

OFFICE OF SPECIAL EDUCATION PROGRAM IDEA PART C TO PART B TRANSITION

OSEP NATIONAL TA CALL

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Questions

OSEP recognizes the importance of this topic, as such we ask that audience members place all questions in the Q/A feature. We will review all questions and respond appropriately.

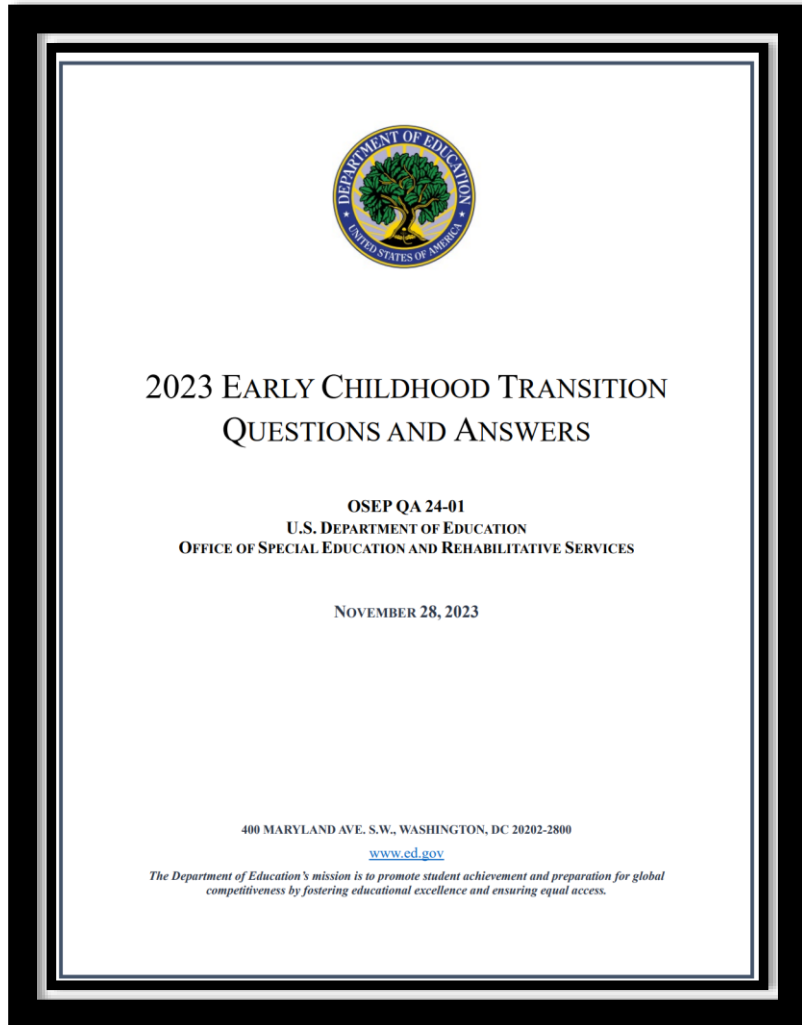


Objectives

- ▶ Introduce the C-B Transition Q & A
 - Why is guidance needed?
 - General Supervision
 - Interagency or intra-agency agreements/MOUs
- ▶ Review SPP/APR Data Reporting Requirements
- ▶ Highlight State Examples & Resources



Early Childhood Transition Q & A



- Longstanding policy
- Provides clarification
- Updates 2009 FAQs
- Incorporates 2011 Letter to ITCA
- Incorporates 2023 Letter to Nix
- IDEA Requirements and best practice considerations

<https://sites.ed.gov/idea/idea-files/2023-early-childhood-transition-questions-and-answers/>

