

SUPPORTING INFANTS AND TODDLERS WITH DISABILITIES AND THEIR FAMILIES IN THE PART C ELIGIBILITY PROCESS

Federal Partners

- ▶ The Department of Education, the Department of Health and Human Services, and other federal partners were part of a federal interagency workgroup focused on supporting equitable access to IDEA Part C services.



Speakers

- ▶ **Glenna Wright-Gallo,**
Assistant Secretary for the Office of Special Education and Rehabilitative Services, Department of Education
- ▶ **Nancy Bargmann,**
Director, California Department of Developmental Services
- ▶ **Lisa Kovacs,**
Director of Programs, Hands & Voices
- ▶ **Danielle Herring,**
Early Intervention Ambassador, United for Brownsville

Individuals with Disabilities Education Act Part C Services

► **Vision:**

All infants and toddlers with delays or disabilities receive high-quality early intervention services and supports as early as possible to empower them to thrive and meet their and their family's individualized needs.



Importance of Eligibility Criteria

- ▶ Variability across States can result in significant differences in the number and demographics of children receiving services.
- ▶ State policies that make children with certain conditions automatically eligible for services streamline the enrollment process. This may reduce barriers that make it harder for historically underserved children to enroll in Part C, such as biases and access to practitioners who determine eligibility.

Evaluation and Assessment Processes

- ▶ There are groups of infants and toddlers, particularly infants and toddlers of color, those from low-income families, and those living in rural areas, that are disproportionately less likely to be identified and evaluated for IDEA Part C.
- ▶ Underserved families may face long wait times to meet with required specialists, which extends the process and discourages families from completing the process or delay the start of services.

Technical Assistance Implementation Guides

► Technical Assistance Implementation Guides:

- Strategies or best practices for implementing an equitable and comprehensive system that identifies, locates, and evaluates infants and toddlers
- Examples from the field of systems implementing the strategies
- Resources for supporting implementation of the strategies

osepideasthatwork.org/technical-assistance-resources-part-c-eligibility

Technical Assistance Implementation Guides

► Evaluation and Assessment

► Eligibility Criteria



PART C ADMINISTRATOR IMPLEMENTATION TECHNICAL ASSISTANCE GUIDE



EVALUATION AND ASSESSMENT

INTRODUCTION

The Individuals with Disabilities Education Act (IDEA) requires States to evaluate infants and toddlers referred to the IDEA program for infants and toddlers with disabilities (Part C) if they are suspected of having a possible developmental delay or disability. States must conduct evaluations to determine eligibility for Part C, and for those children found eligible, conduct a child and family assessment to identify the unique strengths and needs of the child and family. The evaluation and assessment tools a State uses, and its policies and procedures to engage and support families through the evaluation and assessment process, play a critical role in determining which children and families receive services under Part C.

IDEA PART C STATUTORY AND REGULATORY KEY PRINCIPLES

- Comprehensive child find system
 - Early and appropriate identification of all eligible children, including from underserved groups
 - Coordination among agencies and early childhood programs
 - Outreach to and engagement with families and primary referral sources
 - Promoting development, learning, and school readiness
- IDEA sections 632, 634, 635(a)(1)-(8), 636(a), and 637(a)(3)-(7) and 34 C.F.R. Part 303.

EVALUATION

IDEA requires that infants and toddlers suspected of having a disability receive a timely, comprehensive, multidisciplinary evaluation to determine their eligibility for Part C services. Subject to parental consent, States must conduct that evaluation within 45 days of a referral to the Part C system. IDEA mandates that the evaluation identify the child's level of functioning in five areas of development: cognitive, physical (including vision and hearing), communication, social or emotional, and adaptive (e.g., self-help) and coping ability).

Multiple procedures can be used in determining eligibility for Part C. Standardized evaluation instruments are typically part of the evaluation process. In addition to standardized evaluation instruments, qualified providers should also observe the child and use authentic assessment within a child's daily routines. Providers must consider a child's history (including interviewing the parent) and medical or other records to determine eligibility. Depending on a State's eligibility criteria, such records (e.g., a diagnosis of a specific physical or mental condition that has a high probability of developmental delay) may establish eligibility without the need for an evaluation. Furthermore, children may also be found eligible based on the informed clinical opinion of qualified personnel conducting the evaluation, which can be based on a holistic consideration of a child's scores on standardized assessments, observations and authentic assessment, medical and developmental histories, a family's needs, and other pertinent quantitative and qualitative information. The Early Childhood Technical Assistance Center has a document that provides more information on informed clinical opinion as well as a checklist on using informed clinical opinion for eligibility determination.

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PART C ADMINISTRATOR IMPLEMENTATION TECHNICAL ASSISTANCE GUIDE



ELIGIBILITY CRITERIA

INTRODUCTION

The Individuals with Disabilities Education Act (IDEA) requires that all States define which infants and toddlers are eligible to receive services under the IDEA program for infants and toddlers (Part C). An eligible infant or toddler must either have a developmental delay or a diagnosed physical or mental condition with a high probability of resulting in developmental delays. Each State establishes the criteria for the extent of the developmental delay and may identify the established conditions that make a child eligible for services. Furthermore, under Part C, States may also choose to serve eligible children who are at-risk of developing delays or disabilities. At-risk infants or toddlers are those who would be at risk of experiencing a substantial developmental delay if early intervention services are not provided (e.g., children born significantly prematurely). Refer to the Summary of State and Jurisdictional Eligibility Definitions for Infants and Toddlers with Disabilities Under IDEA Part C as compiled by the Early Childhood Technical Assistance Center and the Center for IDEA Early Childhood Data Systems to see each State's eligibility criteria.

