

Riverside County Special Education Local Plan Area (SELPA)

Policies and Procedures for Students with Disabilities Birth through Three

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Guiding Principles

The following key principles guide the Riverside County SELPA policies, procedures, and practices regarding students with disabilities aged birth to three years.

Early Special Education Services are a Good Investment:

The provision of early intervention may prevent years of special education services. If prevention or early intervention supports are provided early enough, the child may enter general education kindergarten. Identifying deficits early is the best way to prevent secondary disabilities.

Assessments are Important:

An evaluation determines whether or not a child is eligible for early intervention services. The assessment process helps with identifying a child’s and family’s strengths and needs in order to develop outcomes and determine appropriate services.

Work with Parents as Partners:

A parent of an infant often knows the child best and can be a great contributor in the evaluation and Individualized Family Service Plan (IFSP) process. Once a child is identified as a student with a disability, the IFSP team will develop a plan to address areas of need. Parents need information on

how to work with their children and they can be trained to continue with remediation in the home setting.

Recognize that “One Size” Does Not Fit All!

In developing the IFSP, it is important to keep the focus on the individual child’s and family’s needs. IFSP supports may be provided in the home and/or a community. It is helpful to have flexible programming that is set up to meet the unique needs of each child and family.

Emphasize -Natural Environments:

Infant special education regulations emphasize the provision of services in “natural” environments.

Consider Services and Programs from Other Agencies:

Regional Center provides a variety early intervention services for children who meet eligibility for Early Start. California Children’s Services can provide occupational therapy, physical therapy, and specialized equipment services for students who meet their eligibility criteria.

Comply with the Required Policies, Procedures, and Forms

It is important to comply with all the required policies, procedures and forms utilized in the birth through three special education referral, identification, plan development, implementation, and transition processes.

Search and Serve Policy

There is a need to provide appropriate early intervention services, individually designed for infants and toddlers from birth through two years of age, who have disabilities or are at risk of having disabilities, to enhance their development and to minimize the potential for developmental delays (GC 95001). Regional Centers and local education agencies (LEAs) shall conduct child find activities to locate all infants and toddlers who may be eligible for early intervention services (CCR 52040(a)). Each special education local plan area (SELPA) submitting a local plan to the superintendent must have in effect policies, procedures, and programs relating to child find and referral. (EC §56205) Each district, the county office, or the SELPA shall actively and systematically seek out all individuals with exceptional needs, ages birth through 21 years. The SELPA has established the following written policy regarding a continuous child-find system:

All students, age 0-22, will be screened upon request from parents, staff, district personnel, or representatives of state special schools and public agencies through Early Intervention Referral Process. In addition, vision and hearing screening activities shall be completed on all students within their district of residence and in accordance with the state guidelines.

School district testing programs may also furnish information to assist in "CHILD FIND" procedures. Intervention procedures shall also be followed for individuals not enrolled in public school programs residing within the local jurisdiction, including infants, preschoolers, and private school attendees. Annual notice is published in all of the local newspapers within the SELPA area to inform parents of their rights relative to special education.

A parent/guardian, teacher, administrator, support personnel, outside agency, or any other persons who have knowledge that an individual may need special education services may initiate referrals for possible placement into special education. Referrals shall be processed in a systematic manner, held in strict confidence, and include written notification to the parent/guardian of their rights. Referrals for potential special education services should be completed on a standard agency form and then directed to the appropriate administrator/designee. The administrator or designee shall log the referral and begin the assessment process.

Infant / Early Start

This section provides information on the SELPA initial referral and intake procedures for infants, determining eligibility, the Individualized Family Service Plan, service delivery models, and protections provided under procedural safeguards.

Initial Referral and Intake Procedures

The State Department of Developmental Services (DDS) is the lead agency responsible for administration and coordination of the Individuals with Disabilities Education Act (IDEA) Part C grants. Regional Centers are the venue by which DDS fulfills this responsibility. There is an Early Start Interagency Agreement developed with Special Education Local Plan Area (SELPA) for sharing some responsibilities. In our SELPA, the Riverside County Office of Education (RCOE) and Palo Verde USD are the LEAs responsible for the provision of Early Start services for children with a primary focus on children with solely low incidence disabilities (e.g., deaf, blind, deaf-blind, orthopedic impairment, visually impaired).

