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
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.
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:

- 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
**Evaluation and Assessment**

**PART C ADMINISTRATOR IMPLEMENTATION TECHNICAL ASSISTANCE GUIDE**

**EVALUATION AND ASSESSMENT**

- IDEA Part C STATUTORY AND REGULATORY REQUIREMENTS
  - Evaluation
  - Assessment

**IDEA PART C STATUTORY AND REGULATORY REQUIREMENTS**

- Comprehensive eligibility systems
- Early and appropriate identification of all eligible children, including those at risk
- Coordinate among agencies and early childhood programs
- Coordination with other intervention programs and policies
- Prioritize development, learning, and school readiness

**EVALUATION**

- IDEA requires that all states develop systems to evaluate their eligibility for Part C services. States must conduct an evaluation within 60 days of the child's birth. ESEA mandates that the evaluation identify the child's level of functioning in five areas of development: cognitive, physical (including vision and hearing), communicative, social, and emotional.

**ASSESSMENT**

- The assessment process includes identifying the child and using a standardized assessment in a skill-based system. Qualified providers must observe the child and use authentic assessment within a skill-based system to provide a child history, including observing the child and using a skill-based system. Assessment processes such as a comprehensive or comprehensive assessment may be used. Developmental delays must be identified, and a child's eligibility determined based on the scores. If a child shows significant delays, a more comprehensive assessment may be conducted. The assessment must identify areas of strengths and weaknesses in order to provide appropriate interventions.

**Eligibility Criteria**

**PART C ADMINISTRATOR IMPLEMENTATION TECHNICAL ASSISTANCE GUIDE**

**ELIGIBILITY CRITERIA**

- IDEA Part C STATUTORY AND REGULATORY REQUIREMENTS
  - Eligibility criteria for children
  - Evaluation and assessment

**Eligibility Criteria**

- The Individuals with Disabilities Education Act (IDEA) requires that all states develop systems and services for children with disabilities. States must ensure that all children with disabilities are identified and receive appropriate services. The eligibility criteria for children with disabilities are outlined in IDEA Part C. The evaluation and assessment process must be comprehensive and take into account the unique needs of each child. The assessment must identify the child's level of functioning in five areas of development: cognitive, physical (including vision and hearing), communicative, social, and emotional. The assessment must also identify areas of strengths and weaknesses in order to provide appropriate interventions.

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California Updated Eligibility Criteria

Nancy Bargmann, Lead Agency Director

OSEP National Eligibility Webinar
December 7, 2023
California Demographics

- 58 Counties
- 21 Regional Centers
- 41M Population
- >1K Total LEAs
- 1.3M Under Age 3
- 124 Early Start LEAs
- >200 Languages Spoken
- >100K Early Start Per Year
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.
- **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.
## 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 BY RACE & ETHNICITY – 10-YEAR REVIEW

NOTE: Chart uses Federal Reporting Categories for Child Count.
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
  o Experiencing gaps in services and regional center service coordination
  o Added burden to families

• Communities of color were disproportionally represented in the children that returned later, sometimes as late as age 6
  o Delays in diagnosing qualifying conditions
  o 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).
  o Early Start Eligibility Changes (ca.gov)
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
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

HV Parent's Guide to EI

A PARENT’S GUIDE TO DEAF AND HARD OF HEARING EARLY INTERVENTION RECOMMENDATIONS
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/fl3-docs/Fam-Fam-support-guidelines-8-30-2018.pdf)
- [https://handsandvoices.org/fl3/office-hours/past-events.html](https://handsandvoices.org/fl3/office-hours/past-events.html)
- [https://www.handsandvoices.org/about/latino-forum-reg.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](https://handsandvoices.org/fl3/fl3-docs/Henderson_etal-2016-AJA_famfam-givesupport.pdf)
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
TOOLS FOR MESSAGING WITH FAMILIES

Promoting Comprehensive, Multidisciplinary Evaluation and Assessment

Downloadable in English and Spanish

Say YES to EI

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

1. Don’t Owns: Answer!
   Assessments help you and your family learn what services, support, and resources your child needs to reach their full potential. An accurate and comprehensive assessment helps you and other professionals better understand your child’s strengths and needs.

2. Take Your Place on the Team
   Family involvement in early intervention is a powerful tool for promoting strong, positive relationships between families and professionals. It helps you and your child feel valued and respected, and it helps you become more knowledgeable about your child’s needs and how to best support them.

3. Go the Extra Mile
   Assessments are an opportunity to celebrate your child’s strengths and achievements. They can highlight the progress your child has made and provide early intervention professionals with valuable insights into how to continue supporting your child’s development.

4. Confirm Your Intuition
   Use your parental instincts and intuition to guide your child’s early intervention experiences. This will help you make informed decisions and ensure that your child’s needs are being met.

5. Smooth the Transition to Preschool
   Early intervention helps your child make a smooth transition to preschool and other school settings. By addressing any gaps in your child’s educational development and providing necessary supports, you can help your child succeed in school and beyond.

Downloadable Resource: In English and Spanish
Customizable for state/territory use
Supporting Families In Understanding The Early Intervention Process
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

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

**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 contextual 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 Projects**

- Screening to referral process mapping
- Early Intervention Ambassador
- EI Equity Working Group
- Evaluation station / family socialization room
Early Intervention Ambassador

- 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

### “Early Intervention Steps” Chart

1. **Referral** (Unless this step is skipped)
   - Referral source or parent suspects child of having developmental delay or disability
   - Family informed of benefits of Early Intervention Program (EIP)
   - Child referred to Early Intervention Official (EIO) within two days of identification
   - EIO assigns Initial Service Coordinator

2. **Initial Service Coordinator**
   - Provides information about EIP
   - Informs family of rights
   - Reviews list of evaluators
   - Obtains insurance/Medicaid information
   - Obtains other relevant information

3. **Evaluation**
   - Determine eligibility
   - Family assessment (optional)
   - Family identifies desired outcomes
   - Gather information for
   - Early Intervention services specified for individualized family

4. **The IFSP Meeting** *(If child is eligible)*
   - Service Plan (IFSP)
   - Develop written plan
   - Family and EIO agree to IFSP report submitted
   - IFSP signed by Charging Service Coordinator (FSSC) prior to IFSP
   - EIO verifies family security number

5. **IFSP Review Six Months, Evaluate Annually**
   - Decision is made to continue, edit, modify or delete outcomes, strategies and/or services.
   - If parent requests, may review IFSP (If parent requests an increase in services, EIO may seek for supplemental evaluation)

6. **Transition**
   - Plan for transition included in IFSP
   - Transition to
   - Services under Section 640 of Education Law (3–9 system)
   - Other early childhood services, as needed

### Early Intervention Services*

- **Assessment, Diagnosis and Services**
  - Autism
  - Speech
  - Sensory intervention
  - Social work services
  - Vocational
  - Physical therapy
  - Occupational therapy
  - Speech therapy

- **Nutrition Services**
- **Developmental Services**

### Areas of Development

- Cognitive
- Physical (including vision and hearing)
- Communication
- Social/emotional
- Adaptive development
Upcoming Technical Assistance Implementation Guides

Upcoming Guides:

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

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

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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
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
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
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UB EI Equity Driver Diagram Projects - 2019 to Present

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- 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