



## Early Intervention to Early Childhood Special Education Transition Frequently Asked Questions

### General Transition Questions

- 1) How are LEAs made aware of children receiving early intervention services who may be eligible for Part B services when they turn 3 years of age?

An interagency agreement specifies that each month the Illinois Department of Human Services (IDHS) will provide the Illinois State Board of Education (ISBE) with a list of all children receiving early intervention services who are 25 months of age or older. This list is populated into the Early Childhood Transition System in the Student Information System (SIS). The Local Education Agency (LEA) should monitor the list closely to ensure that children receive a smooth and efficient transition. In addition, the LEA should maintain contact with Child and Family Connections (CFC) to verify receipt of referral packets for every child eligible for early intervention (EI) whose parents/guardians wanted a referral to the LEA. Not all students on this list will be referred to the LEA as some children are dismissed from EI prior to the third birthday or families may decline the transition. ([CFC Manual 13](#))

- 2) Can the transition planning conference be held earlier than 90 calendar days before the child's third birthday?

Yes, the transition planning conference can be held earlier than 90 calendar days before the child's third birthday; however, the transition planning conference cannot occur more than nine months before the child's third birthday. The broadest timeframe for conducting the transition planning conference is between 2 years, 3 months to 2 years, 9 months. The transition planning conference must be completed 90 calendar days before the child's third birthday. ([34 CFR 303.209\(c\)\(1\)](#), [89 IAC 500.100 \(c\)](#), [CFC Manual 13.3](#))

- 3) When should the CFC service coordinator provide written referral of a potentially eligible child to the LEA?

The service coordinator shall begin to communicate with the child's family about transition no sooner than nine months but no later than 90 days prior to the child's third birthday. This preferably takes place no later than six months prior to the child's third birthday. If a toddler may be eligible for preschool services under Part B, the service coordinator (with parental/guardian consent) will transmit additional information to the LEA or other relevant agency to ensure continuity of services from the Part C program to the Part B program. Service coordinators are encouraged to discuss transition out of early intervention (EI) as soon as the child enters the early intervention system. Service coordinators can initiate the written referral process earlier for children with summer birthdays or other concerns that could require more transition time. ([34 CFR 303.209](#), [89 IAC 500.100](#), [CFC Manual 13.1](#))

- 4) Who is responsible for convening the transition planning conference or transition meeting that must be held no sooner than nine months and at least 90 calendar days before the child's third birthday?

The CFC service coordinator is responsible for convening, conducting, and keeping a record of this meeting. At the transition planning conference, the CFC service coordinator (with input from the LEA) shall keep a record and provide the parents/guardians:

- Information about preschool services under Individuals with Disabilities Education Act (IDEA) Part B,
- A description of IDEA Part B eligibility definitions,
- State timelines and processes for consenting to an evaluation and conducting eligibility determinations under IDEA Part B, and
- Information about the availability of special education and related services.

The school district has an obligation under the law to participate in transition planning conferences. Whether or not the school district participates, the conference must occur. ([34 CFR 303.209\(c\)\(1\)](#), [89 IAC 500.100](#), [CFC Manual 13.4](#))

- 5) Who is required to participate at this transition planning conference?

The required participants are:

- The affected LEA.
- The parent or parents of the child.
- The service coordinator designated by the public agency to be responsible for implementing the Individualized Family Service Plan (IFSP).
- A person or persons directly involved in conducting the evaluations and assessments.

Optional participants are:

- As appropriate, persons who will be providing early intervention services under this part to the child or family.
- Other family members, as requested by the parent, if feasible to do so.
- An advocate or person outside of the family if the parent requests that the person participate. ([34 CFR 300.124](#), [34 CFR 303.343](#), [CFC Manual 13.5.6](#))

- 6) Which parents'/guardians' rights apply during the transition period?