Anyone who has a concern about an infant's growth or development may make a referral to the Riverside County Office of Education (RCOE) Early Start Infant CIRCLE Program by calling (951) 826-7100. The Early Start Infant CIRCLE staff will complete the Early Start Program Referral Form (Appendix 1). For infants residing in the Blythe area, interested parties shall contact Palo Verde USD Special Education Department at 760-922-4164, Ext. 1242 to make a referral for evaluation and possible services. These LEAs are responsible for providing evaluations and special education services to infants with solely low incidence disabilities. A child with a potential disability other than low incidence will be referred to the Inland Regional Center within two days. If the Regional Center receives a referral for a student with a low incidence disability, the information will be provided to the LEA within two working days.

Once a referral is accepted, it is given to an intake coordinator, who will contact the parent or guardian to set up the initial intake interview in the child's home. This interview consists of basic questions regarding the child's health, developmental history, diagnosis, if any, strengths, weaknesses and needs. Discussion of the family's needs and concerns also occurs at this time. The intake coordinator will then determine the team members necessary for the assessment segment of the initial intake procedures. Necessary parental consent forms will be processed in a timely manner. The assessment team will assess the child in the familiar surroundings, such as the home, whenever possible. The evaluation will be completed within 45 days of receiving the referral.

Determining Eligibility

RCOE Infant Circle or Palo Verde USD will complete the evaluation, determine need for services via development of an IFSP, and provide services for infants and toddlers, primarily those with solely low incidence disabilities. Effective July 1, 2014, the following eligibility requirements apply for LEA determination of need for early intervention services:

- The child is younger than three years of age.
- The child has been identified by the IFSP team as:
 - an individual with exceptional needs pursuant to Title V Section 3030 and
 - requires intensive special education and services due to one or more of the following criteria:
 - The child has a developmental delay as determined by a significant difference between the expected level of development for their age and their current level of function in one or more of the following five developmental areas:

- cognitive development (i.e., thinking and problem solving);
 - physical and motor development, including vision and hearing (i.e., large and small movements);
 - communication development (i.e., pre-speech and language);
 - social and emotional development (i.e., emotions, interacting with others); or,
 - adaptive development (i.e., daily activities such as eating and getting dressed).
- The child has a disabling condition or congenital syndrome (i.e., Down syndrome or cerebral palsy) which the IFSP team has determined has a high predictability of requiring intensive special education and services.
- Significant difference is defined as:
 - a 33% delay in one developmental area before 24 months of age, or,
 - at 24 months of age or older, either a delay of 50% in one developmental area or a 33% delay in two or more developmental areas.

All infants or toddlers potentially eligible for any Regional Center program will enter through a single point of entry at the Regional Center to determine eligibility for services. The Regional Center shall determine the assessment tools it will use for determination of eligibility. The results of the testing will determine eligibility of the child for the program. A child being considered for Early Start services available through the Regional Center will need to be evaluated in all five developmental areas (cognitive, physical, communication, social/emotional, adaptive/self-help skills). As of January 1, 2015, the California Government Code Section 95014 established new Early Start eligibility criteria for Regional Centers:

- A significant difference for identifying developmental delay is a 33% or greater delay in at least one of the five developmental areas (cognitive, physical, communication, social/emotional, adaptive/self-help skills). (NOTE: No change at 24 months of age or older as required for LEA eligibility).
- The new criterion restores eligibility for infants and toddler who are at high risk of experiencing developmental delays or a disability due to a combination of biomedical risk factors (i.e., prematurity of less than 32 weeks gestation and/or low birth weight, assisted ventilation of greater than 48 hours during the first 28 days of life, prenatal substance exposure, or born to a parent with a developmental disability). (NOTE: This option is not available to LEAs).

