthday. (Please see section B, *Level 2b* for definition of potentially eligible.)
   iv. A Transition Conference prior to 90 days before the child's third birthday. For children referred close to 90 days before the child's third birthday, the transition conference should be held at the initial IFSP meeting. (See *D. Transition Conference* above for more information about Transition Conference requirements).

LEA must complete all responsibilities related to the initial evaluation for determining Part B eligibility and IEP Development (For more detail, see section *F, Evaluation and Eligibility for Part B,* and section *G, IEP Development*).

b. Children referred to Infant Toddler Program between 2 years 9 months and 2 years 10.5 months of age - Children who are referred to ITP between 90 and 45 days prior to the child's third birthday may have simultaneous eligibility determinations made for Part C and Part B. The following activities must be completed:

   i. Infant Toddler Program informs the family about early intervention services ending at age 3 and provides the SEA and LEA notification of a potentially eligible child at the same time they are initiating services through the Infant Toddler Program. This will assist the LEA to complete the initial evaluation for eligibility determination within the required timelines.

   ii. Evaluation/assessment and eligibility determination are completed for ITP and Part B according to local interagency protocol agreements. (Note: The LEA is responsible for completing all responsibilities related to the initial evaluation for determining Part B eligibility and IEP development by age three. For more information, see section F, *Evaluation and Eligibility for Part B* and section G, *IEP Development*.)

   iii. If child is eligible for Part C services, an IFSP is developed. The plan will include outcomes that focus on skill development, activities geared to preparing the child/family for success in the next program setting, and steps and services required to effectively transition the child into the next learning environment at age 3 (e.g., transition plan).

For children who are also found eligible for Part B, the initial IFSP meeting may be held in conjunction with the initial IEP meeting to ensure that both Part C and B timelines can be met. To minimize unnecessary plan development and to ensure compliance with Part C and Part B requirements and timelines, **a supplement to the IEP may be completed by Infant Toddler Program staff in lieu of development of a full IFSP**. At a minimum, this supplement will address the child's service needs, contain steps and services to support transition (a transition plan), and outline needed service coordination activities.

c. Children referred to Infant Toddler Program between 2 years 10.5 months of age and the child's third birthday - If ITP receives a referral on a child extremely late (within 45 days of the child's third birthday) the child will be referred immediately to Part B using whatever information is available on the child (e.g., basic demographic information). The child will not have a Part C evaluation or IFSP developed. For these children, the LEA treats them as new referrals and not children transitioning from Early intervention and as a result Part B is not required to develop an IEP prior to the child's third birthday. All requirements related to conducting an initial evaluation for eligibility determination including timelines, must be met.

2. **Late Referrals to the LEA from Infant Toddler Program -** ITP is required to provide timely notification of potentially eligible children to Part B and convene a transition conference at least 90 days before the child's third birthday for children who were referred to ITP more than 90 days before the child's third birthday. In the event ITP fails to do so, the LEA is responsible for ensuring that an initial evaluation under Part B is completed and, if the child is determined eligible under Part B, an IEP is developed and implemented by the child's third birthday, even if the 60 day timeline for conducting an initial evaluation expires after the child's third birthday. It is the responsibility of both the Infant Toddler Program and the LEA to work collaboratively to ensure children who are potentially eligible for Part B receive timely transitions.

3. **Summer birthdays –** State rules specify that school districts are not required to provide services when school is not in session for greater than 5 days. As a result, timing around transition planning for children who turn age three during the summer months must be adjusted to assure the transition can be completed in an effective manner. It is critical that agencies work together to ensure that there is timely notification of potentially eligible children (referral to Part B) and transition conferences to ensure that Part B eligibility determination can occur and IEP is developed prior to end of the school year.

   The requirement for eligibility to be determined and an IEP developed for the child prior to their third birthday remains in place. The LEA remains responsible for assuring appropriate information/evaluations are available to determine Part B eligibility and have an initial IEP or modified IFSP developed prior to age three.