Because IDEA allows States to define delays and list eligible diagnoses, IDEA creates variability in eligibility criteria across States, which can result in significant differences in both the number and demographics of children who receive Part C services. Since States set different thresholds for the significance of a delay, a child with a 25-percent delay in one area of development, for example, could qualify for Part C in some States but not in others with higher delay thresholds. The statute gives States similar latitude to determine which diagnosed conditions or at-risk factors make a child eligible for Part C services. For example, a child with fetal alcohol syndrome may be automatically eligible in certain States but not in others. States may also engage in different processes to establish eligibility criteria. States establish criteria in State statute, through State regulations, or through policies established by the State Interagency Coordinating Council. Regardless of the process used to establish or modify eligibility criteria, IDEA regulations require that States solicit public input on changes to the eligibility criteria.

IDEA PART C STATUTORY AND REGULATORY KEY PRINCIPLES

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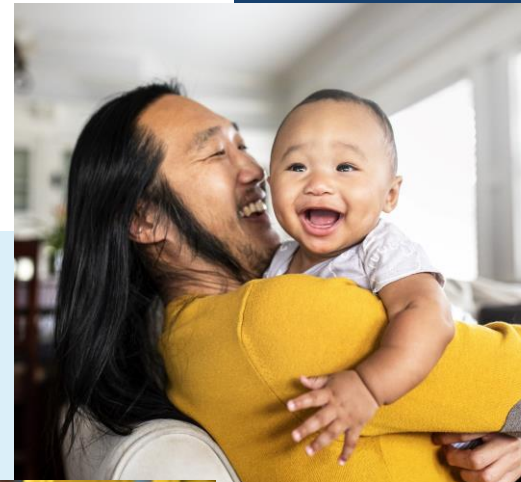
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California Updated Eligibility Criteria

Nancy Bargmann, Lead Agency Director

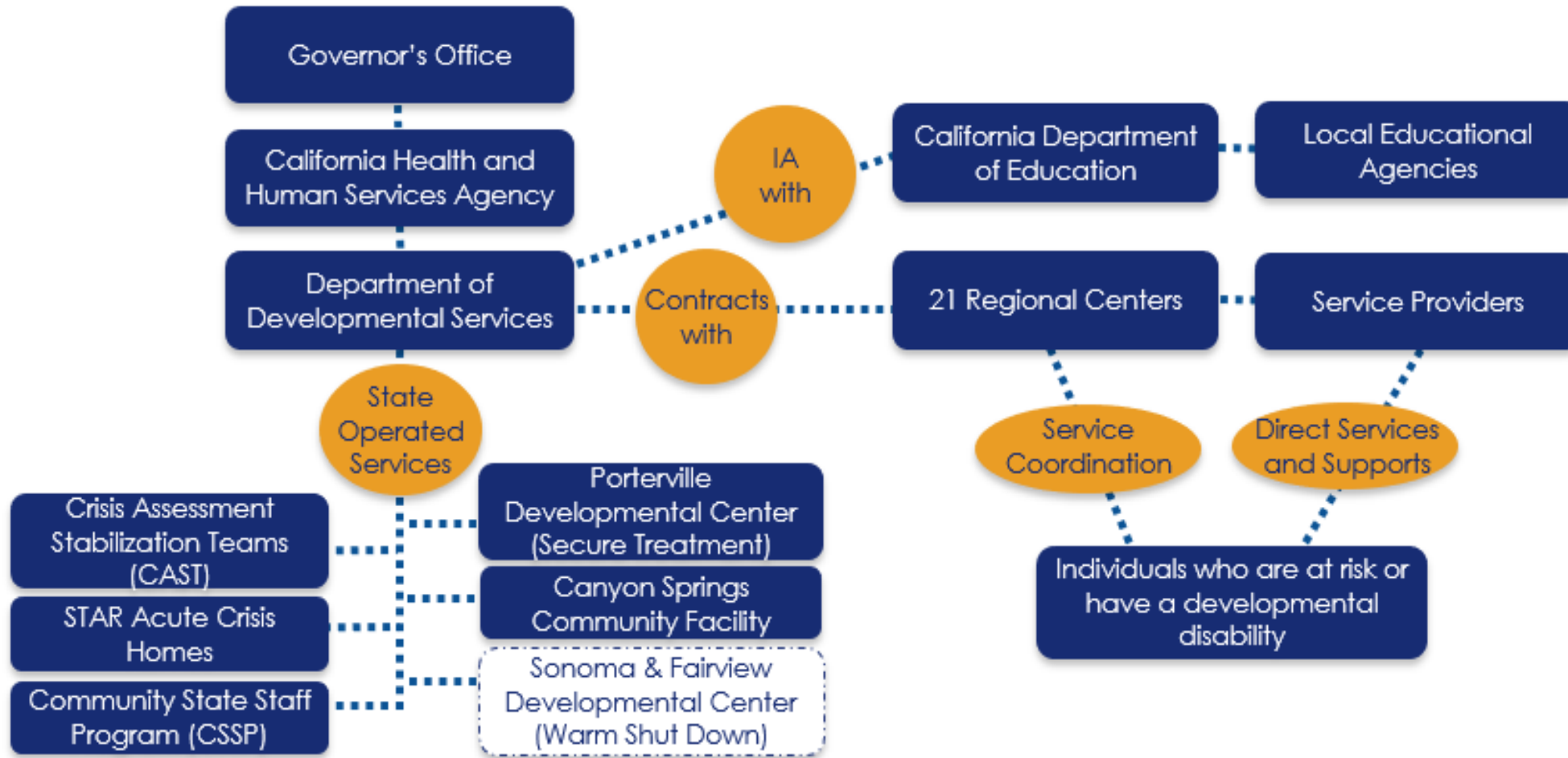
OSEP National Eligibility Webinar
December 7 , 2023



