

### **Illinois State Board of Education**

# Illinois State Performance Plan (SPP) Indicator 12

IDEA Part C to Part B Transition
(Early Intervention to Early Childhood Special Education)

July 20, 2017

### Indicator 12 – Regulatory Requirements

(Additional regulations apply, e.g. FAPE, Child Find, evaluation, LRE, etc.)

#### **34 CFR Part 300**

- 300.124 smooth and effective transition by age three
- 300.323 IEPs in effect
- 300.818 no Part C services if child is receiving Part B services

#### **34 CFR Part 303**

303.209 – transition to preschool and other programs



#### 23 IAC Part 226

- 226.100 Child Find (screenings, ongoing coordination with Early Intervention, participation in transition planning conferences)
- 226.250 IFSP in place of IEP
- 226.260 child reaching age three

### **District Responsibilities**

(Smooth and effective transition from EI to ECSE)

Coordination with Early Intervention

Track students on the 27 month list

Participation in Transition Planning Conferences

Eligibility determinations and IEPs, for eligible students, in effect by the third birthday



### **Illinois Reporting Requirements**

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 <a href="mailtoy@isbe.net">fmalloy@isbe.net</a> or 217-782-5589.

### **Question – El Enrollment**



#### Question

What does enrolled in Early Intervention (EI) mean (initial referral or development of an IFSP)?

#### **Answer**

A student is considered enrolled in EI once he/she is evaluated and found eligible for Part C services.

- If EI enrollment occurs after age 2 years 9 months, the goal is still eligibility determination and IEP services by the third birthday.
  - Not an Indicator 12 finding
  - 60 school days timeline applies
- If the child is not enrolled in EI and the parents refer the child
  - the 60 school days timeline applies
  - the third birthday requirement applies if the referral is received more than 60 days from the child's third birthday

### **Timeline for IEP Development**



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

✓ IEP in place by child's 3<sup>rd</sup> birthday

#### **AND**

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

#### Children **not** in El Services:

- Referral received at least 60 days prior to third birthday eval.
   completed within 60 school days and IEP in effect by the third birthday
- Referral received with fewer than 60 school days to the third birthday evaluation completed within the 60 school day timeline.



### Question – IEP in Effect

#### Question

What does IEP in effect by the third birthday mean?

#### **Answer**

The IEP team developed an IEP or IFSP on or before the child's third birthday and the child is receiving special education services by her/his third birthday.

Possible Scenarios for a September 15 Birthday

- Eligibility and IEP process completed September 3, special education and related services begin September 15.
- Eligibility and IEP process completed in August, special education and related services begin the first day of the new school year.



### **Question – School Breaks**

#### Question

What are the district options when students' third birthdays are during the summer or other school breaks?

#### **Answer**

The district is still required to determine eligibility and have an IEP in place by the child's third birthday.

Summer Birthdays:

- Determine eligibility and develop IEP before staff leave for summer break
   OR
- Complete evaluation/IEP process during summer (with district staff or contractual)



Make certain the IEP is in place by the third birthday and services begin when school is back in session.

# LATE REFERRALS Eligibility/IEP for an eligible 60 Day Timeline

	Eligibility/IEP for an eligible	60 Day Timeline	District
	child completed by		Indicator 12
	3 <sup>rd</sup> birthday		Finding
Enrolled in El before 2	YES	YES	YES
years 9 months			
Enrolled in El after 2	YES	YES	NO
years 9 months		**This timeline	
		cannot be used to	
		extend the	
		evaluation beyond	
		the child's 3 <sup>rd</sup>	
		birthday.	
		Meeting the 3 <sup>rd</sup>	
		birthday timeline	
		fulfills both	
		requirements.	
El receives referral 45	NO	YES	NO
days or fewer from the	CFC will send the family		
child's 3 <sup>rd</sup> birthday	directly to the LEA.		
			9



## **Question – Indicator 12 Timeline**

#### Question

A family moves from one district to another during the EI – ECSE transition. The family contacts the new district three weeks before the child's third birthday. What are the district responsibilities?

