

UTAH DEPARTMENT OF HEALTH AND HUMAN SERVICES POLICY AND PROCEDURES		
Baby Watch Early Intervention Program Policy: 1.B.10	Page 1 of 6	
TRANSITION TO PRESCHOOL AND OTHER PROGRAMS		
<p>RATIONALE: For families to make informed decisions in advance of their child’s transition from Part C early intervention to Part B preschool or other community services</p> <p><i>Related Policies, Applicable Standards, Statutes:</i></p> <p>IDEA Section 639(a)(5) 34 CFR §303.209: Transition to preschool and other programs 34 CFR §303.210: Coordination with Head Start/Early Head Start, early education, child care programs 34 CFR §303.342: Procedures for IFSP development, review, and evaluation 34 CFR §303.343: IFSP Team meeting and periodic review 34 CFR §303.401: Confidentiality and opportunity to examine records 34 CFR §300.124: Transition of children from Part C program to preschool programs</p>		
Original Effective: 7/01/2013, 7/1/2019	Revision: February 2023	Next Review Due: 3 years after

I. DESCRIPTION

Requirements and processes in place for every child’s transition from Part C early intervention to Part B preschool or other community services after their third birthday

This policy supersedes any previous department policy governing this subject matter. It does not supplant any existing federal, state, or department laws/policies to which the department shall adhere.

II. DEFINITIONS

Baby & Toddler Online Tracking System (BTOTS): The secure database used by Utah EI programs and providers to record service information. BTOTS is designed to track EI activities, encourage compliance with state and federal regulations, and support compliance and monitoring with statewide child information.

DHHS or department: Utah Department of Health and Human Services and collectively all its operational units.

Individualized Education Program (IEP): As described in 34 CFR §300.320, a written plan designed to meet the unique learning needs of a student age 3-21 with a disability.

Individualized Family Service Plan (IFSP): As described in §303.20, a written plan for providing early intervention services to an infant or toddler with a disability and their family.

Local Education Agency (LEA): As described in §303.23, a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State. Public school districts, charter schools, and USDB may all serve as LEAs in Utah.

Lead Agency: As described in §303.22, the agency designated by the State's Governor that receives funds to administer the State's responsibilities of Part C under IDEA. Baby Watch Early Intervention Program is Utah's Lead Agency.

OU: Operational units within DHHS, including divisions, offices, or standalone operations whose director reports to the executive director, a deputy director, an assistant deputy director, or a division director.

Parent: As described in §303.27, a biological or adoptive parent of a child; a foster parent; a guardian generally authorized to act as the child's parent or authorized to make EI, educational, health, or developmental decisions for the child; an individual acting in the place of a biological or adoptive parent with whom the child lives, or an individual who is legally responsible for the child's welfare; or a surrogate parent.

Parent Rights: As described in §303.401-421, the rights of parents and children related to the confidentiality of personally identifiable information and early intervention records, as well as the right to parental consent and notice.

Part B of IDEA: The section of the Individuals with Disabilities in Education Act (IDEA), that governs how special education and related services are provided to school-aged children with disabilities ages 3 through 21 years.

Referral Notification: The automatic, electronic transfer of referral information from BTOTS to Transition from Early Intervention Data Information (TEDI) to the LEA/SEA for children who are receiving EI services and who are potentially eligible for Part B services.

Service Coordinator: As described in §303.34, the individual who is responsible for 1) coordinating all services required under Part C across agency lines; and 2) Serving as the single point of contact for the family.

State Education Agency (SEA): As described in §303.36, the state board of education or other agency or officer primarily responsible for the state supervision of public elementary schools and secondary schools.

Transition: As described in §303.344(h), the process that prepares children and families to exit early intervention services and participate in Part B preschool or other community services after the child's 3rd birthday.

Transition from Early Intervention Data Information (TEDI): The secure online database used by Baby Watch, school districts, and the Utah State Board of Education (USBE) to share, with parent consent, a child's transition information.

Utah State Board of Education (USBE): The state agency responsible for the public education system in Utah.

III. POLICY

- A. Baby Watch and local EI programs shall ensure a smooth and individualized transition for all children and families leaving early intervention services and transitioning to preschool or other appropriate community services at age 3 including:
 - 1. Introduction to Transition at Initial IFSP
 - 2. Referral Notification
 - 3. Transition Plan
 - 4. Transition Conference, as applicable

- B. For the purpose of transition planning, any child enrolled in Part C early intervention between 27-36 months of age is considered potentially eligible for Part B preschool special education services. The local EI program shall transition and exit a child from EI services no later than the child's third birthday.

- C. Baby Watch shall ensure compliance to this policy through:
 - 1. A Memorandum of Agreement (MOA) between Baby Watch and the Utah State Board of Education (the SEA) which is required by Part C and is updated as needed to meet the requirements of IDEA. Local EI programs shall have interagency agreements with their respective Local Education Agencies (LEAs).
 - 2. Baby Watch general supervision and monitoring system shall ensure compliance with Part C requirements for a timely and individualized transition from Baby Watch to Part B preschool or other services.
 - 3. Baby Watch and local EI programs shall ensure timely and accurate documentation of all dates and details of relevant Transition discussions in the Baby & Toddler Online Tracking System (BTOTS).