   Options include:

   - prior to the summer months, develop the initial IEP and amend if necessary when school is in session.

- prior to the summer months, modify the IFSP to serve as the IEP throughout the summer and complete an IEP once school is in session
- determine if the child is in need of extended school year services under Part B. The Local Interagency Protocol will define the process between agencies to share data needed to determine ESY eligibility. For more details, see Section G, *IEP Development.*

Infant Toddler Program transition plans should explore other community options available to children for the summer months.

F. Evaluation and Eligibility for Part B

The LEA is responsible for making decisions regarding evaluation, assessments and eligibility for Part B, not Infant Toddler Program staff. However, Part C and Part B staff should make use of and align available assessment/test information (i.e. test or cut off scores) needed for meeting eligibility criteria and to avoid duplication of efforts and additional time for assessment.

Evaluation refers to the procedure used to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs.

Assessment is integral to the evaluation process and includes the formal or informal processes of systematically observing, gathering, and recording credible information to help answer evaluation questions and make decisions. Assessments and data may include standardized or non-standardized, criterion-referenced (e.g. curriculum-based measures), observations, interviews, medical reports, etc. LEA is responsible for ensuring the following:

- The evaluation team includes the same membership as the individualized education program (IEP) team, although not necessarily the same individuals. Membership must include at least the parent, district administrator, special education teacher, general education teacher, individual who can interpret implications of evaluation results and other individuals who have knowledge or special expertise regarding the child.

- Written notice is provided and informed written consent is obtained for an initial evaluation to determine eligibility for Part B services (even if no new assessments are being conducted).

- The initial evaluation is comprehensive and consists of procedures to determine whether the child has a disability according to the established Idaho eligibility criteria; the child's condition adversely affects academic performance; and whether the student needs special education and related services.

- Eligibility for Part B services can be determined at a transition meeting or at an eligibility/IEP meeting, if sufficient information is available and if required team members participate.

- Assessment data is reviewed with the parent, eligibility is determined and parents are given a copy of the Eligibility Report (Form 380).

- According to Idaho Code, the timeline between receiving written consent for initial assessment and determining eligibility cannot exceed 60 calendar days, excluding periods when regular school is not in session for five or more consecutive school days. LEA's then have 30 days to complete and implement the IEP, also excluding periods when regular school is not in session for five or more consecutive school days.

- Early Childhood Outcome entry data is reported accurately and in a timely manner. Infant Toddler Program exit outcome data can be used for Part B entry outcome data, if available and accurately reflects the child's current performance ITP and Part B should coordinate the collection and sharing of outcome data in a timely manner to minimize duplication of efforts. If the child has participated in Early intervention for at least 6 months, ITP should provide the LEA a copy of the completed Child Outcome Summary Form as soon as possible and no later than 30 days after the child turns three. (Please note: This process could also be reversed so Part B intake evaluations and ECO scores are used by Infant Toddler Program to inform ITP exit ECO scores).

G. IEP Development

The LEA is responsible for developing an Individualized Education Plan (IEP) for all children who received services under Part C and have been determined eligible under Part B prior to the child's 3rd birthday.

- The IEP may be developed at a transition planning meeting (if all required IEP members are in attendance and procedural safeguards requirements have been met) <u>or</u> at another meeting prior to the child's third birthday. The meeting to develop the IEP shall be held at least within 30 days of a determination that the student is eligible and needs special education and related services.

- The **IEP team** must include at least the parent, district administrator, special education teacher or service provider responsible for implementing the IEP, general education teacher, individual who can interpret implications of evaluation results and other individuals who have knowledge or special expertise regarding the child. A Part C representative will also be a member of the initial IEP team, if requested by the parent.

- Parents shall be informed of their right to invite ITP representatives to the initial IEP meeting.