Parents/guardians have certain rights under both Part C and Part B of IDEA. It is the responsibility of the CFC service coordinator to provide the family with the rights of both Part C and Part B of IDEA when they discuss and make the school referral. The LEA staff must provide the parents/guardians with the Explanation of Procedural Safeguards upon referral for an initial evaluation. Early intervention parent/guardian rights apply until the LEA services begin. Special education parent/guardian rights apply as soon as the LEA receives the referral. Early childhood special education services begin at the child's third birthday unless participating in the Early Intervention/Extended Services (EI/ES) option. It is the responsibility of the CFC service coordinator to provide the family with the rights of both Part C and Part B of IDEA when they discuss and make the school referral. ([34 CFR Part 300, Subpart E – Procedural Safeguards Due Process Procedures for Parents and Children](#); [34 CFR Part 303, Subpart E – Procedural Safeguards](#); [23 IAC Part 226, Subpart F – Procedural Safeguards](#); [89 IAC Part 500, Subpart E – Procedural Safeguards/Client Rights](#))

**7) What should the district do if it cannot connect with the parent(s)/guardian(s)?**

Contact the CFC office to determine if there is updated contact information or if EI providers can help facilitate the connection.

**8) May LEAs conduct screenings for children who are transitioning from early intervention to early childhood special education?**

Yes, screenings may be conducted, particularly when the team suspects the child may not be eligible for early childhood special education (ECSE) services. However, conducting a screening may NOT delay the transition process and screening results should be used in combination with EI assessments/notes and parental input when determining if an evaluation is warranted. ([23 IAC 226.100](#), [89 IAC 500.100](#))

**9) What information is needed to determine ECSE eligibility and how is the information used?**

Upon receipt of the written referral from the CFC, the LEA is responsible for determining eligibility and keeping appropriate documentation. The LEA is responsible for reviewing the evaluation data from early intervention to determine if they are current and sufficient to establish eligibility for ECSE services. Additional assessments should be administered by the LEA only when required information is not available or is no longer current. The determination of whether additional assessments are needed must be made through a domain review process with the parents/guardians. It is possible that the evaluation may consist totally of existing data when data are sufficient to determine eligibility and develop an Individualized Education Program (IEP) or IFSP. If an evaluation consists of existing data only, the parent/guardian must be informed and given the opportunity to request additional data, if needed, to determine eligibility. If additional assessments are necessary, it is the responsibility of the LEA to acquire them and the financial burden does not fall on the early intervention program. When the team determines that additional assessments are required to determine eligibility, the evaluation team must utilize a variety of assessment tools and strategies to gather functional and developmental information about the child, including information from the parents/guardians, and information related to enabling the child to be involved in and progress in age-appropriate activities. The tools and strategies must yield relevant information that directly assists in determining the educational needs of the child. Once the evaluation team, including the parents/guardians, has gathered all relevant information, it determines if the child meets the definition of a child with a disability. ([34 CFR 300.300 – 300.306](#), [23 IAC 226.110](#))

**10) Does the district need a prescription or referral from a physician to begin an evaluation?**

No, a physician prescription or referral is not a required component for an evaluation.

**11) May an IEP be used for a 2-year-old child?**

Yes, an IEP may be used if a child is being served in ECSE during the school year he/she becomes 3 years of age. In such cases, the child may enter school at the beginning of the school year, even if the school term begins prior to her/his third birthday. ([34 CFR 300.323\(b\)](#))

**12) If an LEA begins services for a child who is 2 and will become 3 during the school year, may the child continue to receive early intervention services as well?**

No, Part C early intervention services do not apply to any child with a disability who is receiving a free and appropriate public education (FAPE) through services funded by Part B of IDEA. ([34 CFR 300.818](#))

**13)** May an IFSP be used for a child from age 3 through 5 years who is eligible for ECSE services?

Yes. An IFSP may be used to determine ECSE services for children from 3 through 5 years of age if it meets special education requirements for participants, timelines, and notice/consent procedures. The IFSP would be developed by the LEA staff, must meet the requirements of an IEP, would have a new start date, and would be in effect for one year. If an IFSP is used, this does not mean the child “remains in early intervention,” but instead means that ECSE services are being provided using an IFSP. Parents/guardians must be given an explanation of the difference between an IFSP and an IEP and must provide informed, written consent for using an IFSP. ([34 CFR 300.323\(b\)\(1\)](#)) ([34 CFR 300.323\(b\)\(1\)](#),[23 IAC 226.250](#))

**14)** What are some possible placement options in which the child could receive ECSE services that may be considered by the IEP team at the time of transition?