Early Childhood Transition

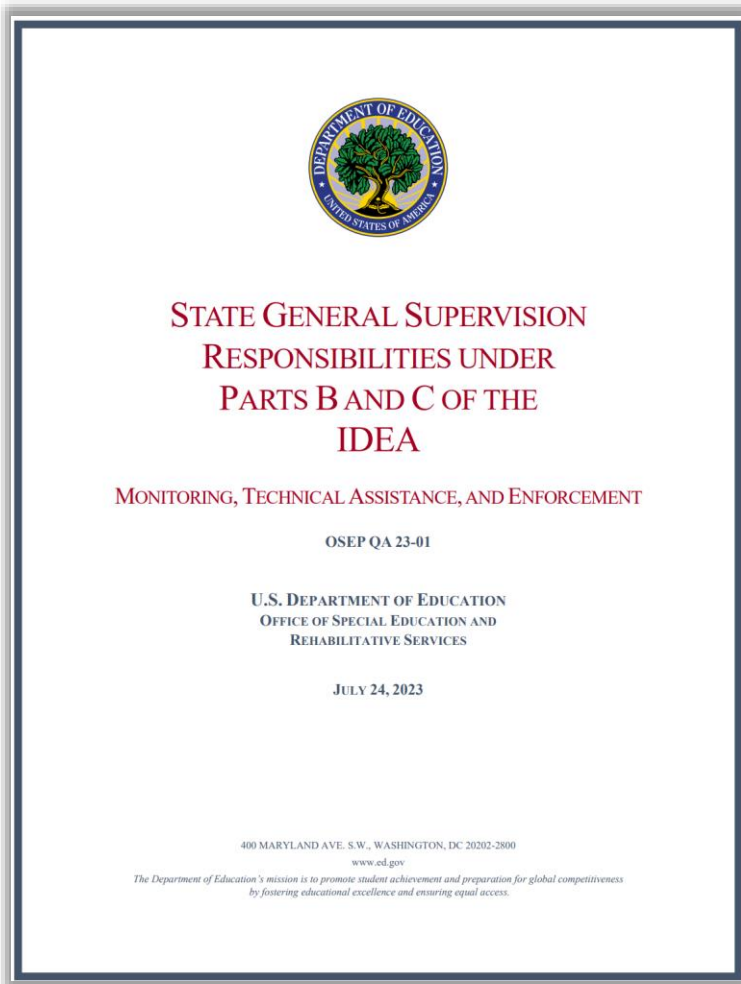


General Supervision

A State's general supervision system is the root system that supports the growth of improved outcomes.



Guidance on State General Supervision Responsibilities



States are required to have policies and procedures that ensure compliance with IDEA, including integrated monitoring activities. OSEP released new guidance in 2023 that speaks to those requirements.

<https://sites.ed.gov/idea/idea-files/guidance-on-state-general-supervision-responsibilities-under-parts-b-and-c-of-the-idea-july-24-2023/>

Transition as the Bridge

**Part C Early
Intervention**



**Part B Section
619
Preschool**

Interagency/Intra-agency Agreement
Clearly Defined Roles & Responsibilities



Guidance on Creating an Effective Memorandum of Understanding

GUIDANCE ON CREATING AN EFFECTIVE MEMORANDUM OF UNDERSTANDING TO SUPPORT HIGH-QUALITY INCLUSIVE EARLY CHILDHOOD SYSTEMS

Vision:

The Office of Special Education Programs (OSEP) and the Office of Head Start (OHS) envision a seamless system of early care and education with a coordinated approach to service delivery for infants, toddlers, and preschool children (young children) with disabilities and their families. This requires heightened and sustained levels of ongoing collaboration between the Individuals with Disabilities Education Act (IDEA) Part C early intervention and Part B, Section 619 preschool special education programs and Head Start¹ programs. This may also include other early childhood programs such as childcare and State preschool programs.

Objective:

The purpose of this document is to provide an overview of factors to consider when developing, implementing, and sustaining memoranda of understanding (MOUs)² at the State level to create a coordinated approach to service delivery to improve outcomes for young children who are at risk for or have a developmental delay or disability. While this document focuses on IDEA and Head Start programs, States may wish to consider whether MOUs with the relevant early care and education partners may be helpful to provide seamless services to young children with disabilities and their families.