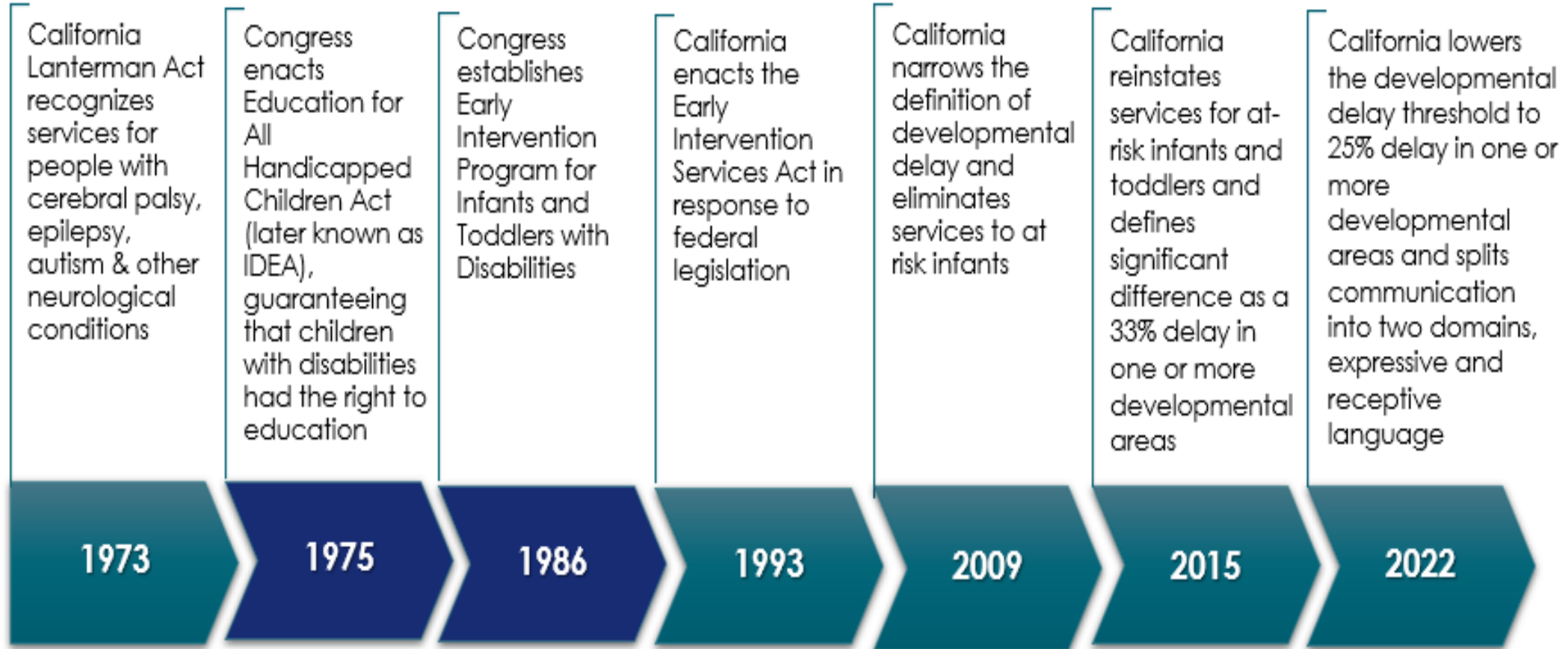
California Demographics



SYSTEM ORGANIZATION



HISTORY OF EARLY START ELIGIBILITY CHANGES



EXPANDED EARLY START ELIGIBILITY CRITERIA

Prior Eligibility Criteria*

Infant or toddler from birth through two years of age and one of the following are met:

- Have a 33% developmental delay in one or more of the following areas:
 - Cognitive development
 - Physical and motor development, including vision and hearing
 - Communication development
 - Social or emotional development
 - Adaptive development
- Have established risk conditions, with established harmful developmental consequences
- Are considered at high risk of having a substantial developmental disability due to a combination of biomedical risk factors

