Indicator 12

Building Bridges in Transition From Early Intervention to Early Childhood

Illinois Department of Human Services (IDHS)
Illinois State Board of Education (ISBE)
Fall - 2014
Review Part C and Part B of IDEA 2004*, with a specific emphasis on transition and IEP for eligible children developed and implemented by 3rd birthdate.

Recognize importance of Indicator 12 and requirements for compliance.

Share strategies that facilitate smoother, successful transitions.

*Individuals with Disabilities Education Improvement Act, Part B Regulations (2006); Part C Regulations (2011)
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>APR</td>
<td>Annual Performance Report</td>
</tr>
<tr>
<td>CFC</td>
<td>Child and Family Connections</td>
</tr>
<tr>
<td>DHS</td>
<td>Illinois Department of Human Services</td>
</tr>
<tr>
<td>ECSE</td>
<td>Early Childhood Special Education</td>
</tr>
<tr>
<td>EI</td>
<td>Early Intervention</td>
</tr>
<tr>
<td>IFSP</td>
<td>Individualized Family Service Plan</td>
</tr>
<tr>
<td>LEA</td>
<td>Local Education Agency</td>
</tr>
<tr>
<td>LIC</td>
<td>Local Interagency Council</td>
</tr>
<tr>
<td>SIS</td>
<td>Student Information System</td>
</tr>
<tr>
<td>SPP</td>
<td>State Performance Plan</td>
</tr>
<tr>
<td>TPC</td>
<td>Transition Planning Conference</td>
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</tbody>
</table>
Why Do we Need a Transition Process?

✓ To ensure **continuity** of services

✓ To **minimize** disruption to the family system

✓ Promote child functioning in the natural environment or the **least restrictive environment**

Adapted from M. Wolery in *DEC Recommended Practices: Indicators of Quality in Programs for Infants and Young Children with Special Needs and Their Families* (1993)
IDEA Program Comparison

- Part C (0-3)
  - Birth up to 3 years of age
  - Eligibility based on
    - 30% delay
    - Medical Diagnosis from the approved EI list
    - At Risk (based on specific criteria)
  - Developmental Program
  - IFSP (Individualized Family Service Plan)
  - Family-directed functional outcomes and strategies

- Part B (3 through 21)
  - 3 up to 22 years of age
  - Eligibility based on
    - 14 categories of eligibility
    - Including Developmental Delay (through age 9)
    - At risk NOT a category or reason for eligibility
  - Educational Program
  - IEP (Individualized Education Program)
  - Team developed goals and objectives
IDEA Program Comparison

• Part C (Birth-3)
  – System entry point CFCs - (Child and Family Connections)
    • Service Coordination
    • Intervention services
  – Natural Environment
  – Family Fees and Insurance billing criteria
  – Managed by Illinois Department of Human Services

• Part B (3 through 21)
  – System entry point local school district or SE Co-op
    • Special education program
    • Related services
  – LRE
  – FAPE
  – Managed by Illinois State Board of Education
Map of CFC Regions

http://www.wiu.edu/ProviderConnections/links/
Indicator 12

IDEA (34 CFR 300.124)

– Children transitioning from Part C to Part B must have eligibility determined
– For eligible children, an IEP developed and implemented

By 3\textsuperscript{rd} Birthday!
OSEP* Requires

100%

*Office of Special Education Programs
Data Based on 2012-2013 Reports
Annual State Performance Report

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Description</th>
<th>DHS</th>
<th>ISBE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part C 8a</td>
<td>% of children with transition steps in IFSP</td>
<td>93.9%</td>
<td>100%</td>
</tr>
<tr>
<td>Part C 8b</td>
<td>% of children with referrals to the school district</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part C 8c</td>
<td>% of children with Transition Planning Conferences</td>
<td>77.15%</td>
<td></td>
</tr>
<tr>
<td>Part B 12</td>
<td>% of eligible children with IEPs on 3rd birthday</td>
<td></td>
<td>96.2%</td>
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</tbody>
</table>
## Indicator 12

