

# New Mexico Early Childhood Transition Training Facilitating Smooth and Effective Early Childhood Transitions

## Questions and Responses from DOH FIT – Part C

November 2, 2009 Questions - Alcalde, NM

1. *What do we need to do for children that are now 3 (turned 3 prior to December 1, 2009 Part C Extended Option implementation date)?*
  - **For children who have turned 3 but have not had a transition conference** – The FIT service coordinator will send a Transition Referral Form to the Local Education Agency (LEA) and schedule the transition conference as soon as possible.
  - **For children who have turned 3 and a transition conference was held but the Part B evaluation has not been conducted and Part B eligibility not determined** - the FIT service coordinator will assist the parent(s) to make an appointment with the appropriate LEA staff person in order for the parent(s) to sign a Consent for Evaluation form as soon as possible. The LEA will then be responsible to conduct the initial evaluation within 60 days.
  - **For children who have turned 3 and had previously declined a referral to IDEA Part B** – if the child is eligible for the FIT Program under either “Established Condition” or “Developmental Delay” the service coordinator needs to inform the family of the new requirement for the referral to the LEA and the evaluation and eligibility determination for IDEA Part B. If the family still declines the referral they should be given Prior Written Notice that Part C early intervention services through the FIT Program will end by February 28<sup>th</sup> 2010.
2. *If children do not meet eligibility for Part B but still meet eligibility for Part C can they remain in the FIT Program under the Parent Choice Statute?*

Yes.

- If the child is not eligible for Part B but remains eligible for Part C under “Established Condition” or “Developmental Delay” and the family chooses to remain in the FIT Program – they can do so and receive all services in accordance with their IFSP. The FIT service coordinator will assist the family with referrals to Head Start and other preschool options.
- Children eligible for Part C under “Biological / Medical Risk” or “Environmental Risk” the family may still choose to remain in the FIT

Program and can continue to receive service coordination and up to 2 hours per month of early intervention services.

3. *How much needs to be done if Part C does not think the child will be eligible for Part B?*

All children eligible for Part C under “Established Condition” or “Developmental Delay” must be referred to the LEA.

<b>November 3, 2009 Questions - Albuquerque, NM</b>
---

1. *Are the same processes and timelines followed for at risk children? What about at risk children with potential for eligibility?*

All children eligible for Part C under “Established Condition” or “Developmental Delay” must be referred to the LEA. Eligibility for the FIT Program must be determined annually. If the child was not re-determined as eligible for FIT under “Established Condition” or “Developmental Delay” at the time of the annual IFSP but is showing greater concern at the time of referral – this may a reason to refer a child who is listed at risk. It is vital that the eligibility category be re-determined annually and that the category listed in FIT-KIDS is accurate.

2. *Is there a statewide “invitation” transition conference form?*

A template “invitation letter” has been developed and distributed

3. *What timelines, forms and procedures should be used with children who are eligible under “Biological / Medical Risk” or “Environmental Risk” who will not be referred to the LEA?*

The same timelines, forms and procedures should be used with children who are eligible under “Biological / Medical Risk” or “Environmental Risk”, who may be referred to Head Start or other preschool options.

4. *What is the purpose of providing family contact information at notification?*

This is the ruling by OSEP regarding notification in order for the LEA to identify the child. The LEA should work with the referring FIT provider agency and will not contact the family directly.

5. *If a family declines to be referred to the LEA or declines to sign consent for evaluation, what happens if the family then changes their mind?*

If the child is still under the age of three, the family can change their mind and apply for the Extended Part C Option. In this case the service coordinator will

send the referral to the LEA or get the Consent for Evaluation signed by the parent(s). If the child has already turned three and the child and family is no longer receiving early intervention services through the FIT Program, the family cannot change their mind to choose the Extended Part C Option.

6. *If a family chooses for their child to remain in Part C with the extended option and has stayed for a year or more, what procedure do you follow to update information to Part B for IEP development?*

It is recommended that the LEA invite the FIT service coordinator and other early intervention staff, with parent permission to attend and help develop initial IEP. If the FIT service coordinator and other early intervention staff are not invited to the initial IEP meeting the LEA can request the current IFSP and assessment information from the FIT service coordinator prior to the IEP. The service coordinator can send this information with parent consent.