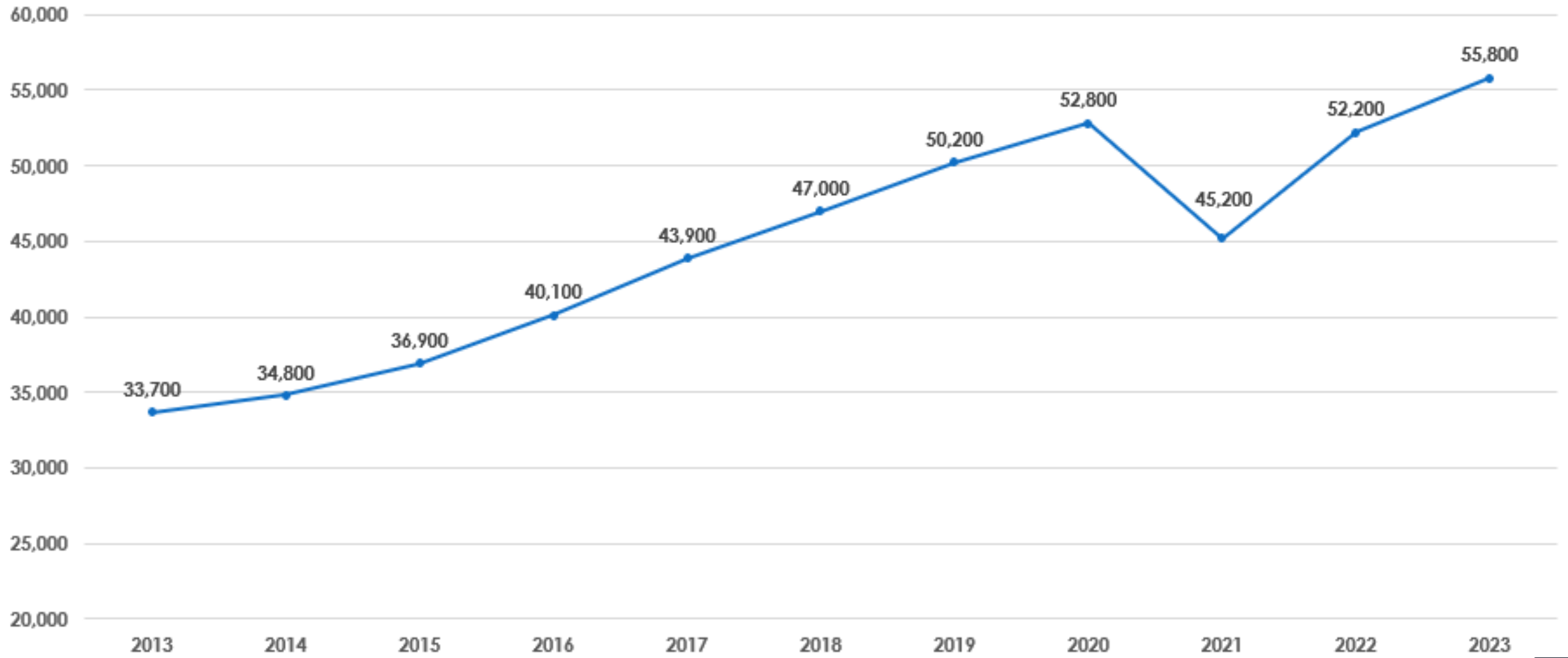
* Except for 2009-2015

New Eligibility Criteria – July 2022

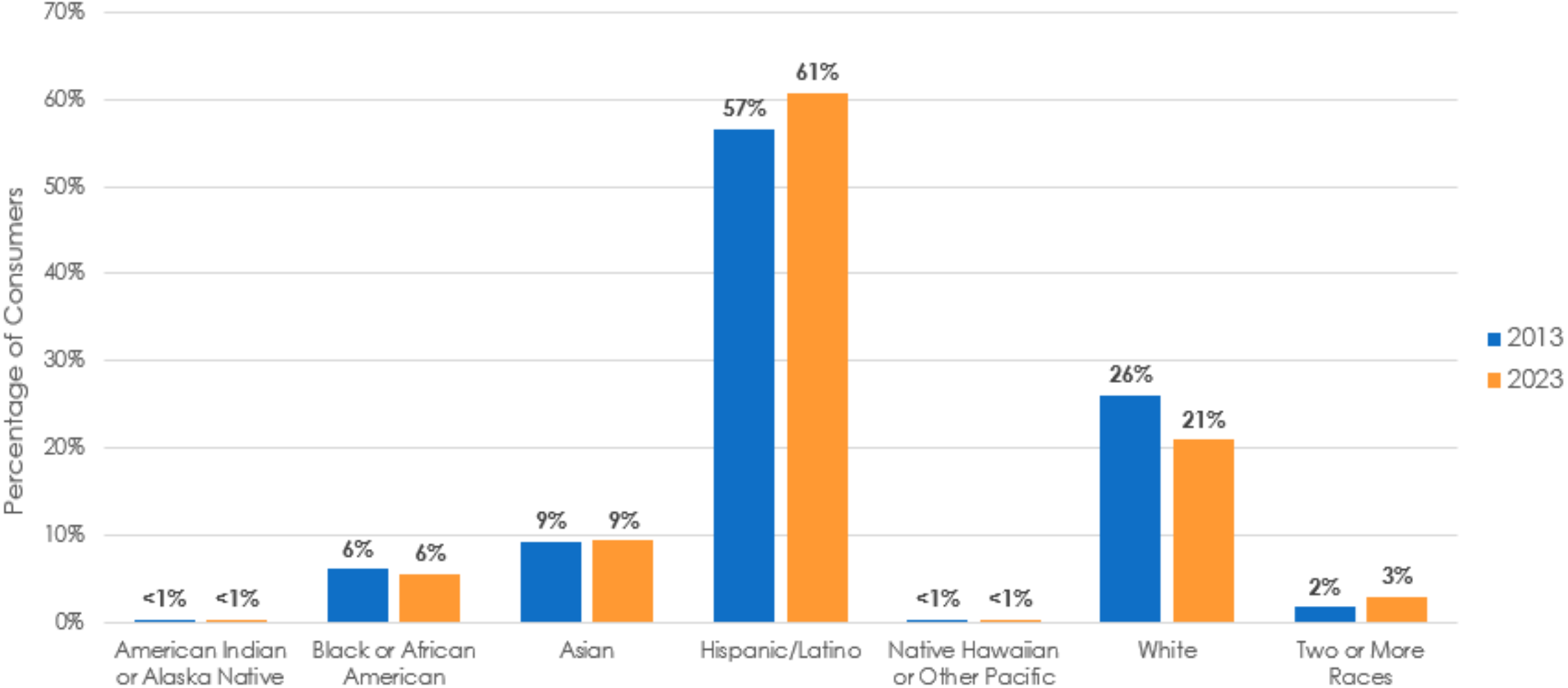
Infant or toddler from birth through two years of age and one of the following are met:

- Have a **25%** developmental delay in one or more of the following areas:
 - Cognitive development
 - Physical and motor development, including vision and hearing
 - **Expressive communication development**
 - **Receptive communication development**
 - Social or emotional development
 - Adaptive development
- Have established risk conditions, **including fetal alcohol syndrome** with established harmful developmental consequences
- Are considered at high risk of having a substantial developmental disability due to a combination of biomedical risk factors

