



**Illinois
State Board of
Education**

ISBE/IDHS Joint Guidance on Transition Policies and Procedures for Supporting Families and Young Children Transitioning Out of Early Intervention at Three Years of Age

Children who age out of Early Intervention (EI) have a right to a smooth and timely transition to educational services under Part B of the Individuals with Disabilities Education Act administered by the Illinois State Board of Education (ISBE) during the outbreak of COVID-19.

There is no flexibility from the federal and State requirements to ensure that a child transitioning from Early Intervention has either an Individualized Education Program (IEP) or a continued Individualized Family Service Plan (IFSP) in effect on the child's third birthday (23 Ill. Admin. Code 226.260). For more information on continuing the IFSP, see this memo: https://www.isbe.net/Documents/guidance_10-2.pdf. Schools should take all reasonable efforts to comply with the requirement to develop the student's plan and may avail themselves of the opportunity to ensure participation at meetings via alternate means, including telephone or videoconference. A 3-year-old student must have an IEP or continued IFSP in place by their third birthday. During Remote Learning Days, schools must plan for the delivery of IEP services for early childhood students, beginning on their third birthday, per ISBE's guidance on remote learning for special education <https://www.isbe.net/Documents/Part-3-Transition-Planning-Phase-4.pdf>.

It is anticipated that most children can continue receiving necessary supports from their local education agency (LEA) as of their 3rd birthday. LEAs currently have several options to help families transition to Early Childhood programs including:

- 1) face to face evaluations as allowed by health and safety factors, and
- 2) the family providing written consent during the domain review to use their Individualized Family Service Plan (IFSP) to develop an Individualized Education Program (IEP) with their local school district. In doing this, the district uses information from the IFSP as the evaluation to determine eligibility and develop the IEP, and no additional evaluations are completed.

Service Coordinators should continue to follow the policies and procedures related to preparing families for transition, outlined in Chapter 13 of the Child and Family Connections (CFC) Procedure Manual. All efforts to plan for and support the transition from early intervention to Part B should be documented in the early intervention case notes and the child's permanent record.

Once eligibility for special education is determined and the IEP is in place, the LEA is responsible for providing services for children over age 3. If IEP services cannot be supported in-person or remotely by the LEA and additional staffing is needed to ensure that IEP special education and related services are provided, (with parent consent) the LEA can consider using PART B IDEA funding to contract with outside providers, including EI providers, as needed. These services are considered school-based services and the student is no longer a part of Early Intervention/Part C. The contracted EI provider should have the appropriate certification to teach children ages 3-5.

Family Rights

IDEA affords infants/toddlers and their families certain safeguards to protect parents and their children. During these emergency measures, all good faith efforts shall be made to ensure continuity of services to children and their families as outlined under their current IFSP while also adhering to the orders under the gubernatorial disaster. In efforts to fully inform parents of measures being taken to comply with IDEA, notification of this policy will be made to parents via their service coordinators and local CFC. A reminder of their family rights that includes information regarding informed consent, prior notice, review of records, confidentiality and resolution of concerns will be offered along with a copy of [The State of Illinois Infant/Toddler & Family Rights under IDEA for the Early Intervention System booklet](#) which contains an explanation of the three methods of dispute resolutions. A reminder of their rights under Part B will also be provided from their specific LEA during transition planning.

Early Childhood Special Education Transition Resources

A general early intervention to early childhood special education transition frequently asked questions document is located at: https://www.isbe.net/Documents/Transition_QA1.pdf. State funded professional development projects Early Intervention Training Program and STAR NET provide a joint training on transition, titled “Transition from Early Intervention to Early Childhood Services: Roles and Responsibilities.” See <https://blogs.illinois.edu/view/6039/119776> or <http://www.starnet.org/> to find a virtual training this fall.