7. *What should occur with late referrals i.e. children referred to the FIT program within 90 days of their 3<sup>rd</sup> birthday.*

If a referral is received on a child within 45 days of their 3<sup>rd</sup> birthday the service coordinator can inform the parent(s) of options for preschool and assist them with applying for these options. However, as long as the child is referred to the FIT Program before their third birthday the service coordinator can complete the intake process, including the evaluation and eligibility determination for Part C.

The service coordinator will discuss the process for transition with the family during the intake process and the transition plan will be incorporated into the initial IFSP. If the child is determined eligible under “Established Condition” or “Developmental Delay” a referral must be sent to the LEA. The service coordinator should check the box “90 day timeline for this meeting cannot be met due to child not being enrolled in the FIT Program at that time” on the Transition Referral Form.

<b>November 10, 2009 Questions - Gallup, NM</b>
---

1. *Does the Transition Assessment Summary Form have to be done by a SLP, OT, PT, etc for their discipline?*

The Transition Assessment Summary Form can be filled out by one person on the team who can gather assessment information from other team members. There is no requirement however that assessment information is gathered from multiple team members, nor is it required to use multiple tools. For example, if the developmental specialist uses information gathered from the HELP, this can be used to complete the Transition Assessment Summary Form. Assessments

completed by other team members can also be attached to the form and submitted to the LEA.

2. *What assessment tools are recommended to use to fill out the Transition Assessment Summary Form?*

FIT Providers should use the developmental assessment tool(s) (e.g. HELP, IDA, Creative Curriculum, AEPS, etc.) that they are already using for the ongoing assessment of children. Information from such tools is currently used for ECO, determining the child's continued eligibility at the annual IFSP and to guide intervention. Therapists on the team may choose to use an assessment tool specific to their discipline. Information from the therapist can be incorporated into the Transition Assessment Summary Form or attached to it.

3. *If a family declines to have a referral made to the LEA do you still have a transition conference? If a family refuses the transition conference, how do we document that?*

Yes, a transition conference is still required if the family refuses for their child to be referred to the LEA for IDEA Part B Preschool Special Education. The service coordinator should help the family identify other possible preschool options (Head Start, private preschools) or to think about opportunities for interactions with peers if the child will stay at home. The service coordinator will document the parent's refusal to have a transition conference on a Parental Prior Notice form under "other"

4. *School Readiness is on the Assessment Summary Form. Is there a tool that has that information that FIT uses? How does FIT gather that information?*

Providers should look at their current developmental assessment tool(s) to see what elements of the tool address preschool readiness. UNM Early Learning Network may be able to assist agencies in this process and may be able to recommend other tools that could be used to supplement assessment of preschool readiness or a tool to be used with children over age 3.

<b>November 16, 2009 Questions - Las Cruces, NM</b>
---

1. *How do you document a the family declining a referral being made and/or declining consent to evaluate? Is there a form to sign when child turns 3 years old and there is no more service?*

The service coordinator should use the Parental Prior Notice form and check "other" and describe that "parent(s) declines to the referral / or consent for the Part B evaluation and therefore FIT services will end when child turns three"

2. *Re: Transition Assessment Summary Form. What is current? 6 months before transition conference or before the date of the form?*

Assessment information is defined as current if they are within 6 months of the Transition Assessment Summary Form being completed.

3. *What percentage of compliance is expected on SPP#8 for Part C agencies? How is timely defined?*

Indicator 8a) Percent of IFSPs with transition steps and services; and 8c) Percent of transition conferences held with the family and appropriate receiving agency personnel at least 90 days prior to the child's third birthday. Both are compliance indicators. Therefore compliance is set by the Office of Special Education Programs at 100%. "Timely" is defined under indicator 8c) as at least 90 days prior to their birthday.

4. *Can the referral information for all children in Part C (at risk ones and those who may be eligible) be shared with the LEA's?*

Children eligible for the FIT Program under either of the at risk eligibility categories are not considered "potentially eligible" for Part B so should not be included in the quarterly notification list to the LEA.