The LEA IEP team must consider a general education preschool setting as the first option for placement. More restrictive options may be considered after the determination is made that the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. ([34 CFR 300.114](#) and [23 IAC 226.240](#))

**15)** What happens if a child is found to be NOT eligible for ECSE services? May early intervention services continue past the child’s third birthday?

No, to continue to receive state and federal funding for services, a 3-year-old child MUST meet IDEA Part B special education eligibility. Early intervention services end the day before the child’s third birthday. The team should consider the individual needs and potential community programs or services for which a child who is determined to be not eligible may qualify. The transition planning conference, exit IFSP, or the IEP meeting where the child is found to be not eligible are appropriate times to discuss other options at the time of transition that may meet the needs of the child and family. ([34 CFR 300.17](#), [34 CFR 303.1](#), [89 IAC 500.100 – 500.105](#))

**16)** What about children who turn 3 over the summer? The school district staff does not work over the summer.

Districts should make plans to evaluate the child before the school year ends or make plans to complete the evaluation over the summer. If the child’s third birthday is in the summer and the CFC is planning for the transition planning conference date/time, the CFC may consider calculating the 90 calendar day timeline of the transition planning conference to be at least 90 calendar days before the end of the school year. That will allow the school district to have time to ensure that the IFSP/IEP for an eligible child will be in place by the third birthday. The CFC service coordinator should consider making the school referral sooner than six months before the child’s birthday to ensure this happens. ([34 CFR 300.124\(b\)](#), [34 CFR 303.209](#), [89 IAC 500.100](#))

- 17)** May extended school year (ESY) services be provided for a child whose third birthday is late spring/summer without using the regression formula for school-aged children?

Yes, the IEP team must decide the need for ESY services on an individual basis. Besides regression, the IEP team must consider the nature and severity of the child's disability, degree of impairment, rate of progress, and availability of other services. It might be more helpful to consider what summer services may be necessary for the child to receive FAPE. Brain research demonstrates significant opportunity for learning during the early childhood years, so the team may use that as justification for a student needing ESY services. In addition, particular consideration should be given to children who need instruction in self-help skills, such as dressing or eating, or who need continued structure to develop behavioral control. These students may also be eligible for the Early Intervention Extended Services option. If the IEP team, including the parents/guardians, determines that services are not needed over the summer for the child to receive FAPE, it may note the first day of the next school year as the date services will begin. See additional [information](#) regarding extended school year services. ([34 CFR 300.106](#))

- 18)** What if the school district says there is no room in the program for the child?

State and federal regulations require school districts to serve children who are transitioning from early intervention and who are eligible for ECSE on or before their third birthdays. The LEA must provide services and the placement option listed in the IEP. ([34 CFR 300.101](#), [34 CFR 303.209](#), [89 IAC 500.100](#), [23 IAC 226.200](#), [23 IAC 226.700](#))

- 19)** What is the protocol for students who have not produced physicals or shot records to the district by their third birthday/start date?

Students starting prior to October 15 have until that date to submit the physical and immunization records. Students starting after October 15 must have physical and immunization records on file to begin, or proof of an appointment scheduled. Provision of immunization records can be delayed 30 days only if a student is moving from out of state. If the lag in providing the physical and immunization results in a delayed start it would be appropriate to mark parent/guardian delay. ([77 IL Administrative Code 665](#))

- 20)** Does a district need to submit screening and evaluation data information?