#### **Answer**

- The new district is responsible for completing the evaluation within the 60 school days timeline.
- The age three timeline would not apply.
- Neither district would have an Indicator 12 finding.

# Indicator 12 Findings of Noncompliance Part C to Part B Transition

**CFC Delays** – CFC receives the child before age 2 years and 9 months, but does not send referral packet to the school district.

**LEA Delays** – District does NOT complete the evaluation process, including an IEP in effect for an eligible child, by the third birthday.



### **Question – Findings for CFC Delays**



#### Question

Why does the district get an Indicator 12 finding for a CFC delay?

#### **Answer**

ISBE provides the 27 month list of students who may be transitioning from EI. Districts should monitor the 27 month list and contact the CFC(s) if anticipated referrals are not provided.

### **Potential Findings - Clean Up Period**

**District Opportunity to Correct Data Entry Errors** 

ISBE notifies districts/cooperative of potential findings.

The "clean up" memo:

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

\*\*It is the district's responsibility to provide the data correction documentation to ISBE.

Inc	dicator 12, potenti	al finding of noncom	oliance							
o 🗆 Superin	itendent									
Directo	r of Special Edu	ıcation								
\right This message was	sent with High import	ance.								
data entered by a potential findir	the CFC (Child an ng of noncompliand	d Family Connections) ee. ISBE has compared	in your area indicate these data with the	s that there could be data your district rep IEP Completion	a gap between the orted to SIS and thi Date Services	children's th is list is of stu Delay	nird birthdays and udents for whom I			
First Name	Last Name	DOB	Elig. Det. Date	Date	Began	Reason	RCDTS Home	District Name		
		2012-11-20	2015-11-30	2015-11-30	2015-11-30	4				
We are providin Tuesday, Janu		eriod to identify and co	rect any potential coo	ding errors, prior to the	he issuance of Find	ings of Nonc	ompliance. Plea	se review and respond as	s soon as possible, but	no later than
		ted for your district for gible for special educat			id confirm for ibility was d	amp	le "cle	ean up"	memo	email
$\hfill\Box$ The date the	IEP was developed	i.			•	Sent	to supe	erintendent	t and direc	tor
☐ The date Spe	cial Education serv	rices began.			•			around peri	od for cor	rection
☐ The reason fo	or delay if the child'	s IEP was not develop	ed by his or her third	birthday.	•			udent(s)		
	Indicator 12 code e visit, email, etc)	es provided in the cha	<b>nrt.</b> *Note: Document	ation for family delay	y because on amarc	INCIL	ing communities a S	IS delay co	de chart	memodo (i.e.
Thank you for y	our assistance in th	nis matter. Please con	tact me by email or te	elephone with any qu	estions.					
Felicia (217)782-5589						×				
		W July	Early Childho	ood	National Con-					
Data Elemen	Code	Value		cription	Data Type	Mandator	y/ Optional			

# Clean Up Memo Attachment (SIS Delay Codes)

	Early Childhood						
Data Elements	Code	Value	Description	Data Type	Mandatory/ Optional		
	1	No Delay					
Reason for Delay in Transition	2	eligibility determ Examples: Parents declined Parents decided The IEP has not appointments. The child has be	d referral.				
	3	another district, Example:	ed in the district after parental consent was received in but before eligibility could be determined.	char(1)	Subsequent Mandatory; only enter data when Earl Intervention and Referral b CFC are 'Yes'		
	4		n (CFC) sends the referral after the child is 2 years and 9 received the child before age 2 years and 9 months.				
	5	Early Intervention (CFC) receives child after 2 years and 9 months and makes the referral.					
	6	There was a del The child's birtho The family has n	helay  made after the school year ended.  ay due to scheduling difficulties on behalf of district.  day falls during the summer.  not provided evidence of residency.  ical was not provided.				

