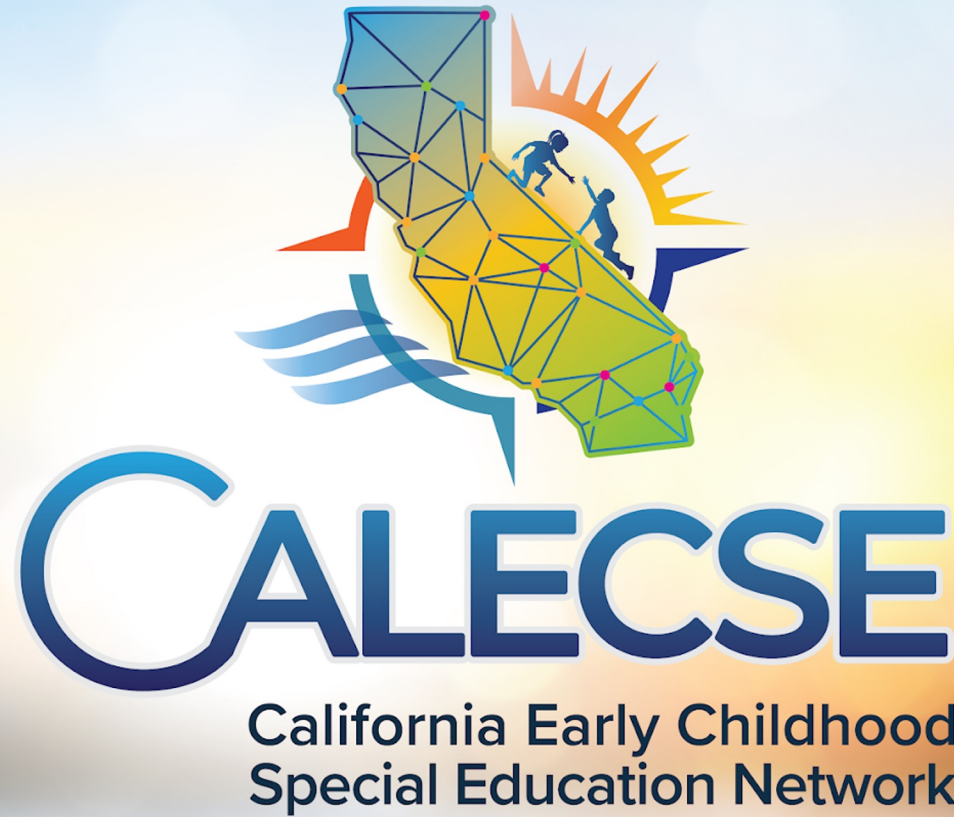




Exploring Successes and Challenges in REFERRALS from Part C to Part B

January 30, 2023



CaIECSE

California Early Childhood Special Education Network

Funded by the CDE



Implementation Leadership

Co-Executive Director- Dr. Scott Turner, East San Gabriel Valley SELPA
Co-Executive Director-Melanie Hertig, Irvine Special Education/SELPA
Project Coordinator-Marion Springett, Saddleback Valley USD



CalECSE

California Early Childhood Special Education Network

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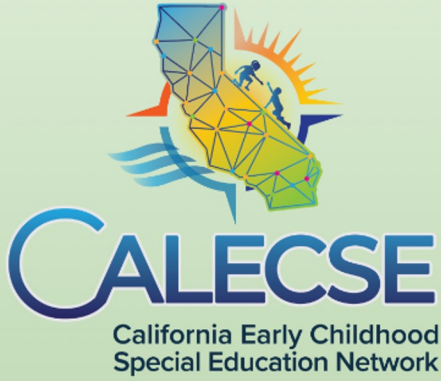
CalECSE.org



