**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 |
| **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 |
| **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 |
| **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 |
| **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 |
| **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 |