EARLY START POPULATION

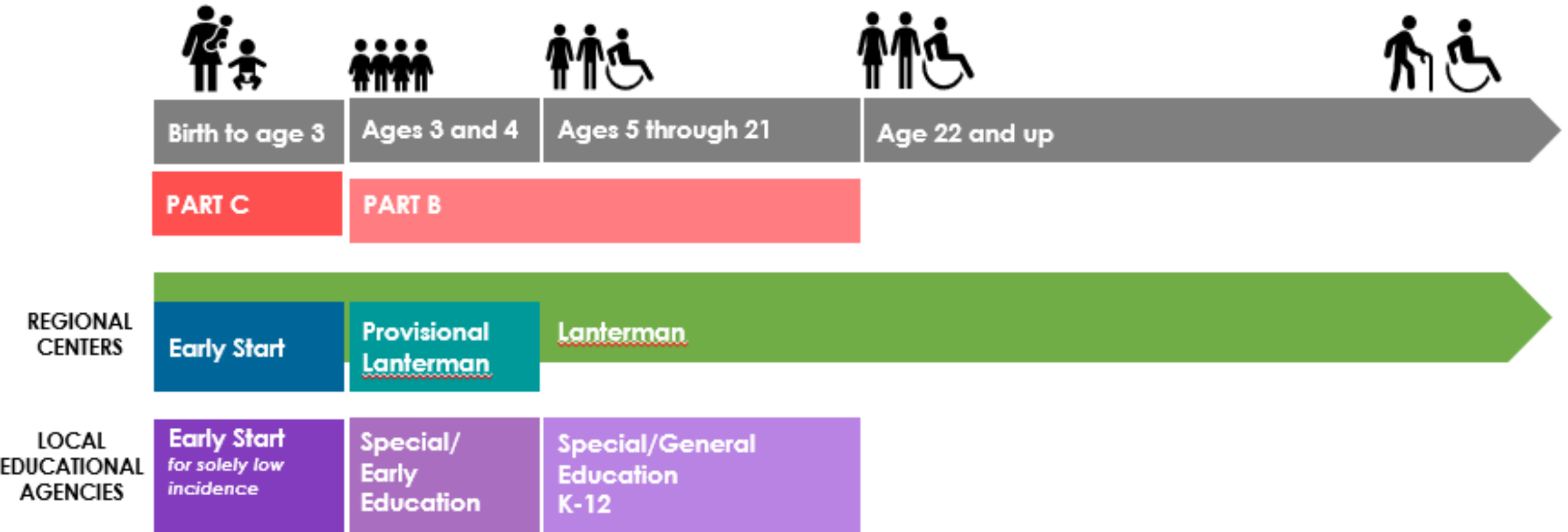


EARLY START POPULATION BY RACE & ETHNICITY – 10-YEAR REVIEW



NOTE: Chart uses Federal Reporting Categories for Child Count.

ACROSS THE LIFESPAN



WHY WE EXPANDED ELIGIBILITY

- California identified a pattern of children returning to the developmental services system years after exiting Early Start services at age 3
 - Experiencing gaps in services and regional center service coordination
 - Added burden to families
- Communities of color were disproportionately represented in the children that returned later, sometimes as late as age 6
 - Delays in diagnosing qualifying conditions
 - Risk of missed diagnosis and not returning

HOW WE EXPANDED ELIGIBILITY

- California expanded eligibility under the Budget Act using the Developmental Services Trailer Bill, SB 188 (Chapter 49, Statutes of 2022), effective June 30, 2022 which amended Government Code (GC) Section 95014 to expand eligibility for early intervention services under the California Early Intervention Services Act (Early Start).
 - [Early Start Eligibility Changes \(ca.gov\)](#)



Early Start
Highlights

Initiatives & Resources Developed to Support Eligibility Changes

- Child Find & Outreach Initiatives
 - ARPA Child Find Initiatives focused on unhoused and migrant communities
 - Tribal Outreach to improve access to services for tribal communities
- Early Start Information Packet
 - User-friendly packet for anyone who wants to, or needs to, learn about Early Start services
- Reduction in Service Coordinator caseload ratios

STRATEGIES FOR SUPPORTING FAMILIES IN THE EARLY INTERVENTION ASSESSMENT AND EVALUATION PROCESS

LISA KOVACS – HANDS & VOICES DIRECTOR OF PROGRAMS / FL3 CENTER DIRECTOR

LISAKOVACS@HANDSANDVOICES.ORG



Parent-led organization providing unbiased support to families with children who are Deaf or Hard of Hearing



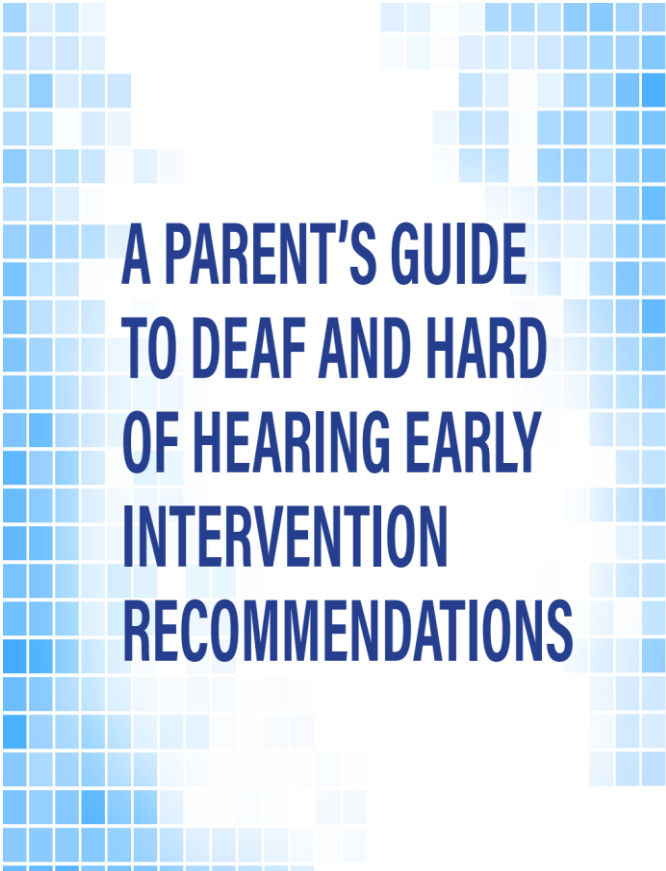
The Family Leadership in Language and Learning (FL3) Center provides technical support to national, state and territory, and local Early Hearing Detection and Intervention (EHDI) systems of care in order to increase family engagement and leadership, and to strengthen family support for families with children up to age 3 who are deaf or hard of hearing.