The following chart shows the distinctions between the two eligibility criteria:

| DDS Eligibility | CDE Eligibility |
|---|---|
| Developmental delay – The new definition of “significant difference,” for purposes of identifying developmental delay, is a 33-percent delay in one or more developmental areas. <i>(Government Code Section 95014)</i> This new definition no longer requires a more significant level of delay for children 24 months of age or older. | Until further amended, a significant difference is defined as a 33 percent delay in one developmental area before 24 months of age, or, at 24 months of age or older, either a delay of 50 percent in one developmental area or a 33 percent delay in two or more developmental areas. <i>(Title 5, California Code of Regulations, Section 3031)</i> |

| | |
|--|---|
| At High Risk – The new criteria restores Early Start eligibility for those infants and toddlers who are at high risk of experiencing developmental delays or disabilities due to a combination of biomedical risk factors. | The CDE definition does not include “At High Risk” because the LEAs have to establish a disability to provide services. |
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Individual Family Service Plan (IFSP)

An IFSP documents and guides the early intervention process for the special education service provider and the family with an infant or toddler between the ages of birth and thirty-six months who has an identified disability or are at-risk of having disabilities. The IFSP is the vehicle through which effective early intervention is designed and implemented for a child identified as eligible for special education services in accordance with Part C of the IDEA. Through the IFSP process, family members and service providers work as a team to plan, implement and evaluate services tailored to the family’s unique concerns, priorities and resources. The IFSP forms are available in the Riverside County SELPA SEIS Library, through the Regional Center or County Office Infant CIRCLE program.

Developing a Plan

The IFSP is one of the requirements under Part C, IDEA. It is to be developed after a multidisciplinary team completes an evaluation, which determines that a child is eligible for early intervention services. The following are the federal regulations relating to the IFSP process:

- An IFSP must be developed within 45 calendar days after the written referral is received
- Parents shall be fully informed of their rights and with parental consent, a referral to the local family resource network shall be made.
- Once the multidisciplinary team has established eligibility, arrangements for a convenient meeting date, time and place must be made. A written notice should be given to the family with enough notice to ensure attendance.
- The meeting must be conducted in the parents’ native language or main mode of communication (if the parents request).
- Meeting participants must include parents, service coordinator, person(s) directly involved with evaluation; and may include other family members, advocate or person outside of the family, person(s) to be providing services.
- The IFSP is to be developed jointly by the family and the appropriate qualified personnel.
- Review of the IFSP must be done annually or more frequently if the parents or service providers request and revisions made as needed.

IFSP Content

The specific components to be included on the IFSP form are:

- A statement that describes the infant or toddler's present levels of physical development (including vision, hearing and health status), cognitive development, communication development, social and emotional development, and adaptive development.
- With the concurrence of the family, a statement of the family's resources, concerns and priorities related to meeting the special developmental needs of the eligible infant.

- A statement of the major outcomes expected to be achieved for the infant or toddler and the family where services for the family are related to meeting the special developmental needs of the eligible infant or toddler.
- The criteria, procedures, and timelines used to determine the degree to which progress toward achieving the outcomes is being made and whether modifications or revisions are necessary.
- A statement of the specific early intervention services necessary to meet the unique needs of the infant or toddler as identified through the assessments regarding frequency, intensity, location, duration and the method of services delivery and ways of providing services in the natural environments.
- A statement of the agency responsible for providing the identified services.
- The projected starting date for service delivery and the anticipated duration of the services.
- The title of a service coordinator responsible for the implementation of the plan and coordination with other agencies and persons.
- A statement of "other" services that the child or family needs, but are not required under Part C, and the steps that will be taken to secure those services (listing of non-required services does not mean they must be provided).
- Starting with the initial visiting, and on-going throughout Early Start, the family shall be notified that Early Start services will be provided until the student turns three. The steps to be taken in support of the transition of the toddler to preschool services provided under Part B or other services as appropriate shall be discussed and documented. .

Service Delivery Models

Palo Verde USD provides infant services for families and infants living in the Blythe area. If you have questions or for more information about the infant program, please contact Palo Verde USD at (760) 922-4164, Ext. 1242. For all other LEA members of the Riverside County SELPA, the Riverside County Office of Education operates the Early Start - Infant CIRCLE (Concern for Infants in Riverside County Learning Enrichment) program as the Local Education Agency (LEA) component of Part C services for Riverside County SELPA. Infants residing in Riverside County, except for Blythe, who have medical or developmental problems and are under three years of age may be eligible for services. The Infant CIRCLE Program has three primary focuses:

- Home visits include assessment in the home by a multidisciplinary team, parent training to maximize the infant's development, informal discussions and support.
- The school program offers group activities in a Parent-Infant classroom focusing on behavior skills and socialization. Parent training includes information on how a baby grows disability awareness, and strategies and interventions to enhance the child's development.
- The parent support component includes discussion groups, parent in-services, assisting the family to acquire necessary additional services for the child, and connecting the family with other agencies.