5. *What if a child turns 3, but family declines to participate in a 90 day meeting and child continues to meet FIT Program criteria with a 25% delay.*

If the family declines to participate in the Transition Conference they are declining the referral to and evaluation by Part B and should be informed that services will end at the child's 3<sup>rd</sup> birthday. The service coordinator should use the Parental Prior Notice form to document this.

6. *Can ECEP evaluation be released by FIT provider to the LEA?*

With a signed release of information the FIT provider can release an ECEP evaluation report as the report was generated within the FIT system.

<b>November 19, 2009 Questions – Roswell, NM</b>
--

1. *When do parents have to make the decision about the Part C Option? Is it between the 90 day conference and when IFSP/IEP needs to be in place?*

The parent(s) need to decide about whether to choose for their child to remain in the FIT Program under the Extended Part C Option by the child's third birthday. However, ideally the parent would make the decision by the transition conference

or shortly after the transition conference in order for them to sign consent for the evaluation and to have 60 days for the LEA to complete the evaluation before the child's 3<sup>rd</sup> birthday

2. *Who provides notification the LEA if several FIT provider agencies serve the child and family?*

The notification to the LEA is provided by the FIT provider agency that provides service coordination to the child and family.

3. *Will EI programs be required to report on APR indicator 8B? On the next APR? (We now report on 8A & 8C)*

Yes. Information will forthcoming regarding how to report this

<p style="text-align: center;"><b>November 20, 2009 Questions - Ruidoso, NM Broadcast to Clovis &amp; Las Vegas, NM</b></p>
---

1. *When a family wants to enroll in Head Start and remain in FIT what are their options?*

If the parent chooses to remain in the FIT Program until the beginning of the school year following their 3<sup>rd</sup> birthday the child can also be enrolled and receive services through Head Start. FIT services can be provided at the Head Start center just as they can at any private preschool or child care center and is considered a community setting and therefore a natural environment.

2. *If Part C does not have assessment information within the last six months do they need to do another assessment?*

Yes, although this would be unusual based on the requirement that there be ongoing assessment on every child enrolled in the FIT program. If the assessment information is older than 6 months the FIT provider should use their ongoing development assessment tool to update the child's developmental levels on the Transition Assessment Summary Form.

3. *Can the assessment summary form go to Head Start also (with parent consent)?*

Both the Transition Referral Form and Transition Assessment Summary Form can be sent to Head Start with the signed consent of the parent(s) on the form.

4. *What do we do about families who decide they want to transition “right now”?*

If the child turns 3 during the current school year they can transition to IDEA Part B at any time during that year. If the parent(s) choose to transition “right away” a transition conference should be scheduled as soon as possible if it has not already been held.

5. *Clarify established condition. Does that include medically at risk?*

The FIT eligibility categories can be reviewed at [www.fitprogram.org](http://www.fitprogram.org) <click on making a referral> and <FIT Eligibility>

6. *Wording of Grant-Offering services for kids determined eligible under Part B. How about student who qualifies 25% Part C and 30% Part B?*

If a child is determined not be eligible for IDEA Part B, i.e. they are not eligible under one of the disability categories nor do they meet the Part B eligibility of 30% developmental delay - then the family can choose for their child to continue in the FIT Program until the beginning of the next school year – although funding will not be with ARRA SIG funds.

SIG ARRA Implementation call question
---------------------------------------

1. Can a parent change their mind about being referred to the LEA and regarding consent for the evaluation? If yes, up until what time can the parent change their mind?

Yes, a parent can change their mind regarding the referral to the LEA and regarding consent for the evaluation. As part of the transition planning process the service coordinator should fully inform the family about the benefits of having their child referred and eligibility determined for preschool special education. Appropriate transition planning should reduce the number of parents who change their mind.

The parent can however change their mind up until the child’s third birthday i.e. the family could refuse for the referral to be made up until a few days before their child turns 3 and then decide that they do want the referral to go ahead. The service coordinator should document that the family has changed their mind in the case notes. In these cases the timeline for the transition conference will not be met, however the process for the Transition Referral Form and Transition Assessment Summary should still be followed. The service coordinator should send the forms and schedule the transition conference, and coordinate the family being able to sign consent for the evaluation to determine eligibility for Part B as soon as possible.