

CHAPTER 900 – TRANSITION PROCEDURES

GUIDING FEDERAL POLICY 34 CFR §303.209 Transition to preschool and other programs.

BABIES CAN'T WAIT (BCW) PROGRAM STANDARD

As local program programs and provider agencies plan and implement services for children with developmental delays and disabilities, transition and interagency collaboration are major components of the service delivery system. In particular, Public Law 108-446 contains requirements designed to promote more seamless systems for children birth through 5 years of age. A seamless transition system requires interagency planning and collaboration within and among community agencies and partners. Community collaboration for transition systems development is based on a philosophy of team building among community members, parents, agencies, and service providers. Having an effective transition system in place is not only a matter of legality, but also reality.

Increasingly, policy makers no longer view individual agencies or programs in isolation but rather from a holistic view of the overall community system of services for children and families. If the overall system is to produce positive and successful outcomes for children, then the various components of the system must work in harmony as children and families move throughout the system, transitioning at various points from one agency or program to another. Planning in response to the various issues associated with transition both increases the likelihood of a seamless and successful transition process, and helps minimize stress for all concerned. Such planning requires development of effective practices for transition preparation, implementation, and follow-up for all involved in the process. This includes not only the children and families, but also the agencies and staff who serve them.

Upon entry into the program, the Service Coordinator should introduce the family to the concept of transition planning. The Service Coordinator should explain the relationship between BCW and the Department of Education (DOE). Transition planning helps prepare the child and family as they move from Babies Can't Wait (BCW) to Part B preschool special education and/or other community programs when the child turns three, or anytime the family chooses to end involvement with BCW. Under IDEA, transition from Part C should be planned and supported, regardless of the services or settings where a child plans to move upon transitioning out of BCW.

The transition plan is part of the individualized family service plan (IFSP) that is developed as early as 27 months of age and no later than 90 days before the child's third birthday and it includes the appropriate transition steps and services required under IDEA. BCW must hold an IFSP meeting to develop the transition plan in the IFSP (to identify appropriate steps and services). In most instances, for children potentially eligible under Part B, the transition plan is developed with the IFSP Team (including the parent) and the LEA representative as part of the transition conference. BCW and the Department of Education (DOE) strongly recommend that the transition plan be completed by the time the child is 30 months of age but no later than 90 days (three months before age 3) or earlier than nine months prior to the child's third birthday.

A. Additional Transition Requirements

Prior written parental consent is required to send personally identifiable information about a child to the LEA, including a child's eligibility criteria for Part C/areas of concern and/or other

personally identifiable information (e.g., diagnosis, evaluation or assessment reports, IFSPs, etc.). No personally identifiable information about a child, including the child's eligibility criteria for Part C/areas of concern and/or other personally identifiable information (e.g., diagnosis, evaluation or assessment reports, IFSPs, etc.) can be sent to the LEA until a child's parent has consented in writing to the release of that information.

1. Referral to the Local School System (LSS)

- a. The Service Coordinator should discuss transition with the family at every IFSP meeting in detail upon the child's second birthday. Discussions at each IFSP meeting provide families an opportunity to hear repeated explanations about the transition process and timelines and to have an opportunity to ask questions. Discussion of the transition process at IFSP meetings prior to a child's second birthday should include an explanation of the transition process and the rationale for timely transition planning (in order to ensure seamless transition for each child and family). Documentation and/or discussion of the transition process should never be "deferred" until the child is 24-30 months of age.
- b. **LEA Notification:** Limited contact information that includes the child's name, birth date and parent(s) contact information (including parents' names, addresses, and telephone numbers) is sent to the local educational agency where a child resides in the month immediately following a child's second birthday, but not fewer than 90 days prior to the child's third birthday unless the parent Opts Out. If a child is referred and determined eligible for services under Part C between 90 and 45 days before the child's third birthday, LEA notification must occur as soon as possible after the child is determined eligible under Part C §303.209(b)(1)(ii). If a child is referred to the lead agency fewer than 45 days before that child's third birthday, the lead agency must refer to the SEA and the LEA if the child may be eligible for Part B services; the lead agency is not required to conduct an evaluation, assessment or an initial IFSP meeting.
- c. **Parent Consent for Preschool Special Education Services:**
This step must occur at the IFSP meeting closest to the child turning 27 months of age or at the transition conference IFSP meeting. Children who may be eligible for public preschool special education services under Part B must, with written parental consent, be referred to the local school system for eligibility determination as early as nine months prior to the child's third birthday. If consent for referral is granted by the parent, the date that the consent was granted must be documented in BIBS under the Transition Section of the IFSP.