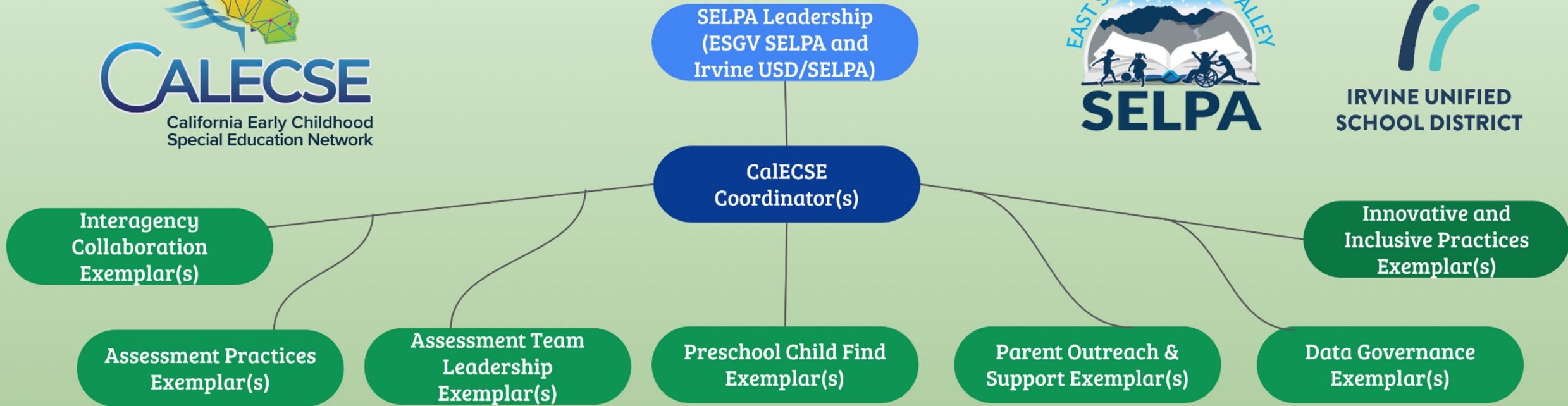
CalECSE is a new technical assistance project funded under the California Department of Education (CDE) that will support Local Educational Agencies (LEAs), Special Education Local Plan Area (SELPA)s, County Offices of Special Education (COEs), and other Agency Partners in the areas of IDEA Part C to B Transitions, Preschool Assessment Practices, and Preschool Child Find by providing technical assistance, professional learning, and demonstration of tangible practices *that have been proven successful*.

The CalECSE Network will *leverage collaboration amongst agencies, disseminate resources, highlight existing exemplar practices, and provide direct technical assistance* to improve the capacity, knowledge, collaboration, and implementation of evidence-based practices across agencies throughout California.

The CalECSE Network is committed to *improving outcomes* for children and their families by *eliminating and addressing barriers* to successful transition for California's youngest children with disabilities.



CalECSE Network



Geographic Technical Assistance Facilitators/Leads



CalECSE Network

Interagency Collaboration

**Lucia Garay, Interagency Collaboration
Exemplar Lead - LEA, CalECSE Network**

**Heather DiFede, Interagency Collaboration
Exemplar Lead - LEA, CalECSE Network**

**Sarah Franco, Interagency Collaboration
Exemplar Lead - Regional Center Agency,
CalECSE Network**



**INTERAGENCY COLLABORATION:
Exploring Successes and Challenges in
REFERRALS from IDEA
Part C to Part B**

Challenges

State Performance Plan /Annual Performance Report INDICATOR 12

- Development of a Transition Plan
- Timely Transitions with notification to the LEA
- Transition Conference

- ✓ Timely referrals
- ✓ Summer referrals
- ✓ Variety in Part-C providers (RC, LEA/COE)
- ✓ Tracking referral timelines collaboratively
- ✓ Agreement on when consent is required
- ✓ Interagency collaborative processes



Successes

The Interagency agreement is a culmination of a collaborative process that assists all agencies to achieve successful outcomes for children and families.



Requirements for Interagency Agreements

CCR Title 17. Public Health, Division 2. Health and Welfare Agency, Department of Developmental Services Regulations Chapter 2. Early Intervention Services, Subchapter 4. Service Coordination, Article 2. Interagency Agreements

(a) Regional centers and LEAs shall develop and maintain local interagency agreements.

(b) Local interagency agreements shall include, but not be limited to, the following:

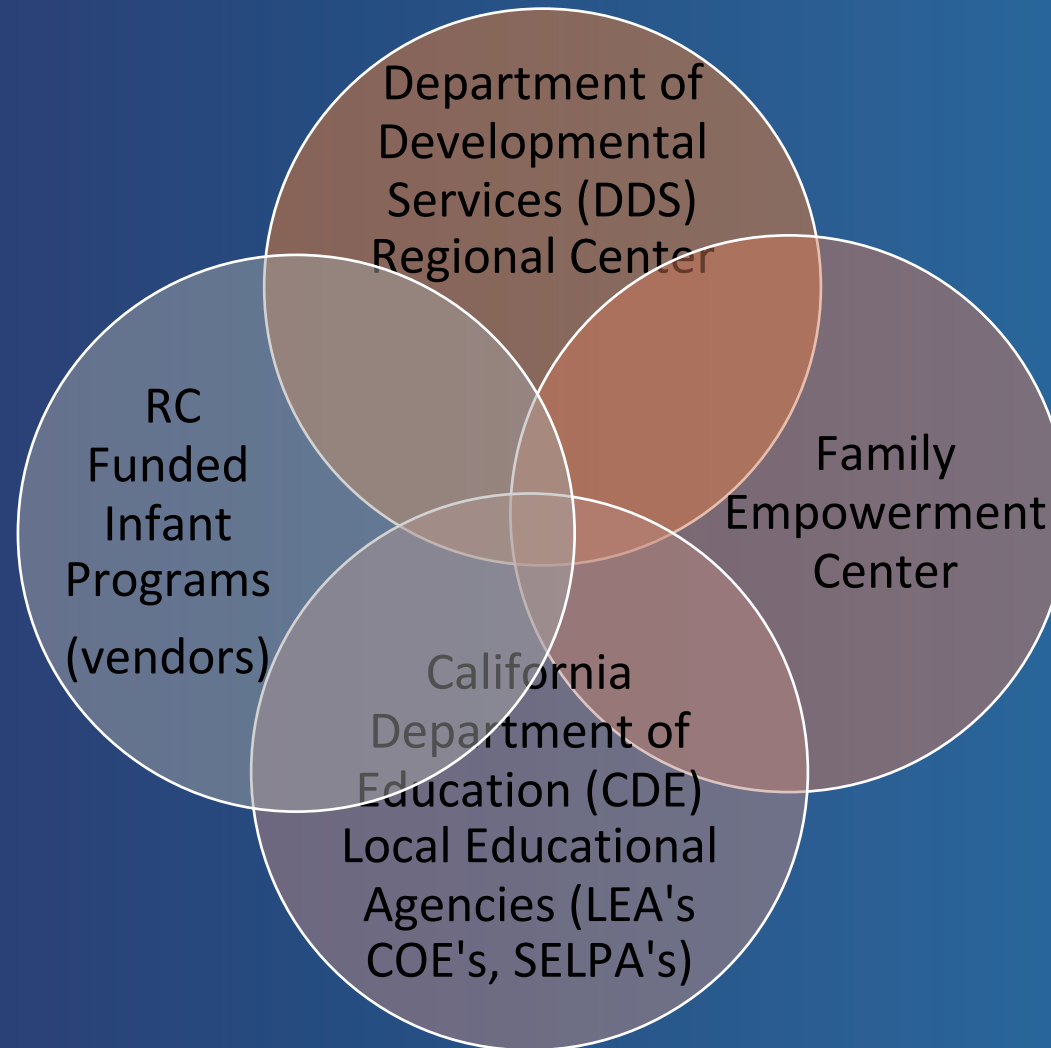
- (1) The responsibilities of each LEA and regional center for meeting the terms of the agreement;
- (2) Procedures for coordination of child find activities with local public agencies and regional centers to identify infants and toddlers who may be eligible for early intervention services;
- (3) Specific procedures for coordination of referrals for evaluation and assessment;
- (4) Procedures for the assignment of a service coordinator;
- (5) Interagency procedures for identifying the responsibilities of the regional center and LEA for completing the evaluation and assessment and determining eligibility within the time requirements contained in Section 52086 of these regulations, when an infant or toddler may receive services from both the regional center and LEA;
- (6) Procedures for the timely exchange of information between regional Centers and LEAs;
- (7) Mechanisms for ensuring the availability of contacts at regional centers and LEAs at all times during the year;
- (8) Procedures for interagency IFSP development when infants and toddlers may be eligible for early intervention services from the regional center and the LEA or other state or local programs or services;
- (9) Procedures to ensure the provision of services during periods of school vacations when services are required on the IFSP;
- (10) Transition planning procedures which begin at least six months prior to a toddler's third birthday pursuant to Section 52112 of these regulations;
- (11) Procedures for resolving disputes between regional centers and LEAs;
- (12) Procedures for the training and assignment of surrogate parents; and Title 17, California State Regulations Page 29 of 41
- (13) Procedures for accepting transfers of infants or toddlers with existing IFSPs.