- The IEP team, including the parent, will develop an IEP or accept the IFSP, which includes the IEP components. The district must consider the IFSP content, but are not required to use it as an IEP. If the district and parent agree to use an IFSP as the initial IEP, the district shall provide the parent with a detailed explanation of the differences between an IFSP and an IEP and obtain written consent. If the IFSP will serve as the initial IEP, the additional IEP components that must be included are transportation, statewide testing, ESY, LRE, annual goals, special considerations, etc.

- The IEP/IFSP team, including the parent, will review all service and placement options after annual goals are selected. Placement discussion should be centered on the least

restrictive environment in which the goals can be addressed with supports and accommodations. The LEA, considering information from the ITP, must also determine the need for Extended School Year Services (ESY). The Local Interagency Protocol will define the process between agencies to share data needed to determine ESY eligibility. For more details, see Section G, *IEP Development.*

- The LEA shall obtain **parental Consent for Initial Placement** in Part B services.

H. Provision of Services

The school district must determine eligibility, have the IEP developed, and have services implemented according to the start date on the IEP (or IFSP if the parent agrees to adopt the IFSP) by the child's third birthday to ensure that the child does not lose services as a result of the transition.

- When a child who is eligible for Part B turns three between September and May, the child will transition into the local school districts Part B program at age three.
- If the child's third birthday occurs during the summer, the IEP team must consider the date when the services under the IEP will begin. The IEP team determines if ESY services are required and if no ESY services are needed, the date of initiation of services may be at the beginning of the school year and the IEP is considered "implemented" by the child's third birthday.

Early Childhood Interagency Protocol Instructions

This Early Childhood Interagency Protocol boilerplate outlines the minimal topics that should be addressed through annual joint planning between the Infant Toddler Program's Part C service delivery system (Regions) and the Local Educational Agencies (LEA or school district) serving children under Part B of the Individuals with Disabilities Education Act (IDEA).

Regions and districts will jointly review and update this content at least annually. The LEA will initiate annual document review and will submit an assurance of completion to the State Department of Education with their IDEA Part B and Preschool application in the fall of each year. Submission of the completed protocol will be required by 10% of districts annually for verification purposes.

Sections in italicized text outline minimum Federal and State policy requirements and may not be modified.

Text using Ariel font and formatted in boxes contains potential options and negotiation points and may be modified as agreed between the participants. *Regions and districts may insert other jointly- agreed upon options for collaboration in any of the boxed fields. In addition, regions and districts may supplement this document with additional topical areas as needed.*

All additions must be consistent with IDEA Part C and Part B regulations and support the goal of effective system collaboration promoting efficient, seamless service provision to eligible children and their families.

Early Childhood Interagency Protocol, Attachment B

This Interagency Protocol represents a negotiated agreement between the following organizations:

School District # _____	Infant Toddler Program, Region _____
Address	Address
Effective Dates: _____, 20____ to _____, 20 ____ Effective Dates: _____, 20____ to _____, 20 ____	

Section A.

The parties recognize that transition is an ongoing, interagency process that explores options and provides information, support, and linkages. Joint planning between agencies is necessary to ensure a smooth and effective transition for children and their families.

To facilitate smooth transitions and to assure compliance with Federal and State regulations, the parties agree to abide by the terms outlined in the State Interagency Agreement. In addition they agree to utilize the guidance in the Idaho Special Education Manual and the Infant Toddler Program Implementation e-Manual and the Idaho Parts C and B Joint Policy/Guidance on Early Childhood Transition.

Exchange of Information

Confidential information will be exchanged between agencies according to HIPAA, FERPA, and IDEA regulations and agency protocols.

Community Resources/Contact Personnel:

Agency	Name	Phone	Email:_____
District #			
IT Program			
Other			

Child Find Local Screening Activities

Screening is intended to identify children who may have a developmental delay or who would benefit from early intervention services or Special Education.

The Infant Toddler Program and local school district may agree to cooperate and share staff/facilities/and other resources as necessary to carry out Child Find and related screening/evaluation activities.