You should report developmental screening data to the CFC using the screening data form as your program administers such screenings. This applies to developmental screenings only and not to other types of screenings, such as those for vision or hearing. Agencies are required to complete each section of the form. The 0-5 Child Find Screening Data Collection Form and Direction Document can be found at <http://www.childfind-idea-il.us/Screening.aspx>. Fax or email completed forms to the local CFC office, attention LIC Coordinator. The completed reports must be sent within one month of the screening event to ensure proper reports of the Child Find Project. The LEA may send multiple reports at once as long as the reports are still sent within one month of the event. The LIC coordinator is responsible for collecting all 0-5 Screening Collection forms relating to screening activities for children 0-5 years of age occurring in the service area. These reports are forwarded monthly to the state's Child Find project coordinator for statewide analysis and data compilation.

## Late Referrals/Timelines

- 21)** What is the school district's responsibility for conducting an evaluation, determining eligibility, and developing and implementing an IEP by the child's third birthday for a child served in early intervention who was referred to early intervention more than 90 days before the child's third birthday, but was referred to the district less than 90 days before the child's third birthday?

The district is responsible for ensuring that an initial evaluation is completed and, if the child is determined to be eligible, an IEP is developed and implemented by the child's third birthday. It is the responsibility of both programs to work together to make sure that the LEA notification and the transition conference for children potentially eligible for Part B occur in a timely manner that enables the LEA to meet its responsibility to conduct an evaluation and, if the child is determined eligible under Part B, to develop and implement an IEP by the child's third birthday. ([34 CFR § 300.124\(b\)](#))

- 22)** What is the school district's responsibility for conducting an evaluation, determining eligibility, and developing and implementing an IEP by the child's third birthday for a child who has been served in early intervention and referred to the district, but was referred to Part C less than 90 days before the child's third birthday?

The district must conduct an initial evaluation for these late referrals to early intervention under Part B within 60 school days of receiving parental consent for the evaluation, even if that timeline expires after the child's third birthday. ISBE encourages the district to make every effort to complete the evaluation, determine eligibility, and develop and implement an IEP by the child's third birthday or as soon after the third birthday as possible. Delay Code 5, "CFC determined eligibility late," should be selected as reason for delay.

- 23)** If a child was initially referred to a school district but moved from one district to another after referral, but before the child was evaluated to determine eligibility, what are the transition requirements?

The new school district must conduct an initial evaluation under Part B within 60 school days of receiving parental consent for the evaluation, even if that timeline expires after the child's third birthday. If the child enrolls in the new school district after the parent gave consent for an evaluation and prior to a determination by the child's previous school district as to whether the child is a child with a disability, ISBE encourages the new school district to make every effort to complete the evaluation, determine eligibility, and develop and implement an IEP by the child's third birthday or as soon after the third birthday as possible. See [34 CFR 300.301\(d\)](#). The school district must be making sufficient progress to ensure a prompt completion of the evaluation, and the parent and district should agree to a specific time when the evaluation will be completed. Delay Code 3, "Child enrolled in the district," should be selected as reason for delay.

- 24)** What are transition requirements if the CFC receives a referral for a child between the ages of 2½ and 3 years?

The local transition agreement should establish practices that provide for timely evaluation and service provision on an individual basis through early intervention services, ECSE services, or a combination of the two. The LEA may serve a child eligible for ECSE services at age 2 during the school year he/she turns 3 years of age. Early intervention must complete evaluations and implement an IFSP while working on transition planning activities. The local school district may also consider using the IFSP for starting services when the child initially enters the school to ensure the child is served at age 3. ([34 CFR 303.209\(b\)\(1\)\(iii\)](#), [CFC Manual 13.1.6](#))

**25)** What are transition requirements for the LEA when a child is referred to EI with less than 45 days until the third birthday?

If a referral is made to a CFC with less than 45 days until the child's third birthday, the CFC may refer the child and family directly to the local school district for screening and/or evaluation. ISBE encourages the district to make every effort to complete the evaluation, determine eligibility, and develop and implement an IEP by the child's third birthday or as soon after the third birthday as possible, but it legally will have 60 school days to complete an evaluation once consent for evaluation is signed. ([34 CFR 300.301\(c\)\(1\)](#), [CFC Manual 13.1.6](#))

**26)** A family initially refuses to transition at 2.6 years. If the family changes their mind later, what are the timeline requirements?