### Indicator 12 - 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.

## **Letter of Findings**

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

- Generally mailed in January/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

### Sample – Letter of Findings

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
- Statement of assurances
- Any additional corrective action, e.g. completion of training, etc.





www.lsbe.net

100 North First Street \* Springfield, Illinois 62777-0001

James T. Meeks Tony Bmith, Ph.D.
Chairman State Superintendent of Education

Date

RCDT Superintendent District District Address City, State Zip

#### Dear Superintendent:

Per the United States Department of Education, Office of Special Education Programs, States are required to make findings of noncompliance when Local Education Agencies (LEAs) do not reach the measurable and rigorous target of 100 percent for State Performance Plan (SPP) compliance indicators when noncompliance is identified through the State's data systems. Based on final 2015-2016 school year data collected through the Student Information System (SIS) and Department of Human Services (DHS) records your LEA did not reach the measurable and rigorous target for SPP Compliance Indicator 12. As a result, a finding of noncompliance has been issued. Findings were issued for instances in which students were not successfully transitioned by their third birthdays and were given a reason for delay code of CFC Delay (4) or LEA Delay (6). All findings of noncompliance must be corrected as soon as possible, but in no case more than one year from identification. In this instance, correction must be no later than one year from the date of this letter.

#### Relevant Requirements

Indicator 12

34 CFR 300.124(b)

The State must have in effect policies and procedures to ensure thati) By the third birthday of a child described in paragraph (a) of this section, an IEP or, if consistent with 300.323(b) and section 636(d) of the Act, and IFSP, has been developed and is being implemented for the child consistent with 300.101(b).

#### Corrective Action for District Level Findings

In order to close findings of noncompliance, the Illinois State Board of Education (ISBE) must verify that the LEA corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, and is correctly implementing the specific regulatory requirements related to Indicator 12 (i.e. achieved 100% compliance) based on a review of the updated data. In order to demonstrate the above, the LEA is required to take the following steps:

- Develop and implement the IEP, or determine the child ineligible, for each
  individual case of noncompliance, although late, unless the child is no longer
  within the jurisdiction of the LEA. Enclosed is a list of student(s) who transitioned
  into the LEA from Early Intervention, and whose eligibility was not determined
  within the regulatory timelines.
- Provide a summary of the steps taken to address similar situations in the future and a written statement of assurance to ISBE that the LEA is correctly implementing the regulations related to Indicator 12. This statement of assurance is to be submitted to ISBE by March 22, 2017.

Indicator 12 technical assistance resources can be found at: http://www.isbe.net/earlychi/html/ec\_speced\_intervention.htm.

ISBE Principal Consultants are available to answer any questions you might have regarding the Indicator 12 requirements. You may contact Felicia Malloy at <a href="mailtoy@isbe.net">mailtoy@isbe.net</a> or via telephone at 217-782-5589.

Sincerely,

### **Compliance Tip – Policies/Procedures**

### Policies and procedures in place:

- Developed based on regulations
- Review annually for needed updates
- Staff are trained and aware of the policies/procedures
  - Steps in place to train new staff
  - Steps in place for staff notification and/or training when the policies/procedures are revised





### **Question – Health Record Delays**

#### Question

Can parental failure to provide physicals/immunization records delay the transition timelines?

#### **Answer**

- Missing or late health records cannot delay the evaluation, eligibility determination, and IEP development for an eligible child.
- Parental delays in providing health records by October 15 can delay school enrollment/special education services.
- If IEPs are developed by the third birthday, but cannot be implemented due to missing health records, districts should document Indicator 12 Parent Delay (SIS code 2).

### **Compliance Tip – Communication**

#### **Child and Family Connections Office(s)**

- Ongoing coordination (required)
  - Verifying 27-month list data
  - Verifying residence within district boundaries
  - Shared professional development opportunities
  - Coordinate Transition Planning Conferences develop a schedule

#### Local Interagency Council (LIC) active membership

- Transition agreements (required)
- Establish contact persons and their responsibilities

#### **Families**

- Contact when referral is received
  - Quick phone call
  - Introductory/welcome letter and/or brochure
- Resources for families
  - Resource materials available for parents
  - Parent/peer group and school district contacts

## **Compliance Tip – Flexibility**

Regulations allow districts to use existing data for evaluation/eligibility determinations:

- Evaluations from EI
- Progress notes
- IFSP

Regulations allow district to use an IFSP in place of an IEP:

- Must meet all of the requirements of an IEP
- Family outcomes vs. educational goals
- Differences in provider types

### **Compliance Tip - 27 Month Lists**

ISBE provides a monthly list of students in Early Intervention between the ages of 27 months and 37 months.