Will the School District & Infant Toddler Program conduct separate or joint child find screening activities? _____ Separate _____ Joint
If joint, specify known details (e.g. dates, frequency, location, primary organizer, etc.):

B. Notification to State Educational Agency (SEA) and Local Educational Agency (LEA)

The Infant Toddler Program must provide notification to the SEA, which in Idaho is the State Department of Education and to the LEA (Local Educational Agency/School District) where the child lives.

Notification means the child is 2.6 years of age (or in some instances, between 2.3 and 2.9 years) and is potentially eligible for Part B LEA services at age three.

To accomplish this notification, the Infant Toddler Program will provide the SEA and LEA the parent's, child's, and service coordinator's name and contact information, the child's date of birth, and the family's primary language.

Please note: This Notification is a referral of potentially eligible children and requires specific follow-up activities by the LEA.

For children who enter Part C services after 2 years 6 month and prior to 45 days before age 3, written notification of the child will be provided to the SEA and LEA as soon as possible and in accordance with requirements based on the age of the child at program entry.

To Accomplish Notification to the SEA (State Department of Education), an electronic copy of the list of all potentially eligible children will be sent to the 619 Coordinator at the SDE on a monthly basis. The subject line should contain the DHW Region number, the month the notifications apply to. Please attach individual documents for each district being reported . This notification will be emailed to the following address: InfantToddlerNotification@sde.idaho.gov

To accomplish Notification to the LEA, the Infant Toddler Program will provide the LEA:
_____ A monthly list of children to each school district.
OR
_____ Individual letters for each child as needed rather than a monthly list. (This may be more appropriate for districts serving small numbers of transitioning children.)

Please describe how Notification will be managed over the summer months when the LEA is on break:

The people listed below will be responsible for ensuring Notification is shared in a timely manner and appropriate follow-up is completed for the family.			
Agency	**Name**	**Phone/FAX**	**Email:_____**
Infant Toddler			
District # _____			

C. Development of IFSP Transition Plan

Discussion about the upcoming transition from Part C to other services will begin as the child approaches age two. At the 2.6 IFSP meeting (the meeting held in or near the month the child reaches 2 years 6 months of age), specific steps and services will be recorded to support the transition of the child and family to the LEA or other appropriate services.

D. Transition Conference for Children Approaching Age Three

The transition conference will be scheduled by the Infant Toddler Program. This may occur as early as 2 years 3 months and must be completed no later than 2 years 9 months of age. Timing of the transition conference will hinge on the unique needs of the family and the complexity of needed transition-related activities.

Transition planning should occur for all children exiting the early intervention system. If a child with a disability is not potentially eligible, reasonable efforts should be made to hold a conference to discuss other appropriate service the child may receive.

The purpose of the conference is to assist the family to review the child's program options that may be available when the child exits early intervention. Examples include Head Start, child care centers, private preschool, community groups, Part B preschool, etc.

At a minimum, the transition conference must address and accomplish the following:

- *A review of the child's program options from the child's third birthday through the remainder of the school year.*
- *Refinement of a transition plan for the child.*
- *Connection to the LEA and/or another appropriate community partner.*

The LEA must be invited to the transition conference if:

- *the family is interested in exploring services under Part B, and*
- *the family provides consent to share information, and*
- *the child is "potentially eligible" for Special Education services.*

If applicable, the following information will be provided by the Infant Toddler Program to the LEA to assist with transitional activities:

- *Existing Evaluations/Assessments*
- *Current IFSP*
- *Signed Authorization to Release/Exchange Information*

The Infant Toddler Program will arrange for interpreters or accommodations for non-English speaking families if they are needed for the Transition Conference.

Transition Contacts:

Please list the primary transition contact from each agency (if different from those listed above).

If requirements/contacts are not the same throughout the district, please list information separately for each school that has unique requirements. Also, note any contacts/requirements by school for children who need only speech services or services during the summer.