If the district did not follow up and have documentation of parent/guardian refusal, then eligibility would need to be determined by the third birthday. The district should make sure to document all attempts to evaluate a student and keep a record of parent/guardian refusal.

### **Early Intervention/Extended Services Option Questions**

**27)** How does a child qualify for EI/ES?

Children whose third birthdays are between May 1 and August 31 may continue EI services until the beginning of the school year following their third birthday if:

- Children receive early intervention prior to their third birthday,
- They are found eligible for early childhood special education services/an IEP, and
- Parents/guardians elect to remain in EI.

(325 ILCS 20/11(h), [IDHS Early Intervention Policy/Procedure 14.2.](#))

**28)** Once the family has decided on the EI/ES option, can they change their mind?

Once a child exits early intervention, he/she cannot reenroll in EI after his or her third birthday. Families can elect for the EI/ES option and then decide to exit early intervention prior to the beginning of the school year. At time of exit, the student would then be served under Part B and the supports and services outlined in the IEP should begin. The IEP team would need to reconvene if the child qualified for ESY services. The team would then determine how to provide ESY services and determine the transportation plan for such services. If there is an IEP with an initiation date that is in effect, there should not be a delay in the provision of FAPE. If the child did not qualify for ESY, the IEP should be ready to implement at the beginning of the school year.

**29)** What information should be included in the Additional Notes page regarding EI/ES?

The Additional Notes page is available for the IEP team to document any discussions that happen in the meeting. There are no requirements for what is required on the Additional Notes page, but it is recommended that IEP teams document relevant discussions that are not fully captured in other places within the IEP.

**30)** If ESY is offered, but the family elects the EI/ES option, should ESY still be listed in the IEP?

The IEP team should document in the IEP the consideration of ESY and the determination that ESY was not needed due to EI/ES. The IEP will not need to include a description of ESY services. The IEP should accurately reflect the services being provided. The IEP team can also state in the Additional Notes section of the IEP that ESY was offered but a description of ESY services was not included since the family elected to stay in EI.

**31)** If EI accepts a referral of a child with less than 45 days until the third birthday, completes the evaluation, and enrolls the child in EI, is the child still eligible for EI/ES if the LEA eligibility determination is not completed by the third birthday?

If the eligibility determination by the LEA is delayed and the child is “pending special education determination” when the child turns 3, the family may continue in the Part C EI Program until ECSE Part B eligibility determination is completed, or the new school year begins. In these circumstances, the family must make the child available for evaluation and provide consent for the eligibility determination process with their LEA or they will need to exit the Part C EI Program after the child’s third birthday. If parents decline or don’t complete consent for the initial evaluation as requested by the LEA or if they do not participate in scheduled evaluations/assessments, this negates their right to extend Part C EI services past their third birthday. ([Early Intervention Policy/Procedure 14.8.3](#))

## **Early Childhood Transition System Questions**

**32)** What is the purpose of the Early Childhood Transition System?

The purpose is to notify districts of children receiving early intervention services who may transition to ECSE, to facilitate smooth and effective transitions, and for accuracy in State Performance Plan - Indicator 12 data reporting.

**33)** Where do I find the Early Childhood Transition System?

This system is the data entry portal where districts/cooperatives are required to enter information on students transitioning from early intervention to early childhood. This system is in the SIS listing and is titled “Early Childhood Transition.”

**34)** Does the Early Childhood Transition System replace the EI to EC tracking form?

No, those are two separate processes for two separate purposes. The Early Childhood Transition System is an ISBE data collection portal and the EI to EC tracking form is a communication and tracking tool for early intervention. Districts must continue to complete the tracking forms and send those to the local CFCs.

**35)** How do I document on a student who transitioned from early intervention, but is not in the Early Childhood Transition System?

