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

**Regulated versus Local Determination**

|  | **Regulated (Non-Negotiable)** | **Local Determination (Negotiable)** |
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| **Age Eligible to Transition** | * Children who are 2 by September 30 and who are potentially eligible for Part B are qualified for a referral to LEA
* Children are to transition from Part C to B by their third birthday with admission taking place throughout the school year
 | * Parents may choose to have child remain in Part C or transition to Part B until third birthday
* It is a local decision to serve children who turn 2 after September 30 for that school year
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| **Initial Referral** | * Notification is also a referral
* Notification/referral is required if child is potentially eligible for Part B unless the parent opt out
* Notification/referral is sent by Part C to LEA and SEA
* Notification/referral must include child’s name, child’s date of birth, and parent contact information (names, addresses, and telephone numbers)
* Notification/referral must be at least 90 days before the child’s anticipated date of transition
	+ Notification/referral must be sent to LEA by April 1 for children who will be 2 by September 30 for child to start at beginning of school year, unless local interagency agreement specifies a different deadline
* Date notification/referral sent must be documented on IFSP
* LEA must treat this as an initial referral to Part B
* 65-day timeline to the eligibility meeting begins when notification/referral is received
* Staff vacation, staff work schedule, breaks (e.g., summer) cannot delay receipt of notification/referral or 65-day timeline
 | * Notification may include service coordinator’s name and contact information and the language(s) spoken by the child and family
* The person who sends the notification/referral from Part C is to be determined
* The person who receives the notification/referral at the LEA is to be determined
* How the information will be sent to the LEA is to be determined
* The LEA and local Part C system may agree to a deadline for notification other than April 1
* LEA may use evaluation information from the Part C program for any child
* Summer referrals may be completed in less than 65 days so the child starts on the first day of school
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| **Transition Conference** | * Transition Conference is required, with parent approval, if child is potentially eligible for Part B
* Must be at least 90 days and can be up to 9 months before child’s anticipated date of transition
* Must meet the requirements of an IFSP meeting
* Must include Part C representative, LEA representative, and family
* LEA representative must be knowledgeable about services available in ECSE program
 | * Transition Conference may be combined with meeting to develop the transition plan
* LEA may send any staff that are familiar with the ECSE program and can explain the program to the family
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| **Part B Eligibility Determination** | * Membership at eligibility meetings includes parent(s), general education teacher (if there is potential for the child to participate in a general education preschool program), special education teacher, an individual who can interpret the instructional implications of evaluations, and a representative of the LEA
* Part C is to be invited to the meeting(s) if parent requests
* LEAs have 65 business days to determine eligibility
* The child must meet the requirements of a child with a disability in at least one of the 13 disability categories, demonstrate significant impairment in participation in age appropriate activities, and require special education services
 | * Membership at eligibility meetings may also include an individual who has expertise with the child, and related services personnel
* Part C may be invited to the meeting
* If child is referred to Part C between 45 and 90 days prior to the child being eligible to receive services from the LEA, with parental permission, LEA and Part C may conduct the eligibility evaluations together
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| **IEP Development** | * Membership at IEP meetings includes parent(s), general education teacher (if there is potential for the child to participate in a general education preschool program), special education teacher, an individual who can interpret the instructional implications of evaluations, and a representative of the LEA
* Part C is to be invited to the meeting(s) if parent requests
* IEP must be written/implemented within 30 calendar days from the eligibility meeting
 | * Membership at IEP meetings may also include an individual who has expertise with the child, and related services personnel
* Part C may be invited to the meeting
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| **IEP Implementation** | * IEP must start by date of implementation written on the IEP
* Part C services end when the IEP is implemented
 | * Start date can be flexible but within a reasonable amount of time (example: IEP may be written in June to start the first day of school)
* If child is eligible for services from Part B, parents may choose to receive services from Part C until the child’s third birthday, then start Part B services
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