Agency	Name/Position	Phone # FAX #	Email:_____	Best Date & Time
District #				
ITP				
Schools/Programs with different contacts for summer transitions should be listed below				
District #				
IT Program				

Other information:

_____

_____

_____

E. Referral to Part B

Late Entries to Part C

Children entering Part C between 90 and 45 days prior to the child's third birthday

Children who are referred to the Infant Toddler Program between 90 and 45 days prior to the child's third birthday may have a simultaneous eligibility determination made for Part C and Part B. This will promote a smooth and timely transition to the next service delivery system and enable both agencies to meet required timelines. Joint or coordinated evaluation and plan development activities are encouraged to minimize duplication for both agencies and the families involved.

Please mark the appropriate box for children referred to ITP between 90 and 45 days (late referrals) prior to the child's third birthday. _____ ITP and the LEA will jointly evaluate/assess the child _____ ITP and LEA will each conduct separate evaluations/assessments _____ ITP will evaluate/assess the child and share results with the LEA. _____ LEA will evaluate/assess the child and share results with the ITP _____ Party responsible to complete Evaluation/assessment will be determined on a child-by-child basis.
If applicable, please document how programs will collaborate to serve this group of children regarding completion of evaluation/assessment and IFSP/IEP plan development.

Children entering Part C within 45 days of the child's third birthday

Children who are referred to IT Program within 45 days of the child's third birthday will be referred immediately to Part B using whatever information is available on the child (basic demographic information). The child will not have an evaluation or IFSP developed. The child will be counted as a "new referral with no prior Part C services" in the Part B data collection system.

Summer Birthdays

State rules specify that school districts are not required to provide services when school is not in session for greater than 5 days. However, some timeline requirements remain in effect. As a result, timing around transition planning for children who turn three during the summer months must be adjusted to assure the transition conference is held prior to age 2.9 and an IEP is in place by age three.

Please specify how children with transition conference or IEP due dates that occur during the summer will be addressed:

____ ITP will schedule the transition conference before the end of the school year for all children with Notification issued in March, April or May. (These children turn 2 years 9 months in June, July and August, respectively. This is within the LEA's summer break, to meet requirements, the transition conference must be held prior to the summer break). OR ____ Transition conferences for children with Notification issued in March, April or May (those turning 2years 9 months during the summer) will be scheduled as follows:
IEP meetings for children served by the Infant Toddler Program and who turn three during the school's summer break will be scheduled as follows:

F. Evaluation/Assessments to determine Part B eligibility

Assessment information should reflect the current functioning of the child. In determining how current an assessment shall be, the team should consider the needs of the child, the assessment tools used, and IDEA requirements for eligibility.

When determining eligibility, the LEA will review all available evaluation/assessment information including tests conducted by Part C if written parental consent has been obtained. The Infant Toddler Program will share existing evaluations but is not required to update or conduct additional evaluations to support Part B eligibility determination. If the LEA determines that additional assessment/evaluation is necessary to determine eligibility for Part B services, the LEA will conduct or arrange for needed assessment/evaluations.

Eligibility for Part B service is determined by the local school district prior to the child's third birthday. If sufficient information and personnel are present and required procedural safeguards have been met, an eligibility decision may be made at the Transition Meeting hosted by the Infant Toddler Program. If not, the decision will be made at a later time determined by the LEA. ***The LEA will inform the Infant Toddler Program and the family regarding the child's eligibility status.***

Please list evaluation/assessment tools that are typically or most frequently completed by the IT Program to determine eligibility for early intervention services.	Please list evaluation/assessment tools that are typically or most frequently used by the District to determine eligibility for Part B services.

Infant Toddler Program	School District
List other tools that may be used to support an eligibility decision.	List other tools that may be used to support an eligibility decision.
If applicable, please document/describe decisions regarding evaluation/assessment and/or exchange of information between programs.	

Child Outcome Summary Form (COSF) and Anchor Assessment

If the child was served by the Infant Toddler Program for 6 months or more, the Anchor Assessment summary report and the Child Outcome Summary Form completed at exit will be shared with the LEA. The completed COSF will be provided to the district as soon as possible after Program exit and no later than 30 days following the child's third birthday. The LEA may use this information as entry COSF information or may elect to conduct additional assessment and/or score the child on the COSF.