- Tool for tracking/preparing for potential students
- Contact the local Child and Family Connections (CFC)
   offices if a child is reaching age three and no
   information has been provided to the district
- Available in the Student Information System (SIS) through the ISBE Web Applications Security (IWAS) system
  - Districts can view the list of students within their boundaries
  - Cooperatives can view the lists for all of their member districts.

### **Question – Transition Packets**



#### Question

What is the obligation of a home district when the transition packet is sent to the wrong district?

#### **Answer**

The home district won't know that the packet was erroneously sent to another district until it confirms with either the CFC or the district that received the packet.

The district should monitor the 27 month list and document all attempts to contact parents. If the transition packet is late, contact the CFC.

The district that received the transition packet in error must provide the information to the home district.

## **Compliance Tip – Data Entry**

Staff entering Indicator 12 data should have basic knowledge of the requirements and SIS delay codes.

- Aware of and follow policies/procedures
- Trained on Indicator 12 data entry
- Guidance/reference worksheet provided
- District/cooperative provides a contact for Indicator
   12 questions

ISBE staff are available to answer Indicator 12 questions.

### SIS Reason for Delay Codes

- 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

### **Question – SIS Delay Codes**



#### Question

A child was receiving EI services, parents initially indicated an interest in IEP services, but changed their minds. What are the district responsibilities?

#### **Answer**

#### **Document:**

- Attempts to secure participation, including dates of contacts
- Tracking form transition delay due to parent failure/refusal and a description
- SIS Indicator 12 delay code Parent Delay, code 2

If coded correctly, this would not generate a finding.

In the event of a coding error, the district would use the documentation to make corrections during the clean up period.



### **Question – SIS Delay Codes**

#### Question

A family refused transition at 2 years 6 months and changed their minds at 2 years 10 months. What are the district's responsibilities?

#### **Answer**

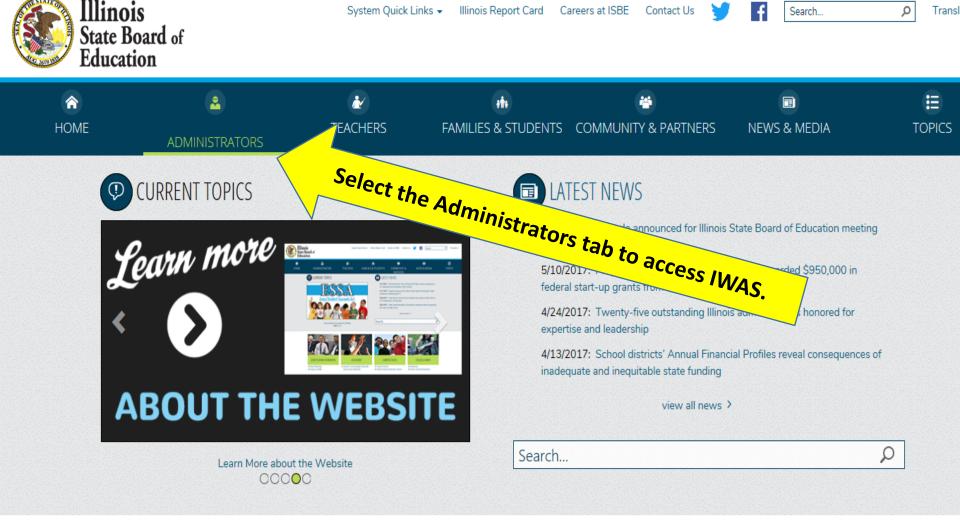
The district must complete the evaluation and IEP process by the child's third birthday.

- The child was on the 27 month list district responsibility to follow up
- If the district did not follow up and document the parental refusal, it would be an Indicator 12 finding

### **IWAS Access to SIS Reports**



## Users can access IWAS from the ISBE website (www.isbe.net). Frequent users may want to create an IWAS shortcut on their laptops or desktops.