### Status of Children Referred from Part C to Part B

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total # Referred from Part C to Part B</th>
<th>Determined NOT Eligible prior to 3rd Birthday</th>
<th>Eligible and IEP Implemented by 3rd Birthday</th>
<th>Parental Refusal/Repeated Failure to Produce Child for Evaluation</th>
<th>Delays in Eligibility Determination and IEP Implementation</th>
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</thead>
<tbody>
<tr>
<td>FFY2012 (2012-2013)</td>
<td>9,164</td>
<td>999</td>
<td>6,929</td>
<td>954</td>
<td>Total - 275</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CFC Delays</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>FFY2011 (2011-2012)</td>
<td>10,931</td>
<td>1,168</td>
<td>7,236</td>
<td>2,135</td>
<td>Total - 383</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CFC Delays</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>FFY2010 (2010-2011)</td>
<td>10,757</td>
<td>1,200</td>
<td>7,426</td>
<td>1,979</td>
<td>Total - 145</td>
</tr>
<tr>
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<td></td>
<td>CFC Delays</td>
</tr>
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<td></td>
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<td></td>
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<td></td>
<td>7</td>
</tr>
<tr>
<td>FFY2009 (2009-2010)</td>
<td>10,613</td>
<td>1,141</td>
<td>7,583</td>
<td>1,760</td>
<td>Total - 121</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td>CFC Delays</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>FFY2008 (2008-2009)</td>
<td>8,300</td>
<td>834</td>
<td>5,799</td>
<td>1,596</td>
<td>Total - 67</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CFC Delays</td>
</tr>
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<td>4</td>
</tr>
</tbody>
</table>
### Indicator 12

#### Illinois Special Education State Performance Plan

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

<table>
<thead>
<tr>
<th>Data Source</th>
<th>Actual Target Data</th>
<th>Number of LEAs</th>
<th>Number of children</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 3, 2014</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>February 4, 2013</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revised April 10, 2012</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>February 1, 2011</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>February 1, 2010</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
Early Intervention to Early Childhood
Special Education Transition List
“27-Month List”

Information provided to the LEA:

• EI Number
• CFC ID
• Child Name
• Date of Birth
• Parent/Guardian name
• Address
• Phone

*LEAs may contact CFCs to verify this information.
- EI initiates transition
- EI sends referral to LEA/SE Co-op
Transition Planning Conference Requirements:

- CFC – Convene and participate in the meeting
- LEA – Participate in the meeting
Transition **Planning** Conference

- Attended by Parent, Service Coordinator, Representative of District
  - Required that LEA participate
  - CFC’s have a timeline to meet (by 2 years 9 months)
- Describe School District evaluation and IEP process
- Discuss potential educational program and services

- **NO PLACEMENT/SERVICES DECISIONS ARE MADE!**
What could be done?

- Review services and progress in EI
- Describe School District evaluation process and services
- Review registration/enrollment procedures
- Check for understanding
- Review timeline
- Write a Transition plan
• Domain review
• Evaluations
• Eligibility meeting/IEP meetings
Timeline for IEP Development

LEA responsibilities for children exiting EI who become Part B eligible:

✓ IEP in place by child’s 3rd birthday

AND

✓ IEP in place 60 school days from parent’s written consent for evaluation

For children **not** in EI Services:
IEP in place 60 school days from parent’s written consent for evaluation
What if...

Children are on the “27 month list” but no Transition Planning Conference:

- Verify 27-month list data with CFC
- LEAs have a responsibility to contact the family regarding programs and services.
- Document parental contacts
  - Telephone
  - Correspondence
  - Home visit
  - Email
<table>
<thead>
<tr>
<th>Enrolled in EI before 2 years 9 months</th>
<th>Eligibility/IEP for an eligible child completed by 3(^{rd}) birthday</th>
<th>60 Day Timeline</th>
<th>District Indicator 12 Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td><strong>YES</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Enrolled in EI after 2 years 9 months</th>
<th>Eligibility/IEP for an eligible child completed by 3(^{rd}) birthday</th>
<th>60 Day Timeline</th>
<th>District Indicator 12 Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td><strong>YES</strong></td>
<td><strong>This timeline cannot be used to extend the evaluation beyond the child’s 3(^{rd}) birthday. Meeting the 3(^{rd}) birthday timeline fulfills both requirements.</strong></td>
<td><strong>NO</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EI receives referral 45 days or fewer from the child’s 3(^{rd}) birthday</th>
<th>Eligibility/IEP for an eligible child completed by 3(^{rd}) birthday</th>
<th>60 Day Timeline</th>
<th>District Indicator 12 Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO</td>
<td><strong>NO</strong></td>
<td><strong>CFC will send the family directly to the LEA.</strong></td>
<td><strong>YES</strong></td>
</tr>
</tbody>
</table>
Summer Birthday

All requirements still apply.