2. The Transition conference and completion of the Transition Plan document:

- a. The Service Coordinator must convene a transition meeting to complete the written transition plan (Indicator 8a). The plan may be developed as part of the Transition Conference (Indicator 8c). When this occurs, participants must include the family, the Service Coordinator, with written parental consent a Part B representative(s), person conducting evaluations and assessments (usually ongoing provider who does not have to attend meeting face to face) and other community representatives as appropriate. Other community representatives may include, but are not limited to, child care, private preschool, child care Inclusion Coordinators, Even Start, Head Start, and private services. Other attendees might also include current service providers, Georgia PINES, Georgia Sensory Assistance Project, etc. With parental consent, the transition plan and transition conference can occur as early as nine months, but no later than 90 days prior to the child's third birthday. The LEA/LSS must receive timely notice of the transition conference and must participate in the

transition conference unless parent requests otherwise. In Georgia, all children enrolled in BCW are considered potentially eligible for Part B services at age 3.

- b. The transition planning conference is the cornerstone of the transition process. It is an opportunity for the family, BCW personnel, and local school system personnel and/or other community program staff to come together to make plans regarding the transition process. When a child may also be eligible for programs other than preschool special education, such as Head Start services, staff from those programs should be asked to attend the conference. The BCW Service Coordinator shall make every effort to schedule the meeting for all parties' attendance. If an LSS representative cannot attend the transition conference, BCW shall convene the transition conference, and explain eligibility requirements.
- c. Transition documentation must be completed by the Service Coordinator at IFSP reviews, when revisions and modifications are necessary to update information on the IFSP and at the final (exit) review prior to the child's exit from BCW. The status, results, and final outcomes of each step must be included in the transition plan.
- d. The transition plan referred to in this section is actually a part of an IFSP and not a separate document. The IFSP must include the steps to be taken to support the transition of the child to preschool services under Part B of the Act, to the extent that those services are appropriate; and the identification of transition services and other activities that the IFSP Team determines are necessary to support the transition of the child. Required steps include:
 - i. Documenting on the IFSP that there were discussions with and training of parents regarding future placements and other matters related to the child's transition;
 - ii. Procedures to prepare the child for changes in service delivery, including steps to help the child adjust to, and function in, a new setting;
 - iii. With parental consent, the transmission of information about the child to the local educational agency, to ensure continuity of services, including evaluation and assessment information and copies of IFSPs that have been developed and implemented.
- e. As part of the IFSP meeting to develop the transition plan or at the transition conference, the IFSP Team (which includes the parent) must review the program options for the toddler with a disability for the period from that child's third birthday through the remainder of the school year.
- f. The transition conference and the meeting to develop the transition plan may be combined into one meeting, but must meet the IFSP meeting and participant requirements.

3. Reason for Delay in Transition conference (Meeting held less than 90 days before child's third birthday):

The Service Coordinator must record the reason for the delay in meeting the requirement to convene a transition conference at least 90 days prior to the child's third birthday. The reason for delay should be documented during the transition conference. Only parent related reasons for delay or act of nature reasons are acceptable. It is strongly recommended that the transition plan and conference be completed/held by 30 months with parental consent.

4. Late referral to the BCW program:

- a. A child referred to BCW 46-90 days before the third birthday shall be assigned a Service Coordinator, receive an evaluation for Part C eligibility, and begin transition planning.

BCW is not required to conduct a transition conference or develop a transition plan within the 90-day timeline prior to the third birthday, but transition must be discussed during the child's initial IFSP meeting. § 303.209(b)(1)(ii)

- b. Any child referred to BCW 45 days or fewer before his/her third birthday shall be referred directly to the LSS if suspected of having a disability as defined by Part B, and/or other community programs, with parent consent. The child shall be entered into the Children's 1st program with parental consent to ensure appropriate linkages, reduce service duplication and prevent children from being lost to follow up.

B. Service Coordination after Age 3

During the transition planning process for a child whose third birthday falls during June, July, or August, the need for service coordination as a transition activity must be discussed with the family. If service coordination is needed in order to assist the family with medical/health or other needs which might be met by the community, it must be documented on the IFSP and provided by BCW during the period from the third birthday until Aug. 31 or until the day before the Individualized Education Program (IEP) begins, whichever comes first. This need and expected outcome must be documented in the transition plan. Service coordination is the only service that may be funded with BCW funds for a child after the child's third birthday during the months of June, July or August.

900.1 – SEA and LEA Notification – Opt-Out Policy

Guiding Federal Policy 34 CFR §303.401 (d) and (e)

Babies Can't Wait Program Standard

The Individuals with Disabilities Education Act (IDEA) section 637(a)(9)(A)(ii) and Part C regulations in 34 CFR §303.209 require States to have policies and procedures that ensure a smooth transition for children receiving Part C early intervention services to Part B preschool or other appropriate services, including how the Part C lead agency will notify the local educational agency (LEA) for the area in which each child resides that the child will shortly reach the age of eligibility for preschool services under Part B, as determined by State LEA.