Part C Parent Rights and Responsibilities

Parents' rights and responsibilities in the Early Start Program include confidentiality, access to records, evaluation and initial assessment, the IFSP, complaints, mediation and due process. A copy of the parent rights can be located at www.dds.ca.gov/earlystart. Copies can be downloaded in English, Spanish, Vietnamese and Chinese.

Transition from Part C to Part B

This section provides information about transition from Part C to Part B of the IDEA. This includes the a transition legal requirements, timelines and responsibilities for transition conference invitation, transition conference, transition plan, notification referral, late referrals and summer birthdays.

The purpose of the transition IFSP is to allow the Early Start service coordinator and the LEA to work together and share responsibility with ensuring services at age three adheres to regulatory requirements. In order to create a seamless process to support the child and their family transition should be addressed at every IFSP, including the initial meeting. This allows the family to get their questions and concerns addressed in a timely manner. Part of this discussion should include information regarding Early Start services stopping at age three.

The Differences between Part C and Part B

There are major differences between Part C and Part B special education goals, ages, eligibility criteria, services, plans, location of services, service systems, and cost to families as denoted in the table below.

| | Part C | Part B |
|----------------------|---|--|
| Goal | To support the family to be able to support their children | To support a child's access to the learning |
| Ages | Birth – 3 years | 3 – 22 years |
| Eligibility Criteria | Developmental delays and children at risk | Eligibility condition that requires special education services |
| Services | Types and frequency of services may vary both in Parts B & C | |
| Plans | IFSP | IEP |
| Location of Services | Natural Environment | Least Restrictive Environment |
| Service Systems | Multi-agency | Education |
| Cost to Families | Possible Costs | Free |

Transition Procedures

Between the ages of 24 and 30 months, the Early Start service coordinator will notify the parents that a transition conference will occur no later than 90 days before the child's third birthday. The conference may occur up to nine months before the child's third birthday, at the discretion of all parties. The family should be advised that the LEA representative will be invited to attend the transition conference and that this meeting is part of a formal IFSP meeting as well.

California has determined that ALL children being serviced in Early Start programs are potentially eligible for LEA special education and related services at the age of three. Therefore ALL children must be referred to Part B services. The service coordinators are required to make a referral to child's/family's school district of residence with or without the parent's consent. Parents should be informed about the mandatory referral process during transition planning discussions. In the event the family objects to Part B services, they may decline the assessment plan offered by the LEA.

Transition Conference Invitation

The transition conference will occur no later than 90 days before the child's third birthday. The Early Start service coordinator will make the arrangements for this meeting. The service coordinator will schedule the meeting including the time and location on a convenient date for the family and agreed to by the other agencies. A written invitation is sent as soon as possible, but no later than two days before the meeting, to the family, LEA representative, Early Start providers and other members who the family requests to be present. The family may decline the presence of the LEA representative at

the transition conference. If this occurs, the service coordinator documents this detail on the transition IFSP.

Transition Conference IFSP Meeting

The purpose of the transition conference is to plan the activities that will occur prior to the child's third birthday. A transition conference is part of an IFSP meeting so all IFSP requirements must be followed, including a review of information about the child and family current assessment, a review of services, progress toward meeting outcomes, and revision of any outcomes or services as needed. The transition conference must be held no later than 90 days before the child's third birthday or as early as nine months before the third birthday, with agreement of all parties. IFSP team members who are required to attend the meeting include the parent, service coordinator, LEA representative (with parent approval), service providers, and family members or others invited by the parent. The transition conference is a good opportunity for the LEA and the family to begin a positive relationship.

Written Transition Plan

The written transition plan that is developed during the transition conference IFSP should include the individual steps and services to be taken to support the smooth transition of the child for service delivery models at age of three. The family's concerns and priorities regarding transition should be discussed and documented, as well as any necessary supporting resources required by the child and family.