First try searching for the student within the Early Childhood Transition System in the dropdown menu called “Student Not Assigned to a District.” This record type includes all records with reason type listed as either 02, “Moved before or during transition process” OR 07 “Address not in district.” This record type will allow districts to search for students within the system and assign them to the user’s district if completing the transition. Users will use this feature if districts are aware a child is transitioning but



not on the district list. The user must enter the student's first name, last name and date of birth to return record(s). Details on this process can be found at [Updates to Early Childhood Transition System](#). If the student is not found using this search, contact ISBE at 217-524-4835 for assistance in resolving the matter. You will be unable to document on the student at the present time but check back monthly. If the student appears on the list at a later date, you will need to document on that student.

**36) How often should districts update the Early Childhood Transition System?**

Districts can update as frequently as they want to, but it is recommended that data be updated at least monthly. Final data entry for the school year must be entered by August 1. Districts should document on children who are on the list in error (e.g., address outside of district boundaries or student moved) as soon as they are aware of the change.

**37) When should I note that the student is not within the district boundaries or that the CFC notified the district that the child has moved?**

You should document on these situations as soon as you are made aware of them. The not-in-district boundary option allows districts to notify ISBE that a child's address on this list is outside of the district boundaries. Districts should **not** select out-of-district boundaries if the child has moved out of the district. Select Option 2, the child moved away before or during the transition process, for this scenario. The district can and should make note of the correct district in the pop-up box once selected if either scenario occurs.

**38) How long can districts access the student data in the Early Childhood Transition System?**

The children listed in the Early Childhood Transition System will be available during the fiscal year they turn 3 and the following fiscal year. We encourage districts to update the system at least monthly; all students must be documented by August 1 of the next fiscal year.

**39) What do I do if I cannot get a SIS match for an IDEA-eligible child in the Early Childhood Transition System?**

The district will need to create a record in SIS and enroll the student with the grade level of **evaluation only**. If you know the student has a SIS number, try broadening your search criteria (e.g., birth date only or birth date and last name). Only 10 records are displayed on a page, so add in additional search fields until the field is narrowed down to fewer than 10.

**40) How do I create an evaluation only record?**

Select "Request SID number" just as you would when enrolling a new student. You will have minimal information to enter on the student. For grade level, select "evaluation only," not preschool. The start date may be listed as August 1.

**41) Our district evaluated a child and determined he/she was not eligible. The system requires a SIS match; however, the child was never enrolled. What do we do?**

The district will need to enroll the child in SIS with the grade level of **evaluation only**. This creates a temporary record that ISBE will exit later.

42) I entered information on a student, but it is still showing a red “x.” Why did it not change to a green checkmark?

The record will switch to a green check when the child reaches his or her third birthday.

43) We used the IFSP to develop the IEP. What reason for not evaluating do I select?

When you use the IFSP to develop the IEP, you still complete the evaluation process. At the domain meeting, you would have determined that the district does not need to collect additional data and you are using the IFSP information. You then hold an eligibility determination conference. The answer in the transition system for the question “Was an evaluation completed?” is yes.

44) What does a school district do if a parent/guardian originally agrees to the transition and then decide they have changed their minds?

When completing the tracking form, mark transition delayed, then check parent/guardian failure/refusal to produce child and write a description of why. Make sure to document the attempts to evaluate the student as well and the date of the refusal. In the Early Childhood Transition System in SIS, select reason for not evaluating as “The domain meeting team recommended an evaluation, but the parent/guardian did not provide consent OR repeatedly failed or refused to produce the child for evaluation.”

### Delay Codes

45) What are the delay codes?

#### IDEA Eligible = No and No Delay:

OSEP measurement (b)	ISBE code
# of those referred determined to be <b>NOT</b> eligible and whose eligibility was determined by their third birthdays	Code 01 No delay and not eligible The child was served in Part C (Early Intervention), was referred to Part B (Early Childhood Special Education) for Part B eligibility determination and was determined to be <b>NOT ELIGIBLE</b> for Part B services by his/her third birthday.