There are at least four potential purposes that the MOU can serve under Parts B and C of the IDEA. If an MOU or interagency agreement is needed for the delivery of IDEA services, an interagency agreement may serve as a method under IDEA sections 612 and 640. As a method under 34 CFR 303.511, the MOU must include appropriate service provision and dispute resolution provisions. A second purpose under both IDEA Parts B and C is the IDEA child find mandate under 34 CFR 300.111 and 303.115, which many States codify through an interagency agreement.

¹ Head Start, as referenced in this document, includes all Head Start program types: Head Start, Early Head Start (EHS), Migrant and Seasonal Head Start (MSHS), and American Indian and Alaska Native (AIAN) Head Start.

² How this agreement is labeled will vary from State to State, as some States may refer to these agreements as a Memorandum of Understanding (MOU), Memorandum of Agreement (MOA), or inter-/intra-agency agreement. For the purposes of this document, the term MOU will be used to refer to any agreement that is established between agencies to facilitate the provision of special education and related services in Head Start or other early childhood program settings.

- ▶ How this agreement is labeled will vary from State to State, as some States may refer to these agreements as a Memorandum of Understanding (MOU), Memorandum of Agreement (MOA), or interagency/intra-agency agreement (these terms are often used interchangeably).

[Guidance On Creating An Effective Memorandum of Understanding to Support High Quality Inclusive Early Childhood Systems](#)

Interagency/Intra-Agency Agreements

- ❑ Roles & responsibilities
- ❑ Policy, procedures, practices to support nonduplication, seamless service delivery
- ❑ Methods, timelines for communication
- ❑ Data sharing
- ❑ Integrated professional development



State Examples



Early Childhood
Technical Assistance Center

Improving **Systems**, **Practices**, and **Outcomes**

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State Examples for Transition

State Agreements

Interagency Agreements

- Arizona** — [Intergovernmental Agreement between the Arizona Department of Economic Security \(ADES\) and the Arizona Department of Education \(ADE\)](#) (2021)
- Idaho** — [DHW Infant Toddler \(Part C\) Program Interagency Agreement](#) (2021)
- New Jersey** — [Interagency Part C to Part B Transition Agreement](#) (2012) Between the New Jersey Early Intervention System within the Department of Health and the Office of Special Education within the Department of Education

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[State Agreements](#)

[Interagency Agreements](#)

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[Creating Agreements](#)

[State Guidance](#)

[State Forms](#)

[State Initiatives and Special Projects](#)

<https://ectacenter.org/topics/transition/stateex.asp>

ECTA Transition Topic Page

- ▶ Transition from Part C to Preschool
- ▶ Federal Requirements
- ▶ OSEP Resources
- ▶ National Centers
- ▶ Monitoring
- ▶ Eligibility Differences between Part C and Part B, Section 619
- ▶ Transition from Preschool Services to Kindergarten



Data Reporting in the SPP/APR

Indicator C8 Overview

Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate programs by their third birthday, including:

- A. IFSPs with transition steps and services;
- B. Notification to SEA and LEA, for child potentially eligible for Part B; and
- C. Transition conference, for child potentially eligible for Part B.

(20 U.S.C. 1416(a)(3)(B) and 1442)

C8: Details

- ▶ Compliance indicator (100% target)
- ▶ Data Source:
 - Database
 - Full year or partial year
 - Monitoring processes
- ▶ Resource:
 - 2023 Part C SPP/APR Measurement Table:
<https://sites.ed.gov/idea/files/FFY2023-Part-C-SPP-APR-Reformatted-Measurement-Table.pdf>

C8A: IFSP with Transition Steps and Services

► Asks:

- How many children have transition steps and services in place to prepare them and their families as they exit Part C?