If practices in your area are negotiated differently than described above, please document the system for sharing child-outcome information across Programs.

G. IEP Development (or Adopting the IFSP with Modifications)

The LEA is responsible for developing an Individualized Education Plan (IEP) for all children who received services under Part C and have been determined eligible under Part B prior to the child's 3rd birthday.

*The **IEP team** must include at least the parent, district administrator, special education teacher or service provider responsible for implementing the IEP, general education teacher, individual who can interpret implications of evaluation results and other individuals who have knowledge or special expertise regarding the child.*

*The IEP team, including the parent, will **develop an IEP or accept the IFSP**, which includes the IEP components. The district must consider the IFSP content, but are not required to use it as an IEP. If the district and parent agree to use an IFSP, the district shall provide the parent with a detailed explanation of the differences between an IFSP and an IEP and obtain written consent. If the IFSP will serve as the*

initial IEP, the additional IEP components that must be included are transportation, statewide testing, ESY, LRE, annual goals, special considerations, etc.

Consent for Placement must be signed in conjunction with either acceptance of the education-related requirements on the IFSP or the development of the IEP.

The LEA will arrange interpreters or accommodations for non-English speaking families if they are needed for the evaluation, eligibility determination meeting, and IEP or IFSP modification meeting.

H. Additional Content

Please document other agreements that have been negotiated between the LEA and the Infant Toddler Program. Content should clearly describe the agreement, who is responsible for implementation, and the agreed upon timeline. All additions must be consistent with policies and regulations for IDEA Part C and Part B.

SHARING RESOURCES

The LEA and Infant Toddler Program will make efforts to coordinate activities and collaborate with other community agencies and programs. Examples of resource sharing include: parenting classes, facilities, joint training of staff and parents, and professional development training opportunities.

Please describe joint activities or resource sharing that is planned between the IT Program and the LEA:

Dispute Resolution

If there are concerns regarding compliance with this agreement, please address the issue directly with the individuals involved and if necessary, that individual's supervisor. If this does not satisfactorily resolve the concern, please alert the signers of this document to the concern.

All participating agencies agree to follow the dispute resolution process outlined the State Early Childhood Interagency Agreement or in the State Complaint Procedures for Part B and the Individual Child Complaint Procedures or Administrative Complaints Procedures for Part C in the Child and Family Safeguards notice.

General Provision

This protocol becomes effective on the date signed by all parties and will be considered current through the date listed below (no longer than two years from signature date.)

This protocol will be kept current by all participating agencies. Contact names and information can be updated without a formal review by all parties, but updated information must be shared with all those listed in the Protocol document. The agreed upon provisions may be modified or changed upon a written amendment signed by all parties.

This protocol shall be jointly reviewed by all parties at least annually. Any party may initiate a review and propose revisions; however, the LEA has the responsibility to initiate the review of this protocol annually. An Assurance for Early Childhood Interagency Protocol shall be submitted with the District's IDEA Part B and Preschool application for funding in the fall of each year.

Signature Section:

Agreement Effective Dates: _____, 20___ to _____ , 20___
(Agreement must be jointly reviewed annually and rewritten every two years.)

School District Signature Date	Infant-Toddler Program Signature Date
Address Phone Email	Address Phone Email

Documentation of Annual Review:

This Protocol Document was jointly reviewed on _____, 20___.

_____ No changes are needed at this time.
_____ The contact names/information have been updated.
_____ Protocol document was renegotiated and revised.

School District Signature Date	Infant-Toddler Program Signature Date
Address Phone Email	Address Phone Email

Please Note: When updated, copies of this protocol shall be distributed to the following:

- *Part C and Part B Administrators*
- *Early Intervention Specialist and/or Supervisors*
- *District Preschool Teachers*