– For children with summer or early fall birthdays:
  • Determine eligibility and develop IEP before staff leave for summer break
    OR
  • Complete evaluation/IEP process during summer (with LEA staff or contractual)

– Procedures for children referred from EI who have summer/early fall birthdays should be outlined in the Transition Agreement between the CFC and LEA.
Extended School Year (ESY) Determination

ESY is an INDIVIDUAL determination and the IEP team should consider the following:

- EI data including the student’s skill level and rate of progress
- nature of the disability and degree of impairment
- whether the service is extraordinary to the child's condition
- retrospective data such as past regression and rates of recoupment of skills
- whether the requested services are an integral part of the program for other students with the same condition
- availability of other resources
- ability of child’s parents to maintain child’s level of skills
Extended School Year (ESY) Service Options

• Individualized services which may include:
  – Classroom instruction and related services
  – Home-based
  – Alternate settings
  – Related services

• ISBE memo:  http://www.isbe.net/spec-ed/pdfs/memo_esy_01.pdf
What happens if you have a finding?

I. Initial Notification

ISBE will notify the district/cooperative of the potential finding.

The “clean up” memo:

– Generally arrives in late November/early December
– Identifies affected student(s)
– Includes *Reason of Delay Codes*
– Includes a timeline for completing the data correction

**It is the district’s responsibility to provide the data correction documentation to ISBE.**
What happens if you have a finding?
(sample clean-up memo – handouts available)

MEMORANDUM

TO: Early Childhood Special Education Coordinators
   Special Education Directors
   District Superintendents

FROM: David Andel
      Division Administrator
      Special Education and Support Services

DATE: December 9, 2013

SUBJECT: Early Childhood Special Education Part C to Part B Transition Follow-up

The Illinois State Board of Education (ISBE) is in the process of reviewing district submitted data for findings of noncompliance regarding Indicator 12. You are receiving this memo because some of the child specific data entered by the CFC (Child and Family Connections) in your area indicates that there could be a gap between the children’s third birthdays and the implementation of special education services, thus resulting in a potential finding of noncompliance. ISBE has compared these data with the data your district reported to ISBE and the attached list is of students for whom no match was found.

Enclosed is a document with the name, address and phone number of the child or children, in your district for which further information is needed. In order to ensure that data submitted for your district for indicator 12 is accurate, please complete the following information for each child:

• Whether or not the child was eligible for special education and related services and the date eligibility was determined.
• The date the IEP was developed.
• The date Special Education services began.
• The reason for delay if the child’s IEP was not developed by his or her third birthday. Please use the codes below.

1. No Delay. (Please provide documentation)
2. Parental refusal or refusal to produce child for evaluation caused a delay in the eligibility determination timeline. (Please provide explanation)
   Examples:
   - Parent declined referral.
   - Parents declined services.
   - Parents decided to have services privately.
   - The IEP has not been written because the parent misses or cancels appointments.

   Note: Documentation for family delay because of failure to produce the child must include 3 attempts to contact the family by 3 different methods (e.g. telephone, home visit, email, etc)
   The child has been in the hospital.
   There was a death in the child’s family.
3. The child enrolled in the district after parental consent was received in another district, but before eligibility could be determined.
   Examples:

The family moves into the district during the transition process.

4. Early Intervention (CFC) sends the referral after the child is 2 years 9 months, but the CFC received the child before the age 2 years 9 months.
5. Early Intervention (CFC) receives the child after 2 years 9 months, and makes the referral.
6. School District Delay (Please provide an explanation)
   Examples:
   - The referral was made after the school year ended.
   - There was a delay due to scheduling difficulties on behalf of the district.
   - The child’s birthday falls during the summer.
   - The family has not provided evidence of residency.
   - The child’s physical was not provided.

The reasons for delay codes are also located at the bottom of the enclosed document. If your district has no knowledge of this child, please follow-up with your local CFC as well as with ISBE about the status of this student.

When you have completed the form please fax it to Gwen Williams in Special Education Services at 217.782.0372 by January 6, 2014. If you have questions please contact one of the following consultants: Felicia Malloy (fmalloy@isbe.net), Kristy Wheeler (kwheele@isbe.net), Gwen Williams (gwilliam@isbe.net) at 217.782.5589 or Pam Deusing Reesor (preesor@isbe.net) at 217.524.4835 or Meredith Logan (mlogan@isbe.net) at 312.814.8270.