#### IDEA Eligible = Yes and No Delay:

OSEP measurement (c)	ISBE code
# of those found eligible who have an IEP developed and implemented by their third birthdays	Code 01 No delay and eligible The child was served in Part C (Early Intervention), was referred to Part B (Early Childhood Special Education) for Part B eligibility determination, was determined to be <b>ELIGIBLE</b> for Part B services, and had an IEP developed and implemented by his/her third birthday.
	Code 07 School break or parent choice and eligible The child was served in Part C (Early Intervention), was referred to Part B (Early Childhood Special Education) for Part B eligibility determination, was determined to be <b>ELIGIBLE</b> for Part B services, and had an IEP developed and ready to be implemented by his/her third birthday, but services could not begin until after his/her third birthday due to a school break or parent/guardian choice.

**IDEA Eligible = Yes and Unacceptable Delay (results in a finding of noncompliance):**

OSEP measurement for noncompliance	ISBE code
# of children who were served in Part C and referred to Part B for eligibility determination that are not included in measurement b, c, d, or e	Code 04 CFC sent referral late Early Intervention sends the referral after the child is 2 years 9 months, but they received the child before age 2 years 9 months. This results in a school district non-compliant finding. The LEA is responsible for children on the transition list regardless of if the CFC sends a referral.
	Code 06 School district delay This results in a school district non-compliant finding. The district did not complete the evaluation and determine eligibility by the 3rd birthday (e.g., Child was on the 27th month list, district did not receive EI referral packet and did not follow up with CFC or parent/guardian, did not meet evaluation timeline).

**IDEA Eligible = Yes and Acceptable Delay:**

OSEP measurement (d)	ISBE code
# of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR300.301(d) applied	Code 02 Parent/guardian refusal Parent/guardian refusal to provide consent caused a delay in evaluation or initial services OR parent/guardian repeatedly failed or refused to produce the child for evaluation.
	Code 03 Child enrolled in the district The child enrolled in the district after the evaluation process had begun and prior to a determination by the child’s previous district as to whether the child was a child with a disability.
OSEP measurement (e)	ISBE code
# of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays	Code 05 CFC determined eligibility late The child was determined to be eligible for early intervention services under Part C less than 90 days before his/her third birthday.

**46)** What is the most appropriate delay code to choose when the evaluation was completed before the third birthday, but the services could not start until after the third birthday due to a parent/guardian choice or school break?

Choose Delay Code 7, “School break or parent choice and eligible.” This would not result in a district finding of noncompliance.

**47)** Which delay codes result in a district finding of noncompliance?

Delay Code 4, “CFC sent referral late,” and Delay Code 6, “School district delay,” result in a district finding of noncompliance. Any incomplete records by August 1 of the following fiscal year also result in a finding.

**48) Why is a CFC delay a district finding of noncompliance?**

Districts are required to seek out IDEA-eligible students, including those transitioning from early intervention. The Early Childhood Transition System provides districts advance notice of children who may be transitioning from early intervention. It is the responsibility of both programs to work together to make sure that the LEA notification and the transition conference for children potentially eligible for Part B occur in a timely manner that enables the LEA to meet its responsibility to conduct an evaluation and, if the child is determined eligible under Part B, to develop and implement an IEP by the child's third birthday.

**49) What do I select for a delay code if the reason is not listed?**

Select the delay code that most closely represents the reason for delay.

**Resources**

- [Illinois Department of Human Services](#)
- Early [Intervention](#)
- [Illinois State Board of Education](#)
- [Early Childhood Special Education](#)
- [34 CFR Part 300](#) - Assistance to States for the Education of Students with Disabilities
- [34 CFR Part 303](#) - Early Intervention Program for Infants and Toddlers with Disabilities
- [Illinois Administrative Code Part 226](#) - Special Education
- [89 Illinois Administrative Code Part 500](#) – Early Intervention Program
- [Child and Family Connections Procedure Manual](#)

Please contact the Early Childhood Department at 217-524-4835 or the Special Education Department at 217-782-5589 with any questions.