► Data elements needed:

- Date of third birthday
- Exit date
- Presence of transition steps and services
- Date that transition steps and services were documented
- If delayed past the 90-day mark, reason for delay

C8A: Calculation

Number of toddlers with disabilities exiting Part C who have an IFSP with transition steps and services at least 90 days, and at the discretion of all parties not more than nine months, prior to their third birthday

All toddlers with disabilities who exited Part C

- ▶ The number of documented delays due to family circumstances is added to the numerator for the calculation

C8B: Timely SEA and LEA Notification

► Asks:

- Has the SEA and LEA been notified (≥ 90 days prior to 3rd birthday) that a child exiting Part C is potentially eligible for Part B services?

► Data elements needed:

- Date of third birthday
- Exit date
- Date(s) of notification to SEA and LEA
- Marker of potential eligibility for Part B
- If an option, whether parent opted out of the notification process

C8B: Calculation

- ▶ Among all toddlers potentially eligible for Part B at exit:

All toddlers who exited Part C at or within 90 days of age three
whose notification was made prior to the 90-day mark

All toddlers who exited Part C at or within 90 days of age
three

- ▶ Families that opted out of notification are not included in the calculation
- ▶ Late referrals to Part C are an exception to the timeline

C8C: Timely Transition Conference

► Asks:

- How many children have had a timely transition conference to prepare them and their families as they exit Part C?

► Data elements needed:

- Date of third birthday
- Exit date
- Date of transition conference
- If delayed past the 90-day mark, reason for delay

C8C: Calculation

- ▶ Among all toddlers potentially eligible for Part B at exit:

All toddlers who exited Part C at or within 90 days of age three who had transition conferences prior to the 90-day mark

All toddlers with disabilities who exited Part C at or within 90 days of age three

- ▶ The number of documented delays due to family circumstances is added to the numerator for the calculation

Indicator B12 Overview

Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

B12: Details

- ▶ Compliance indicator (100% Target)
- ▶ Data sources
 - State Monitoring
 - Describe method used to select LEAs for monitoring
 - State Database
 - Include data for entire reporting year
- ▶ Resource:
 - 2023 Part-B SPP/APR Measurement Table:
 - <https://sites.ed.gov/idea/files/FFY2023-Part-B-SPP-APR-Reformatted-Measurement-Table.pdf>



B12 : Timely Transition

► Asks:

- Did children referred from Part C have their eligibility determined and the IEP implemented by their third birthdays?

► Data elements needed:

- Date of third birthday
- Date of referral (notification) from Part C
- Eligibility for Part B
- IEP date
- Date of referral to Part C
- If delayed, reason for delay

B12: Measurement

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays

B12: Measurement cont'd

- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 C.F.R. § 300.301 (d) applied
- e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays
- f. # of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 C.F.R. § 303.211 or a similar State option, if relevant

B12: Calculation

c: # of those found eligible who have an IEP developed and implemented by their third birthdays

$$a - b - d - e - f$$

- ▶ States must account for children included in the total who do not fall into one of the other categories.
- ▶ States must report the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.

SPP/APR Checklists and Tips



APR Checklist and Tips—Indicator B-12: Early Childhood Transition

December 2023

Compliance Indicator: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday. (20 U.S.C. 1416(a)(3)(B))

For an overview of the indicator, including explanation of the measurement, please access the SPP/APR modules: [SPP/APR Basics](#), [What you Need to Know](#). For more detailed information please access the current [FFY Part B SPP/APR Package](#). The Measurement Table language is also included at the beginning of the indicator in the SPP/APR template/platform.

What to Know About this Indicator

- B-12 reports the percent of children for whom transition from Part C to Part B occurred according to IDEA regulations.
- Data for this indicator include children referred by Part C and found eligible for Part B who have an IEP developed and implemented by their third birthday.
- The measurement for B-12 has multiple data components to consider in the measurement calculation.
- This indicator is a compliance indicator and targets are always 100%.
- Guidance on late referrals helps determine how to report children who are referred to Part C less than 135 days from their third birthday and are referred to Part B: [Federal IDEA Part C and Part B Transition Requirements for Late Referrals to IDEA Part C](#) (2018).
- This indicator is not applicable for those entities where IDEA Part C services are not provided.