IMPLEMENTATION

Information about transition to Part B preschool or other appropriate services is shared with the family and explained at the initial IFSP meeting and at every annual IFSP meeting and six-month review thereafter. For a child participating in early intervention prior to age two (2), specific transition information is shared and transition planning including steps to be taken at age 27 months.

A. Transition Timeline

1. At the IFSP meeting, six-month review or service coordination visit closest to a child's second birthday, parents are informed of their options regarding sending notification information about their child to the LEA using the 'Notice of Intent to Transmit Notification Information to Local School System(s).'
2. The Babies Can't Wait (BCW) transition conference with Part B representatives from the local educational agency must occur no later than 90 days from a child's third birthday for parents who have consented to a referral to the LEA as a part of the transition steps for their child who is at least age 27 months.

B. Notice of Intent to Transmit Notification Information to the Local School System(s)

At the IFSP meeting, six-month review or service coordination visit closest to a child's second birthday:

1. The Service Coordinator informs parents of their options regarding sending notification information about their child to the LEA using the 'Notice of Intent to Transmit Notification Information to Local School System(s)' (LEA Notification form). (Refer to table below that explains the options.)
2. The Service Coordinator explains to parents that BCW is required to provide directory information that includes child's name, birth date, and parent(s) contact information (including the parents' names, addresses, and telephone numbers) to the State Educational Agency (SEA) and the Local Educational Agency (LEA) unless the parent Opts Out.
3. The parent acknowledges that he/she understands the explanation and purpose of the LEA Notification form.
4. The parent signs the LEA Notification form.
5. If the family does not want the limited contact information (including parent's names, addresses, and telephone numbers) sent to the LEA, a parent must also sign the Opt-Out section of the LEA Notification form.
6. If the parent Opted Out, the Service Coordinator enters that the parent chose to Opt Out of school notification on the child detail page in BIBS.
7. The Service Coordinator must return the LEA Notification form to the local Babies Can't Wait office within 5 calendar days and no less than one month prior to the child turning 2 years of age. If the child is already two at the time of the initial IFSP meeting, the notice is signed at the IFSP meeting and turned in to the local BCW office with the IFSP documents within 7 calendar days.

C. Sending Notification Information to the LEA

1. In the month immediately following the child's second birthday, the child's name, date of birth and parent contact information (including parents' names, addresses, and telephone numbers) will be sent by the local BCW program to the Special Educator Director in the school system where the child resides unless the parent has Opted Out. If the child initially enters BCW after 24 months of age, this information will be transmitted in the month immediately following the development of his or her initial IFSP. Local BCW programs will document in BIBS the date of each child's notification for Indicator 8b APR data collection purposes.
2. Prior written notice and consent must be obtained before personally identifiable information other than notification information about the child can be sent to the LEA, including the child's eligibility criteria for Part C/areas of concern and other personally identifiable information (e.g., diagnosis, evaluation or assessment reports, IFSPs, etc.).

D. Information Babies Can't Wait is required to share with the LEA

1. Child's name,
2. Birth date, and
3. Parent(s) contact information including the parents' names, addresses, and telephone numbers. (See grid below for timeline requirements.)

Option #	Option	Guidance	Actions
1	Directory information that includes child's name, birth date, and parent(s) contact information (including the parents' names, addresses, and telephone numbers) is provided to LEA.	Parent signs form "Babies Can't Wait Notice of Intent to Transmit Notification Information to Local School System" indicating requirements for notification to the LEA have been explained to them.	Service Coordinator obtains parent signature in appropriate section of form that it has been explained. BCW program sends BIBS report of directory information to the appropriate LEA the month after child turns 2 or if already two when enters program, the month after the initial IFSP is completed. Information includes child's name, birth date, and parent(s) contact information (including the parents' names, addresses, and telephone numbers).The local BCW program shall keep a record of the notification.
2	No directory information is sent to LEA.	A parent must sign the "opt out" section of the form "Babies Can't Wait Notice of Intent to Transmit Notification Information to Local School System" and return form to the local Babies Can't Wait office within 5 calendar days.	Service Coordinator obtains parents signature on "opt-out" statement and provides parent with DOE Part B services information.
3	If prior written parental consent is obtained, the child's eligibility criteria for BCW, areas of concern and other personally identifiable information is sent	Written parental consent must be obtained to share child's eligibility criteria, or other diagnostic information for BCW, areas of concern and other personally identifiable information with the LEA.	Service Coordinator provides the appropriate LEA with the information for which written parental consent has been obtained.