Family Training and Education from Parents with Lived Experience – Use of Family Navigators

- **Family learning outcomes**

- Better understand the importance of early entry into EI and what to expect for the assessment and eligibility process
- Increase their knowledge of how EI can support the family/child QOL & well-being, access to services, and resources for financing services in a culturally competent and equitable way
- Learn of best practices for Early Intervention (EI) and their parent rights including access to Service Coordinators and EI providers with specialized knowledge and skills related to the child's needs
- Be empowerment to advocate for appropriate EI services and trained on how to engage in their child's EI services through partnership with EI professionals

Family Resource



**A PARENT'S GUIDE
TO DEAF AND HARD
OF HEARING EARLY
INTERVENTION
RECOMMENDATIONS**

[HV Parent's Guide to EI](#)

Key Considerations of Implementing a Family Navigator Program

Family Navigators are provided with training (initial and on-going), compensation, evaluation, and access to a community/peers

- <https://handsandvoices.org/fl3/fl3-docs/Fam-Fam-support-guidelines-8-30-2018.pdf>
- <https://handsandvoices.org/fl3/office-hours/past-events.html>
- <https://www.handsandvoices.org/about/latino-forum-reg.html>

Utilize evidence-based models of family support services

- It's more than a shoulder to cry on
- https://handsandvoices.org/fl3/fl3-docs/Henderson_etal-2016-AJA_famfam-givesupport.pdf

Key Considerations of Implementing a Family Navigator Program, Continued

Diversity, Equity, Inclusion, and Accessibility practices are promoted

- Diversity of Family Navigators
- <https://handsandvoices.org/diversity/DEI-final.pdf>

The system of care for families should include simultaneous referral to Family Support and Early Intervention so that all families get equitable access to these services

- <https://handsandvoices.org/fl3/fl3-docs/CaseReferralParentParentSupportPrograms.pdf>

TOOLS FOR MESSAGING WITH FAMILIES

Say YES to EI

Promoting
Comprehensive,
Multidisciplinary
Evaluation and
Assessment

5 Reasons to Say YES to Assessments in Early Intervention for your Child who is Deaf/Hard of Hearing

- 1. Don't Guess: Assess!**
Assessments help you and your IFSIP* team create a unique plan and set goals that are important to you and your family. Assessments build a "map" for the plan so you know where to focus as you help your child grow and develop in these early years – the fastest years of development!
- 2. Set the Bar High**
Assessments help you discover and build on your child's strengths and gifts. Discussing strengths and needs will help you see how your child is developing compared to children of the same age. You will know if and in what areas your child needs extra support for play skills, concepts and language.
- 3. Take Your Place on the Team**
Family Involvement is the key to future success. Actively learning about your child through assessments helps you stay on top of their growing abilities to communicate, understand, and express their feelings and thoughts. Professionals and families working and problem-solving together are unstoppable.
- 4. Confirm Your Intuition**
Your gut instincts as a parent should be taken seriously. They are part of the mix of what you know to be true about your child. Assessments can quantify your feelings about where your child needs to grow. Completing assessments every six months and monitoring regularly can catch any developing issues. This allows you and your team to change the plan together if needed to better meet your child's needs.
- 5. Smooth the Transition to Preschool**
You will have a current, full picture of your child's strengths and needs to share with the new team as your child transitions to school. How does your child communicate best? Where will your child benefit from additional support? What are their strengths? You'll have insights to share at the eligibility meeting which leads to strong suggestions for goals and services. You'll be more confident working with the school team with the knowledge you have gained.

*IFSIP means Individual Family Service Plan, the plan for services for your child who is under age three within Early Intervention. For more information, contact fslg@handsandvoices.org, or your state or territory's Part C Coordinator or local Early Intervention provider.



8 Reasons to say YES to Early Intervention for your child who is Deaf/Hard of Hearing (D/HH)

...What are you waiting for?

- *Early Intervention is worth the time**
Early Intervention (EI) will help you incorporate language development and needed supports for your child into your daily routines. Research shows early involvement can help your child avoid language delays. Starting EI now will help you and your child on the path to future success.
- We are in this together**
Feeling overwhelmed or isolated? Professionals and other parents of D/HH kids can share this journey with you and support you. A whole community is ready to embrace you. Hearing other families' experiences can help you think ahead through your own journey.