General Tips

- Review and respond to information included in the "s Actions" from the previous year's APR for this indicator.
- Ensure that all information is entered into the appropriate fields.
- Check that your numbers exactly match the OSEP pre-populated/auto-calculated numbers.
- Exclude extraneous information that may cause confusion or create additional questions for the reader.

1. Indicator Data

Were the following completed?	Yes
a. Indicated "yes" if the indicator is not applicable	
b. If yes: provided an explanation as to why it is not applicable	



APR Checklist and Tips—Indicator C-8A: Transition Plan

December 2023

Compliance Indicator: The percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has developed an IFSP with transition steps and services at least 90 days, and at the discretion of all parties, not more than nine months, prior to the toddler's third birthday (20 U.S.C. 1416(a)(3)(B) and 1442)

For an overview of the indicator, including explanation of the measurement, please access the SPP/APR modules: [SPP/APR Basics](#), [What you Need to Know](#). For more detailed information please access the current [FFY Part C SPP/APR Package](#). The Measurement Table language is also included at the beginning of the indicator in the SPP/APR template/platform.

What to Know About this Indicator

- C-8A, the first requirement of Indicator C-8 related to early childhood transition, addresses the development of a transition plan in the IFSP.
- Each state is required to develop a definition for 'potentially eligible' in collaboration with Part B, such as 'all children with IFSPs.'
- This indicator is a compliance indicator and targets are always 100%.
- Guidance on late referrals helps determine how to report children who are referred to Part C less than 135 days from their third birthday: [Federal IDEA Part C and Part B Transition Requirements for Late Referrals to IDEA Part C](#) (2018).

General Tips

- Review and respond to information included in the sections "OSEP Response" and "Required Actions" from the previous year's APR for this indicator. Include the state's response in the "Prior FFY Required Actions" section of the SPP/APR reporting platform.
- Ensure that all information is entered into the appropriate fields in the platform.
- Check that your numbers exactly match the OSEP pre-populated/auto-calculated numbers.
- Exclude extraneous information that may cause confusion or create additional questions for the reader.

Checklists:

- Developed to support states in annually preparing their SPP/APRs.
- Organized by indicator and the fields as they appear in the SPP/APR submission platform.
- Formatted to help states determine if all required fields have been completed.

Tips:

- Provided to ensure all relevant instructions are addressed for each indicator.

<https://dasycenter.org/spp-apr-checklists-and-tips/>
<https://ectacenter.org/idea/sppaprmodule/>



Resources

General Supervision

- [2023 Early Childhood Transition Questions and Answers \(OSEP QA 24-01\)](#)
- [Guidance on State General Supervision Responsibilities under Parts B and C of the IDEA](#)
- [Guidance on Creating an Effective Memorandum of Understanding to Support High-Quality Inclusive Early Childhood Programs](#)

Data Reporting (SPP/APR)

- [Part C State Performance Plan \(SPP\) and Annual Performance Report \(APR\) Indicator Measurement Table \(FFY 2023\)](#)
- [Part B State Performance Plan \(SPP\) and Annual Performance Report \(APR\) Indicator Measurement Table \(FFY 2023\)](#)
- [SPP/APR Checklists/Tips](#)
 - [C-8A](#)
 - [C-8B](#)
 - [C-8C](#)
 - [B-12](#)

Other/Related

- [Part C to Part B Early Childhood Transition Timeline for SPP/APR Indicators C-8, B-11 and B-12 for Part C Children Determined Eligible at Least 90 Days Prior to Their 3rd Birthday](#)
- [Federal IDEA Part C & Part B Transition Requirements for Late Referrals to IDEA Part C](#)
- [Module 8: The Transition Process and Lead Agency Notification](#)
- [Module 9: Development of the Transition Plan](#)

Thank You

For questions, additional information, and Technical Assistance:

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