(c) Local interagency agreements shall be dated and signed by representatives of the regional center and LEA.

(d) Interagency agreements shall be reviewed by both parties annually, revised as necessary, dated, and signed by both parties.



Successful Part-C to B Interagency Collaborations & Agreements



Successful Part C to B Interagency Collaborations & Agreements

- Collaborative development
- Include agreed-upon processes for each transition step
- Include all education partner agencies in all discussions
- Focus on function over form or format of the agreement
- Remain family-centric
- Have processes to develop consensus on each item/element
- Consider limitations and challenge status-quo
- Have an allocated time commitment to discuss, collaborate, & develop
- Commitment to annual review/revision and cyclic staff training on the agreement



Timelines and Transitions

REFERRAL TIMELINES

REQUIRED - Referral/Notification- Lead agency to LEA no fewer than 90 days before the 3rd birthday

Must include Child's name & DOB, and Parent contact info.

Parental consent not required

Transition Planning Conference – Lead agency & LEA with family no fewer than 90 days, but not more than 9 months before the 3rd birthday

Transition Plan - no fewer than 90 days before the 3rd birthday

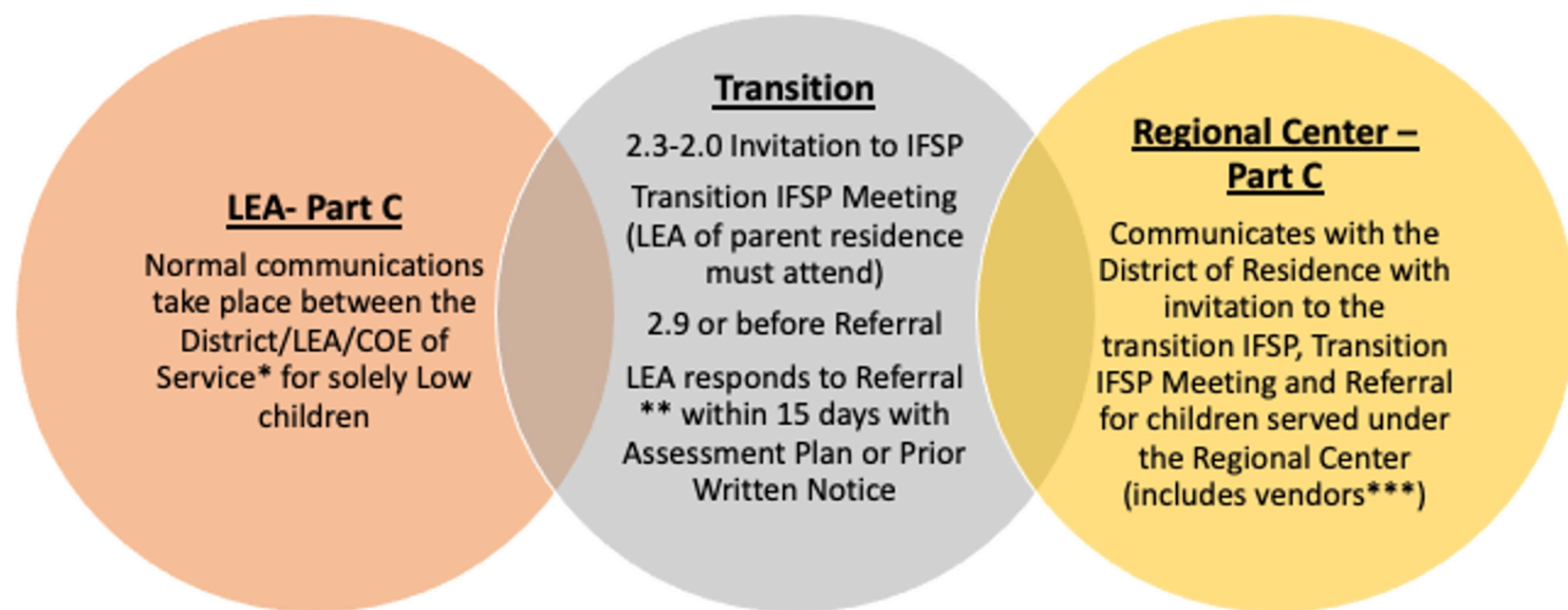
Parent consent is required for any information shared, beyond required notification PII from Part C to B

Determination of Part-B eligibility by age 3

If eligible, IEP and services in place by 3rd birthday

IDEA's Regulations at Section 303.209 is titled "Transition to preschool and other programs" and has the following italicized lead-ins to its paragraphs: paragraph (b) Notification to the SEA and appropriate LEA; paragraph (c) Conference to discuss services; paragraph (d) Transition plan; paragraph (e) Transition conference and meeting to develop transition plan; paragraph (f) Applicability of transition requirements.