Notification Referral

No later than 90 days before the child's third birthday, the Early Start service coordinator, whether regional center or LEA, must send a referral to the child's and family's school district of residence. The referral must include the child's name and date of birth, and the parent's contact information, including name, address, and phone number. The referral may also include Early Start coordinators name and contact information and the language spoken by the family. The LEA must maintain documentation of the written referral and has 15 calendar days to develop a prior written notice and assessment plan or prior written notice to deny assessment. With parent consent, the Early Start service coordinator may provide additional identifying information about the child and family, such as the current IFSP, current assessments, and other pertinent information about the child.

The LEA is required to act on referrals for children who are transitioning from Early Start throughout the year, in order to hold the IEP by the child's third birthday. After receiving the referral and obtaining the parent's consent on the assessment plan, the LEA is responsible for conducting an evaluation in all areas of suspected disability. The LEA should also assess the child's strengths and needs to assist the IEP team to develop goals and determine appropriate services designed to ensure a free and appropriate public education (FAPE). Please refer to Riverside County SELPA's Assessment Guidelines for more information regarding assessment procedures under Part B. An initial IEP meeting must be arranged to be held on or before the child's third birthday. The purpose of the IEP meeting is to review the results of the evaluation and assessment information and to determine if the child meets eligibility for special education services under Part B. All required components of the IEP meeting under Part B of IDEA must be met.

Late Referrals

In the case a child is referred to Early Start after they are two years six months of age, the initial IFSP will also serve as the transition conference.

If the child is referred to Early Start between **45 and 90 days** prior to their third birthday, the Early Start service coordinator **is required to:**

- conduct the initial evaluation and assessment
- conduct the initial IFSP meeting if eligible
- develop a transition plan with appropriate transition steps and services
- refer the child to the LEA representative of the child’s district of residence.

For a child referred to Early Start between **one and 44 days** prior to the child’s third birthday, the Early Start service coordinator **may, but is not required to:**

- conduct the initial evaluation and assessment
- conduct the initial IFSP meeting if eligible
- develop a transition plan
- provide the LEA representative notification of referral

Early Start is required to make a referral to the LEA or assist the family in initiating contact with the LEA. The LEA’s responsibility for a child referred to Early Start less than 90 days prior to their third birthday includes:

- ensure that an initial evaluation under Part B is completed
- Develop an individualized education program (IEP) by the child’s third birthday if the child is determined eligible for Part B, even if the 60 day timeline for assessment expired after the child’s third birthday.

Summer Birthdays

The LEA is responsible for holding an IEP to offer services before the child’s third birthday even if the program is not in session, this includes summer breaks, mid-winter breaks, and other non-instructional days. The recommendation is to hold the transition conference early enough to ensure that all evaluations and assessments are complete and the final IFSP and initial IEP meetings are held by the child’s third birthday. The date to implement the preschool services will be determined during the IEP meeting as part of the Offer FAPE. For a child turning three during the summer, extended school year services (ESY) must be **considered**.

Transition Procedures, Timeline and Responsibilities

The following activities will occur between the ages of 2 years 6 months and 2 years 11 months:

| Activity | Responsible Party |
|---|--|
| Transition steps begin at 2.6 – 2.9 Notify parent and LEA <ul style="list-style-type: none"> • Determine LEA referral date • Refer to LEA | Service Coordinator |
| Share with LEA written information on the child, including, but not limited to psychological evaluations speech and language reports, occupational therapy reports, physical therapy reports provided by vendor generated by IRC staff pending parental consent | Service Coordinator, family |
| Set date for IFSP Transition Planning Meeting 30 days after notification | Service Coordinator, family |
| IFSP Transition Planning Meeting to <ul style="list-style-type: none"> • Develop IFSP/Transition Plan • Set date for Referral | Service Coordinator, family, LEA, LEA preschool person |

| | |
|--|-------------------------------------|
| <ul style="list-style-type: none"> • Set date for final IFSP/initial IEP | |
| Sign and return parent consent for assessment (60 day timeline begins) | Family |
| Develop IEP and Individual Program Plan (IPP) and close out IFSP prior to third birthday *Determine eligibility for special education and related services *Determine eligibility for Regional Center services | Service Coordinator, family and LEA |
| Implement IEP and/or IPP by child's third birthday. Provide referral information to private & public agencies as appropriate | Family, LEA, Service Coordinator |

Approved; Revised 10.13; 3.15