Downloadable in English and Spanish

Downloadable Resource : In English and Spanish
Customizable for state/territory use



***Supporting Families In Understanding
The Early Intervention Process***



1 BUILD COMMUNITY
Build diverse community of local stakeholders



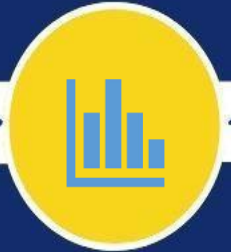
2 IDENTIFY BARRIERS
Identify systemic barriers to early childhood services, beginning with resident perspectives



3 INVITE PARTNERS
Invite in key partners beyond the neighborhood, including city agencies



4 ACCESS DATA
Access up to date agency data disaggregated by geography and race



5 ANALYZE DATA
Analyze and interpret data with local stakeholders and key partners



6 DEVELOP AND TEST
Develop theories for improvement, set data goals, begin to plan and test interventions

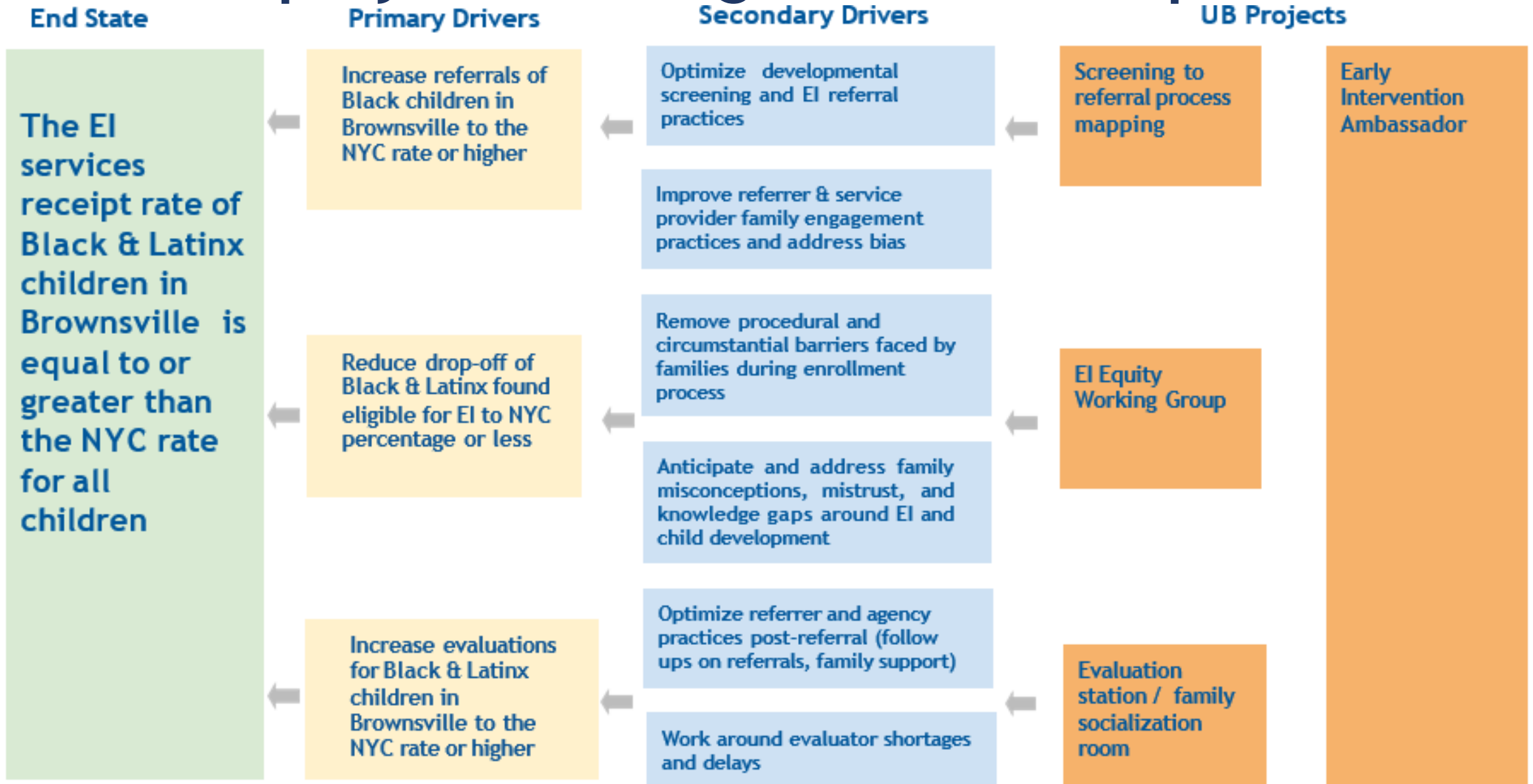


7 PROGRESS
Progress towards racial equity: Measurable improvement in community access to essential early childhood services



REPEAT AND REFINE 4 THROUGH 7

UB EI Equity Driver Diagram - 2019 to present



Early Intervention Ambassador

72%
of referrals
receive
services

- Community member trusted by families and providers as an EI point-person
- Troubleshoot pain-points for Brownsville service providers referring children to EI / manages EI referrals for providers who lack capacity to help families navigate the system
- Provides families information, resources and support through each stage of the Early Intervention (EI) enrollment process
- Offers developmental screenings to identify suspected developmental delays/disorders
- Supports transition from EIP to Preschool
- Trains providers and programs in Family Centered approach to EI equity



More: <https://unitedforbrownsville.org/early-intervention-ambassador/>

Supporting Families in Simplified Steps

- ▶ Knowledge without Understanding does not support families in activation



Upcoming Technical Assistance Implementation Guides

Upcoming Guides:

- Cross-Agency Collaboration
- Professional Development
- Data
- Finance

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Additional Slides

- ▶ The following slides provide non-visual access to the information on the previous slides.