Thank you for your cooperation with this matter.
<table>
<thead>
<tr>
<th>StudentLastName</th>
<th>StudentFirstName</th>
<th>StudentAddress</th>
<th>StudentCity</th>
</tr>
</thead>
<tbody>
<tr>
<td>El #: #####</td>
<td>Eligible? Y N</td>
<td>IEP Developed? Y N</td>
<td>Date Services Began: ________________</td>
</tr>
<tr>
<td>Birthdate: 07/25/2009</td>
<td>Date ___________</td>
<td>Date ___________</td>
<td>Reason for Delay ___________</td>
</tr>
</tbody>
</table>
Clean Up Memo
SIS Reason for Delay Codes

1. No delay *(provide documentation)*
2. Parent failure or refusal to produce child for evaluation *(provide explanation)*
3. The child enrolled in the district after parental consent was obtained in another district, but before eligibility could be determined.
4. CFC sends the referral after the child is 2.9, but they received the child before age 2.9  
   *CFC delay - results in a district finding*
5. CFC received after 2.9 and makes the referral
6. School district delay *(provide explanation)*  
   *LEA delay - results in a district finding*
What happens if you have a finding?

II. Finding of Noncompliance

The district will have a specific timeframe to submit data corrections to ISBE.

**No Finding** - If the district is able to verify and correct all data errors during the clean-up period, no finding of noncompliance will be issued.

**Finding** – If at the end of the clean-up period the district has any students with CFC delays (SIS code 4) or LEA delays (SIS code 6), the district will receive a finding of noncompliance for Indicator 12 of the State Performance Plan.
What happens if you have a finding?
(sample letter of findings – handouts available)

LEA corrective action must include:

• Status of child/children identified in the letter of finding, e.g.
  – Whether or not Part B eligible
  – Date of IEP
  – Start date for services

• Action plan to prevent any future recurrence

• Verification of completion of any required training or technical assistance
What happens if you have a finding?

III. Letter of Finding

The Indicator 12 letters of findings are sent to district superintendents, with state-approved directors carbon copied.

The letters of findings are generally mailed in February and:

• Identify the affected student(s)
• Identify the reason(s) for the finding
  – Code F: LEA delay (SIS code 6)
  – Code G: CFC delay (SIS code 4)
• Specify the required corrective action
• Include the timeline for completion of the corrective action (one year from the date of the letter)
What happens if you have a finding? IV. Resolving the Finding

Illinois is required to report to the federal Office of Special Education Programs (OSEP) on the status of the State Performance Plan Indicators annually.

- The finding must be addressed and closed within the one year period to avoid additional actions from ISBE and OSEP. Districts are encouraged to avoid delays and complete corrective action in a timely manner.

- The Special Education Services Division is available for questions regarding special education indicators. Felicia Malloy is the Indicator 12 contact – fmalloy@isbe.net or 217-782-5589.
Compliance & Best Practice Strategies

• Build positive relationships with families
  – Contact family when referral is received
    • Quick phone call
    • Introductory/welcome letter and/or brochure
  – Encourage visits to various educational settings
    • EC classrooms/programs
    • Head Start
    • Preschool for All
    • Private preschools
  – Help parents become informed participants
    • Resource materials available for parents
    • Parent/peer group or school district contact
Compliance & Best Practice Strategies

• Positive relationship with local Child and Family Connections Office(s)
  – Open and continual communications
    • Verifying 27-month list data
    • Verifying whether a student’s home address is within the district boundaries
    • Shared professional development opportunities
  – Local Interagency Council (LIC) active membership
    • Transition agreements (required)
    • Establish contact persons and their responsibilities
  – Coordinating Transition Planning Conferences with CFCs
    • Develop a schedule
Compliance & Best Practice Strategies

• Policies and Procedures
  – Review regularly to ensure:
    • Consistency with state/federal guidance
    • Fidelity of implementation
  – Training for staff on policies and procedures
  – Don’t let staff changes/vacancies result in delays for students
    • Have a back-up in place
    • Professional development for new staff and continuing professional development on any changes in policies and procedures
Compliance & Best Practice Strategies

• Using data from EI for eligibility determination
  – Evaluations from EI
  – Progress notes
  – IFSP

• May use IFSP for interim IEP
  – Must meet all of the requirements of an IEP
  – Family outcomes vs. educational goals
  – Differences in provider types
Resource page

• CFC map and listing
  http://www.wiu.edu/ProviderConnections/links/

• Communication on ESY for Students with Disabilities 11/20/01

• Look What I Can Do (Child Find materials):
  http://www.childfind-idea-il.us/Materials.aspx

• ISBE - EI to ECSE Transition Page
  http://www.isbe.net/earlychi/html/ec_speced_intervention.htm (includes most recent tracking form)
ISBE Contacts

Early Childhood (telephone 217/524-4835)
- Sharonda Brown  sbrown@isbe.net
- Pamela Reising Rechner  preising@isbe.net

Special Education (telephone 217/782-5589)
- Felicia Malloy  fmalloy@isbe.net