#### The Administrators page on the ISBE website includes a link to IWAS.



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NEWS & MEDIA

**ADMINISTRATORS** 

ISBE strives to support and empower districts by providing the leadership and resources needed to achieve excellence across the state. Below are links to webpages organized by program area, a list of announcements and deadlines, and a list of frequently asked questions. Check the alphabetical sitemap or use the search bar to find additional information.

Log in to IWAS

**FRIS Inquiry** 









### **IWAS: Sign Up and Log In**

IWAS will walk first time users through the sign up process. IWAS provides assistance if a user forgets the log in password.

Home	Already have an account? Login Here :	New Partner - Sign up Now
1	Login Name Password	Some ISBE web-based systems require electronic signatures. You can create your own logon id and password by clicking on the
Jp Now		following link. After you establish your logon, you will then have the ability to request authorization to use ISBE's systems.
assword	LOG IN	Sign Up Now
ict Us		
	Forgot Your Password?  If you have forgotten your login name or password, click on the	Need Help?  If you need help with logging in, the sign up procedure or your
ser Guide 🥏	link below.	password, please click on the link below.
aining Video	Find Login/Password	<u>Help</u>
		ve / Firefox 2.0 or above. You can download the latest version of these

### **IWAS Landing Page**



### Illinois State Board of Education

James T. Meeks, Chairman

Tony Smith, Ph.D., State Superintendent

IWAS IWA

ISBE Administrator

Home

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**Select System Listing.** 

40 unread Inbox message(s)

0 unread Archived message(s)

Require Action:

O Sign-ups pending your approval

11 Documents pending your approval

O Feedback messages pending review

We have your email address listed as: fmalloy@isbe.net

If this is NOT correct, click here to update.

**News Items** 

How to Open and Close Public Schools: ISBE Notification Procedure

Each year some Public School Districts need to open or close schools. Click 'More...' to see the instructions for notifying ISBE about these changes...

More...

IWAS

**Changes in IWAS Administrative Accounts** 

Many organizations that do electronic business with ISBE have new administrators that officially take effect on July 1...

More...

Public School District Consolidations/Annexations/Convergence and IWAS

If your public school district is going through consolidation or appearation, the information below may