Transition Rules



*For dually served children, the interagency agreement should specify if the LEA or the RC notifies the part B LEA

** Response to referral may not be delayed for lack of time, proof of residency, school breaks, or other reasons

***RC vendors may include other organizations, including LEA's or COE's with these arrangements in place

Collaboration on Referrals

Referral Sources

- ✓ Regional Center & Family Empowerment Center
- ✓ LEA Part-C (Solely Low incidence and dually eligible)
- ✓ Social Services agencies (DDS, UCP, EHS)
- ✓ Families & providers (anyone in the community)

Points of Entry

- ✓ Regional Center
- ✓ LEA Part C (Solely Low incidence and dually eligible)



Referral Timelines

- ✓ No less than 90 days or more than 9 months prior to 3rd birthday
- ✓ For children made eligible for Part C between 45 and 90 days before the 3rd birthday
- ✓ For children referred to Part C 44 or less days prior to 3rd birthday

Procedures for Timely Transitions

Establish local procedures between the Early Start lead Agency and the LEA(s) to respond to late referrals to Early Start/Part C, as part of the interagency agreement

For a Child made eligible for Early Start between 45 and 90 days prior to the 3rd birthday,

The Early Start lead agency* is required to:

- Conduct the initial evaluation and assessment
- Conduct the initial IFSP meeting, if eligible
- Develop a transition plan with the appropriate transition steps and services
- Provide notification to the LEA and the SEA
- With parental consent, Early Start is required to make referral to the LEA or assist the family in initiating contact with the LEA
- Transition conference may be conducted but not required

The LEA (Part B) is required to:

- Ensure the initial evaluation under Part B is completed
- Develop an IEP by the 3rd birthday if the child is determined eligible under Part B, even if the 60-day timeline for conducting initial evaluation expires after the 3rd birthday



*The ES lead agency could be the serving Part C LEA if the child is eligible based on solely low incidence

Procedures for Timely Transitions

Continued

For a Child referred to Early start/Part C between 1 and 44 days prior to the 3rd birthday,



The Early Start lead agency* is required to:

- Conduct the initial evaluation and assessment
- Conduct the initial IFSP meeting, if eligible
- Develop a transition plan
- Provide notification to the LEA and the SEA
- With parental consent, Early Start is required to make referral to the LEA or assist the family in initiating contact with the LEA
- A transition conference may be conducted but not required

The LEA (Part B) is required to: *(same requirement as when the child is referred between 45 and 90 days prior to 3rd birthday)*

- Ensure the initial evaluation under Part B is completed
- Develop an IEP by the 3rd birthday if the child is determined eligible under part B, even if the 60-day timeline for conducting initial evaluation expires after the 3rd birthday

Summer & School Break Referrals

A note regarding initial referrals and assessments for children during summer and extended breaks:

Although this guide focuses on the requirements and recommended practices around transition from Part C to Part B, it is important that LEAs understand the requirements for accepting and responding to initial referrals for all children that may occur during summer months or extended breaks. Federal regulations require that LEAs must respond to all initial referrals within 15 calendar days with an assessment plan or a prior written notice that an assessment will not be completed with reasons. The parent has 15 calendar days to respond to the assessment plan or letter. LEAs may not defer the initial assessment. OSEP has clarified that timelines for initial assessments and IEP meetings are not to be suspended because of a school break [34 CFR § 300.301(d)].

RECOMMENDATIONS

- Hold transition conference early enough to allow time for LEA evaluations and IEP meeting to take place prior to the school break
- Like all IEPs, ESY must be considered for children with Summer birthdays
- Be proactive in sharing calendars and information with parents
- If the IEP team determines that ESY services are not needed or parent prefers to delay start of services until the new school year, the IEP is considered “implemented” by the 3rd birthday

Recommendations for Regional Transition Teams

Make Plans to Review/Revise/Develop Your Regional Interagency Agreement

- Identify key SELPA and RC leaders to co-lead the review effort and define roles/responsibilities
- Establish a timeline and meeting dates
- Identify key Partners from Part C and Part B (these may change depending on topics being reviewed for the agreement)
- Send invitations and be specific about topic and need for commitment through the process



Purpose:

To provide agencies the opportunity to identify what is working and what changes are needed to improve practices and procedures

Process:

Start with setting norms for collaborative conversations and how collaborative agreements will be made (consensus, multi-voting, etc.)
Review mandated timelines and current agreement section on Referrals so everyone has the same basic understanding
Develop a protocol for discussing each topic and seek consensus on the process
Identify what is working and what changes are needed to improve practices and procedures
Document the agreements at each step/meeting

Interagency Approach



Interagency Approach (cont.)