IV. PROCEDURE

- A. Transition Introduction Discussion
 - 1. At the Initial IFSP Team Meeting, the local EI program shall discuss with parents the following:
 - a) The meaning of transition from EI
 - b) The concept of transition at age 3
 - c) The timing of transition events and services throughout the child's enrollment in EI

- B. Referral Notification and Discussion
 - 1. Baby Watch shall ensure the local EI programs send a referral notification to the SEA and LEA from BTOTS to the Transition from Early Intervention Data Information (TEDI) system when the child is 27 months if the child is enrolled, or at the time of the development of the initial IFSP for children who enter EI after 27 months unless the parent opts out of the referral.
 - 2. Local EI programs shall inform the parent/guardian of the required referral notification during the development or review of the IFSP closest to the child's second birthday and provide the parent/guardian an opportunity to

decline/opt out of the referral notification. Referral discussion and documentation includes:

- a) Service options available for their child at age three
 - b) General information on special education preschool eligibility
 - c) Referral process to special education preschool
 - d) Automatic referral to special education preschool when their child is 27 months old, which include: the child's name, date of birth, primary language and parent contact information (i.e., name, address, and phone number)
 - e) The option to decline the Part B special education preschool referral notification by signing and dating the "Consent to decline the Referral Notification to the SEA/LEA" form.
3. The parent/guardian may decline the referral notification if it has not been sent from BTOTS through TEDI to the SEA and LEA by signing the "Consent to decline the Referral Notification to the SEA/LEA" form and the referral notification will not be sent.
 4. The parent may reverse their decision to decline the referral notification at any time by providing written notice to the local EI program. The referral information will then be sent to the SEA and LEA from BTOTS to TEDI.
 5. If a toddler is determined eligible for EI services between 30-34.5 months of age, and the family does not decline the referral notification the local EI program shall complete the referral notification, as soon as possible.
 6. If a child is referred to a local EI program fewer than 45 days before that child's third birthday, the local EI program, with parental consent, shall refer the child to the SEA and LEA through written or verbal means. The local EI program shall not conduct an evaluation, assessment, or an initial IFSP meeting under these circumstances.

C. Transition Plan and Discussion

1. Baby Watch shall ensure that, for all children, the local EI program shall:
 - a) Establish a Transition Plan during the development or review of the child's IFSP, and at the discretion of all parties, not fewer than 90 days and not more than 9 months before each child's third birthday to support transition steps and services to Part B or other appropriate community settings
 - b) Describe in the Transition Plan the steps and services that the IFSP team, including the family, identifies as needed for that child and family to exit from Part C. The transition plan discussion and documentation shall include, as appropriate:
 - 1) Discussions with parents regarding future placements and other matters related to the child's transition.
 - 2) Identification of skills necessary to prepare the child to adjust and function in a new setting

- 3) Development or identification of transition outcomes, services and other activities that the IFSP team determines are necessary to support the transition of the child in the IFSP
- 4) Confirmation that referral notification information about the child has been transmitted to the SEA and LEA, unless the parent declined the notification
- 5) With written parental consent, release the child's EI record to the LEA or other community services, including a copy of the most recent evaluation and assessments and most recent IFSP
- 6) Transition Conference arrangements
- 7) Other services or community planning

D. Transition Conference

1. Baby Watch shall ensure, for all children, the local EI program shall:
 - a) Convene a Transition Conference at the discretion of all parties among the local EI program, the family, and the LEA (as applicable) not fewer than 90 days and not more than 9 months before the child's third birthday.
 - b) Develop the transition plan at a combined transition conference/IFSP meeting if needed
 - c) Meet the requirements of Part C procedures for IFSP development, review and evaluation
2. IFSP team meetings that are conducted at the same time as the transition conference require the attendance of a representative of the LEA, for those children who did not decline referral notification and the IFSP team.
3. If the family declines the Part B referral notification, the local EI program, with parent approval, makes reasonable efforts to convene a transition conference among the local EI program, the family, and providers of other appropriate services and supports in the community to discuss services that the child may receive.
4. Participants at a transition conference for children who did not decline the referral notification shall include:
 - a) A parent of a child who is approaching 3 years of age
 - b) A representative of the local EI program
 - c) A representative of the LEA
 - d) Other family members, as requested by parents, if feasible to do so
 - e) An advocate or person outside of the family (as appropriate), if requested by parents
 - f) A representative from USDB Parent Infant Program, if the child receives those services
 - g) A person or persons directly involved in evaluations and assessments
 - h) A person or persons that provide EI services to the child and family

5. If a person listed above (except for the LEA) is unable to attend a meeting, arrangements must be made for the person's involvement through other means, including one of the following:
 - a) Participating in conference call or virtual meeting
 - b) Having a knowledgeable authorized representative attend the meeting
 - c) Making pertinent records available at the meeting
6. In the event that a representative of the LEA does not attend the transition conference for a child and all reasonable accommodations have been made in order for the LEA representative to attend, including attempts to reschedule within the timeframe, have been exhausted the service coordinator shall conduct the transition conference as scheduled. The service coordinator shall provide parents at the conference with information about Part B preschool services. The information includes:
 - a) A description of the Part B eligibility definitions, state timelines and process for consenting to an evaluation and conducting eligibility determinations under Part B
 - b) The availability of special education and related services.
7. During a transition conference, participants shall review a child's program options for the period from a child's third birthday through the remainder of a school year.
8. In the event that the transition conference is delayed or not held, the local EI program is to document attempts to schedule and delay reasons in BTOTS in a timely manner.

V. EXCEPTIONS

Baby Watch may make exceptions to this policy as necessary.