### Illinois State Board of Education

James T. Meeks, Chairman

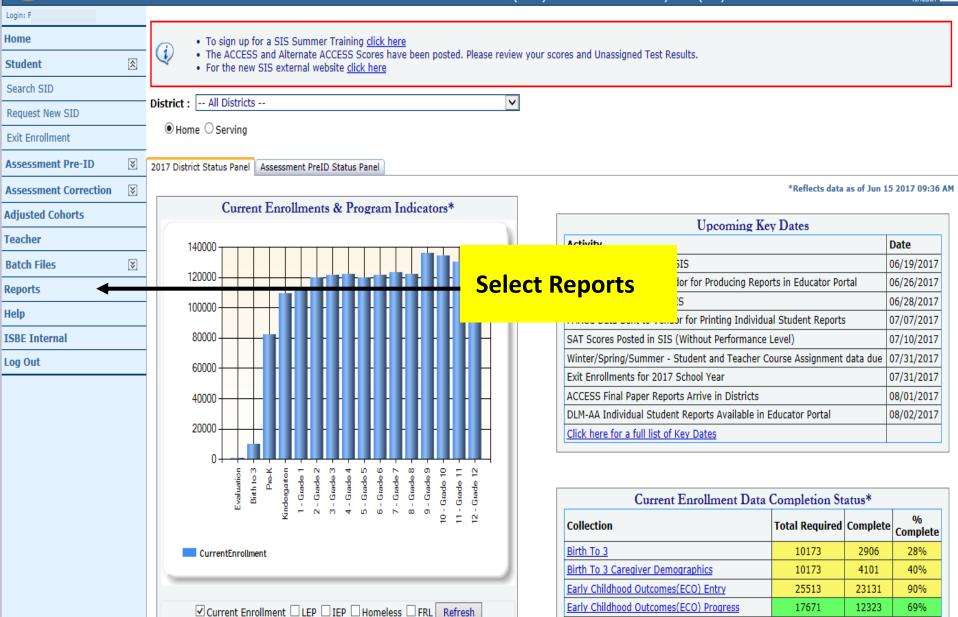
IWAS

Tony Smith, Ph.D., State Superintendent

Login: My Systems Below are systems that you are either authorized to use or are awaiting authorization from Home either your district (Pending-District), ROE (Pending-ROE) or ISBE (Pending-ISBE). Once you are "Authorized" to access a system, simply click on the system description to use it. System Listing Click Here for Due Dates Pending Sign Ups Categories - Click to Expand/Collapse Tree Authorization Pending Documents ⊢- Grants eGMS Dashboard Change Password ◐ Authorized Active Grants Preferences ... IDEA Discretionary 1 Authorized Search IDEA Part B Flow-Through • Authorized .... IDEA Part B Preschool Help The System Listing page will show all of Retired (Expired Funding) Log Out ARRA - IDEA Part B Flow-Through the systems the user can access. IWAS Training Video --- ARRA - IDEA Part B Preschool Reporting Select Student Information System (SIS) Entity Profile System .... Student Information Syst ewide Authorized 0 □ ISBE Internal ⊢- Web About SSI Certificates Entity Profile System (Internal) ◍ 53 Authorized ELIS for Administrators ◍ Authorized Legend: (i): System Description - Detailed : Due Dates 🦪 : Profile

Illinois State Board of Education (ISBE) Student Information System (SIS)







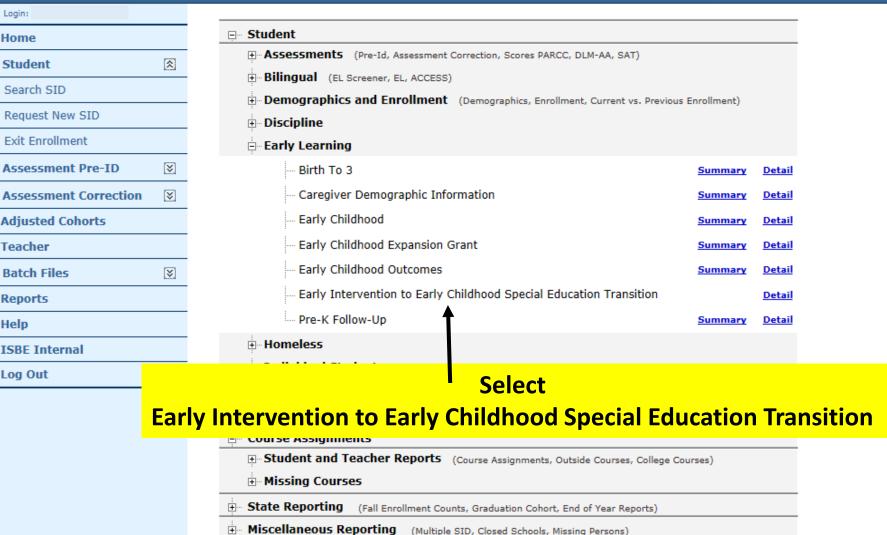
View Report

Login: I	
Home	Student
Student (A)	# Assessments (Pre-Id, Assessment Correction, Scores PARCC, DLM-AA, SAT)
Search SID	Bilingual (EL Screener, EL, ACCESS)
Search SID	Demographics and Enrollment (Demographics, Enrollment, Current vs. Previous Enrollment)
Request New SID	Discipline
Exit Enrollment	Early Learning (Birth to 3, Early Childhood, Early Childhood Outcomes, Pre-K Follow-Up)
Assessment Pre-ID	Homeless Homeless
Assessment Correction 👿	individual Student
Adjusted Cohorts	⊕ Regional Safe School
Teacher	• Special Education
	☐ Course Assignments
Batch Files	• Student and Teacher Reports (Course Assignments, Outside Courses, College Courses)
Reports	• Missing Courses
Help	State Reporting (Fall Enrollment Counts, Graduation Cohort, End of Year Reports)
ISBE Internal	• Miscellaneous Reporting (Multiple SID, Closed Schools, Missing Persons)
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Have questions or need help? Contact our Call Center (217)558-3600 between 7:00am - 5:00pm CST, Monday - Friday or Click here to Contact Us