Process (Cont.):

Once all areas of the agreement have been reviewed discussed and revised as needed, based on agreements, select a format for the revised document and set responsibilities and timeline for the final draft to be ready to route for signatures

Obtain/review/create locally developed transition materials and forms specific to the areas discussed and modified (may happen concurrent to IA document drafting/revision)

Once signed, work across agencies to schedule and provide interagency trainings on the IA. (there may be different stakeholders involved in trainings, specific to agreement topics such as transitions, assessments, services, etc.)

Schedule an annual revision of the agreement and practices in place to assure agreements developed by the LEA's and Early Start agencies are followed

If interagency procedures are identified to be no longer effective, revise the procedures and document them in a new/revised agreement

Transition Topics for Interagency Agreements

- Procedures for notification – including late referrals and timelines for school breaks
- Procedures for invitation - including timing and location
- Procedures for referral - including late referrals and timelines for school breaks
- Procedures to coordinate exchange of information
- Clear definition of roles and responsibilities for transitions
- Procedures for children turning 3 during school breaks
- Definitions of LEA timelines and responsibilities for attending the transition conference and performing evaluations of children, including the use of Early Start evaluations, assessments, and IFSPs.
- Procedures *may* need to be defined with specificity depending on the Part C serving entity (LEA – Part C, RC, RC+ vendors, dually eligible)

Sample Process Activities for Interagency Collaborative Facilitation

Transition Conference - Invitation

Preparing for Transition Conference with Part B Invitation

RC* must invite LEA Part B to the Transition Conference. LEA must attend the Transition Conference. The transition conference may occur as early as 2.3 years and no later than 90 days before the child's third birthday.

**LEA Part C provider for solely low incidence services, if different from receiving LEA Part B*

How do your local Regional Center and LEA representatives coordinate the scheduling of the Transition Conference (time, date, and location of the meeting)?

How far in advance should the transition conference be scheduled in order to assure participation by all parties?

Should conferences be scheduled around 2.6 years, closer to the notification/referral date, or earlier if the 3rd birthday happens during a schoolbreak*?

**Transition conferences and Notification MAY take place earlier than 9 months prior to 3rd birthday if all parties agree this is in the best interest of the child/family*

Participation in the Transition Conference with Part B

Participation by LEA is mandatory.

What is the role of the LEA in the Conference? What is the role of the Regional Center? Give examples, please.

How does the LEA explain options to families at the Transition Conference for possible preschool services? (Describe processes, materials, other?)

Sample Process Activities for Interagency Collaborative Facilitation (Cont.)

Preparing for the Transition Conference

Preparing for Transition Planning Conference (TPC)

RC* must invite LEA to TPC with parent consent. LEA must attend the TPC. This is not a formal referral. TPC may occur as early as 2.3 years and as late as 2.9 years.

**LEA Part C provider for solely low incidence services, if different from receiving LEA Part B*

How does your LEA assist in scheduling the TPC time, date, and location of the meeting?

How far in advance should invitation to LEA be scheduled in order to assure participation?

What is your preference for the timeframe in which the TPC would occur? (i.e. before 2.6)

Resources and Checklists:

[Requirements for Interagency Agreements](#)

[Make Plans to Review Your Interagency Agreement](#)

[Transition Rules for Late Referrals](#)

[Required Part C to Part B Transition Timelines](#)

[Referrals During Summer and School Breaks](#)

[Early Start Coordinator's Transition Checklist](#)

[Sample Notification Referral Letter to LEA](#)

[Sample Notification Referral Info Packet to LEA](#)

[Sample Notice of Transition Conference](#)





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Contact Us!



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Special Education Network

MARION SPRINGETT

Project Coordinator

(626) 966-1679 (P)

(626) 339-0027 (F)

mspringett@calecse.org

1400 Ranger Dr.

Covina, CA 91722

calecse.org