California Demographics

- ▶ 58 counties
- ▶ Population 41 million
- ▶ 1.3 million under age 3
- ▶ More than 200 languages spoken
- ▶ 21 regional centers
- ▶ More than 1,000 total Local Educational Agencies
- ▶ 124 Early Start Local Educational Agencies
- ▶ More than 100,000 Early Start per year

California System Organization

- ▶ Governor's Office
- ▶ California Health and Human Services Agency
- ▶ Department of Developmental Services
 - IA with California Department of Education and Local Education Agencies
 - Contracts with 21 regional Centers and Service Providers
 - 21 Regional Centers provide service coordination for individuals who are at risk or have a developmental disability
 - Service providers provide direct services and supports for individuals who are at risk or have a developmental disability

California System Organization Continued

▶ Department of Developmental Services

- Provides state operated services to the following
 - Crisis Assessment Stabilization Teams (CAST)
 - STAR Acute Crisis Teams
 - Community State Staff Program (CSSP)
 - Porterville Developmental Center (Secure Treatment)
 - Canyon Springs Community Facility
 - Sonoma and Fairview Developmental Center (Warm Shutdown)

California History of Early Start Eligibility Changes

- ▶ 1973: California Lanterman Act recognizes services for people with cerebral palsy, epilepsy, autism & other neurological conditions
- ▶ 1975: Congress enacts Education for All Handicapped Children Act (later known as IDEA), guaranteeing that children with disabilities had the right to education
- ▶ 1986: Congress establishes Early Intervention Program for Infants and Toddlers with Disabilities
- ▶ 1993: California enacts the Early Intervention Services Act in response to federal legislation

California History of Early Start Eligibility Changes, Continued

- ▶ 2009: California narrows the definition of developmental delay and eliminates services to at risk infants
- ▶ 2015: California reinstates services for at-risk infants and toddlers and defines significant difference as a 33% delay in one or more developmental areas
- ▶ 2022: California lowers the developmental delay threshold to 25% delay in one or more developmental areas and splits communication into two domains, expressive and receptive language

California Early Start Population

- ▶ 2013: 33,700
- ▶ 2014: 34,800
- ▶ 2015: 36,900
- ▶ 2016: 40,100
- ▶ 2017: 43,900
- ▶ 2018: 47,000

California Early Start Population, Continued

- ▶ 2019: 50,200
- ▶ 2020: 52,800
- ▶ 2021: 45,200
- ▶ 2022: 52,200
- ▶ 2023: 55,800

California Early Start Population by Race & Ethnicity – 10 Year Review

- ▶ Note: Chart uses federal reporting categories for child count
- ▶ American Indian or Alaska Native less than 1% in 2013 and 2023
- ▶ Black or African American 6% in 2013 and 2023
- ▶ Asian 9% in 2013 and 2023
- ▶ Hispanic/Latino 57% in 2013 and 61% in 2023

California Early Start Population by Race & Ethnicity – 10 Year Review, Continued

- ▶ Note: Chart uses federal reporting categories for child count
- ▶ Native Hawaiian or other Pacific Islander less than 1% in 2013 and 2023
- ▶ White 26% in 2013 and 21% in 2023
- ▶ Two or more races 2% in 2013 and 3% in 2023

California Across the Lifespan

- ▶ Part C: birth to age 3
- ▶ Part B: Ages 3 and 4, Ages 5 through 21, Age 22 and up
- ▶ Regional Centers: Early Start, Provisional Lanterman, Lanterman
- ▶ Local Educational Agencies: Early Start for solely low incidence, Special/Early Education, Special/General Education K-12

United for Brownsville Theory of Change

- ▶ 1: Build Community – build diverse community of local stakeholders
- ▶ 2: Identify Barriers – identify systemic barriers to early childhood services, beginning with resident perspectives
- ▶ 3: Invite Partners – invite in key partners beyond the neighborhood, including city agencies
- ▶ 4: Access Data – access up to date agency data disaggregated by geography and race

United for Brownsville Theory of Change, Continued

- ▶ Repeat and refine 4 through 7
- ▶ 5: Analyze Data – analyze and interpret data with local stakeholders and key partners
- ▶ 6: Develop and Test – develop theories for improvement, set data goals, begin to plan and test interventions
- ▶ 7: Progress – progress towards racial equity: Measurable improvement in community access to essential early childhood services

UB EI Equity Driver Diagram - 2019 to Present

- ▶ **End state:** The EI services receipt rate of Black & Latinx children in Brownsville is equal to or greater than the NYC rate for all children
- ▶ **Primary Drivers:**
 - Increase referrals of Black children in Brownsville to the NYC rate or higher
 - Reduce drop-off of Black & Latinx found eligible for EI to NYC percentage or less
 - Increase evaluations for Black & Latinx children in Brownsville to the NYC rate or higher

▶ Secondary Drivers:

- Optimize developmental screening and EI referral practices
- Improve referrer & service provider family engagement practices and address bias
- Remove procedural and circumstantial barriers faced by families during enrollment process
- Anticipate and address family misconceptions, mistrust, and knowledge gaps around EI and child development
- Optimize referrer and agency practices post-referral (follow ups on referrals, family support)
- Work around evaluator shortages and delays

UB EI Equity Driver Diagram Projects - 2019 to Present

- ▶ Screening to referral process mapping
- ▶ EI equity working group
- ▶ Evaluation station/family socialization room
- ▶ Early Intervention Ambassador

Supporting Families in Simplified Steps

- ▶ Knowledge without understanding does not support families in activation
- ▶ 1: Referral
- ▶ 2: Initial Service Coordinator
- ▶ 3: Evaluation
- ▶ 4: The IFSP meeting (if child is eligible)

Supporting Families in Simplified Steps, Continued

- ▶ 5: IFSP Review 6 months, evaluate annually
- ▶ 6: Transition
- ▶ Early Intervention services
- ▶ Areas of development