View Report





District:

-- Select a District --

#### **Student Information System**

Next

Board of Edu	icatio	n
Login:		
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Student	☆	
Search SID		
Request New SID		
Exit Enrollment		
Assessment Pre-ID	₹	
Assessment Correction	₹	
Adjusted Cohorts		
Teacher		
Batch Files	₹	
Reports		
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ISBE Internal		

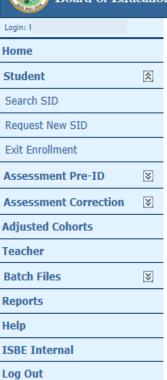
Log Out

Districts can view the list of students within their boundaries

Cooperatives can view the lists for all of their member districts.



View Early Intervention to Early Childhood Special Education Transition



Early Intervention to Early Childhood Special Education Transition

O Display Records With No Districts Display All Records

View Report or Create PDF Report or Create EXCEL Report

Users Options:
View as Report
Create a PDF Report (recommended)
Create an Excel Report for sorting purposes

#### Early Intervention to Early Childhood Special Education Transition

RCDT: 00	Α	DJG
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The purpose of this data sharing process is to support school districts in their obligation to have eligibility determined and an IEP implemented, as necessary, on or before a child's third birthday as the child exits early intervention. The list below is a cumulative list of children who should soon be transitioning into your district(s), which should assist you with future planning for early childhood special education services. While this list contains the names of children transitioning who are 27 months or older, the CFCs are obligated to refer children transitioning into your district by the time the child is 30 months old. If you do not receive this referral by the time the child is 31 months old, this list will enable your district to follow up with the family informing them about your district's early childhood special education services. You may contact the CFC to verify or correct any of the family contact information on this list. You should also contact the CFC if you have received a child's information, but have determined that the child resides in a neighboring district, so that the child's information can be forwarded to the appropriate district. Due to HIPAA and FERPA regulations, these data should only be shared on an "as needed" basis to fulfill the indicated district's child find obligations.

If information on this report is in error, please maintain this documentation locally in the event of any follow-up from ISBE about the student's transition status. Any questions regarding early intervention to early childhood special education regulations and process should be directed to Kristy Doan at 217-524-4835 or to Felicia Malloy at 217-782-5589. Questions regarding the Illinois Department of Human Services student data may be directed to Ann Freiburg at Ann.Freiburg@Illinois.gov. Correspondence with student identifying information should only be provided via the DHS secure fax at 217-524-6248.

RCDT:		School District Name		•	tendent and Address
Name	Birth Date	Contact:	El Number	CFC ID	Month Reported
	06/29/2014	Students are listed by youngest.	y age, oldest	to	02/01/2017
	11/20/2014	, caragoes			02/01/2017
	01/30/2015	Students can be on the months; the list idented.		•	04/01/2017
spSisEarlyIntervention To Early Childhood Special Education Transition Rpt		Cooperatives have or districts.	ne list separa	ated by	Page 1 of 23

## Question – 27 Month List Error



#### Question

What should districts do if a child's address is outside of the district boundaries?

#### **Answer**

- Notify the CFC and/or DHS to ensure the transition packet is directed to the correct district.
- Contact ISBE to move the child and her/his information to the correct district list.
  - Based on the child's address, please let ISBE know the most likely resident district(s).

### **Contact Information**



#### **Early Childhood**

https://www.isbe.net/Pages/Early-Childhood.aspx

Crystal Grimes <u>cgrimes@isbe.net</u> Kristy Doan <u>kdoan@isbe.net</u> (217)524-4835

### **Special Education Programs**

https://www.isbe.net/Pages/Special-Education-Programs.aspx

Felicia Malloy <u>fmalloy@isbe.net</u> (217)782-5589