Rhode Island Early Intervention Policies and Procedures
Transition

Certified Early Intervention providers are required to develop policies and procedures in compliance with federal regulations to ensure a smooth transition for children from Early Intervention to the Local Education Agency (LEA) and/or appropriate community services and supports. Procedural requirements below have been developed by the Lead Agency and the Rhode Island Department of Education via an Interagency Agreement and provider policies and procedures must at minimum include the following:

EI Notification to LEA and SEA

Early Intervention providers and the Lead Agency (the Rhode Island Executive Office of Health and Human Services) must send notification of children receiving Part C services who are potentially eligible for Part B services to the appropriate LEA and SEA (the Rhode Island Department of Education) no later than 90 days before the child's third birthday. At the discretion of all parties, notification may be sent up to nine months before the child's third birthday.

- Notification of children receiving Part C services who are potentially eligible for Part B services is made to the appropriate LEA and SEA at 28 months of age.
- For children determined eligible for EI after 28 months of age but prior to 90 days before their third birthday, notification to the LEA and SEA must occur as soon as possible after Part C eligibility is determined but in no case later than 90 days prior to the child's third birthday. Soon as possible in RI means notification occurs upon completion of the IFSP.
- For children determined eligible for EI more than 45 days but less than 90 days prior to their third birthday, notification to the LEA and SEA must occur as soon as possible after Part C eligibility is determined. Notification occurs upon completion of the IFSP.
- For children referred less than 45 days before their third birthday an eligibility evaluation is not required. Children referred at this time who may potentially be eligible for Part B services, must be referred to the LEA and the SEA by the EI provider. Parental consent is required. In all cases the EI provider will provide contact info for the appropriate LEA for future use.
    - For children determined eligible for EI who will be turning three during the summer, notification will occur earlier than 28 months of age and at the discretion of all parties up to nine months before the child's third birthday (27 months of age) but no later than 90 days before the child's third birthday
- Potential eligibility for each child must be decided by the IFSP team based on knowledge of current functioning and a review of the RI Part B eligibility criteria.

EI Notification to LEA and SEA *(Continued)*

- EI providers provide notification to the LEA by faxing or mailing page T-1 of the IFSP to the LEA. T-1 of the IFSP must include the child's name, date of birth, parent's names, address, and telephone number.

- The Lead Agency must provide notification to the SEA through monthly data reporting which includes the child's name, date of birth, parent's names, address, and telephone number.

- This dual notification must be sent unless the parent chooses to opt-out of notification. Parental consent is not required for such notification and will occur in the absence of an opt out by the parent.

- Notification to the LEA must include, with parental consent, additional relevant documents including the latest IFSP and evaluation/assessments.

- Confirmation of this notification must be documented on page T-1 of the IFSP.

Rhode Island has an "Opt Out" policy which means a parent may choose to "opt out" of LEA and SEA notification.

- EI providers must inform parents about the transition process including the Opt Out of Notification to the LEA and SEA by the child's 27 month. The *Transition from Early Intervention-A Family Guide* must be given to the family and the opt out policy explained. Parents have from then to the 28th month to decide. Children who are determined eligible after the 27th but before 34.5 months are informed about the transition process including the opt out of notification policy when they are determined eligible for EI. Parents have from then to the IFSP start date to decide.

- If parents want additional time to decide whether they want to opt out, they must opt out of notification while they make the decision. Parents must be informed that "opting back in" after the end of the 28th month may cause transition timelines to be delayed.

- Parents who opt out of the notification to the LEA and SEA may do so by selecting and signing the *Opt Out of Notification* option on page T-1 of the IFSP and notification will not occur. Parents may change their mind regarding opting out of notification at any time by informing their service coordinator. The service coordinator will meet with parent who will then sign and date the Withdraw Opt Out Notification on page T-1 of the IFSP.

EI Transition Conference

With the family's approval, a Transition Conference will be convened by EI for all children potentially eligible for Part B services no later than 90 days before the child's third birthday. At the discretion of all parties, the transition conference may occur up to nine months before the child's third birthday.

- A Transition Conference will be convened by EI for all children potentially eligible for Part B services at 30 months of age.
- For children determined eligible for EI after 30 months of age, a Transition Conference for all children potentially eligible for Part B services must be convened soon as possible, but no later than 90 days prior to the child's third birthday.
- For children determined eligible for EI less than 90 days prior to their third birthday a Transition Conference with the LEA is not required although the development of a transition plan (page T-2 of the IFSP) with steps and services is required as soon as possible.

Procedural Safeguards Required
Prior Written Notice
Prior written notice must be provided to parents and other participants within a reasonable time frame to ensure they will be able to attend

- The purpose of the Transition Conference is to develop a plan for the effective transitioning of child/family as they exit Part C.
- The agenda must include a discussion of any services the child may receive from Part B.
- EI will schedule the conference
  - at a time and place convenient for the family
  - in the native language of the family or other mode of communication used by the family unless it is clearly not feasible to do so.
- Participants must include
  - The parent(s), EI service coordinator, and LEA.
  - Other family members as requested by the parent if feasible to do so.
  - An advocate or person outside the family if the parent requests that the person participate
  - A person or persons directly involved in conducting the evaluation of the child and assessment of the child and family or if necessary that person's involvement through other means is acceptable such as making pertinent records available at the meeting, or an authorized representative, or by conference call.

For a child determined not to be potentially eligible for Part B services, with

EI Transition Conference *(Continued)*

the families approval the EI provider must make reasonable efforts to convene a Transition Conference which includes the family, the EI provider and providers of other appropriate services.

Transition Plan

All children enrolled in EI must have an IFSP meeting to develop a Transition Plan which includes transition steps and services as part of their IFSP no later than 90 days before the child's third birthday but at the discretion of all parties may occur up to nine months before the child's third birthday.

- A Transition Plan which includes steps and services as part of their IFSP is developed for all children at 30 months of age.
- For children determined eligible for EI after 30 months of age but before 90 days prior to their third birthday, a Transition Plan which includes steps and services as part of their IFSP is developed as soon as possible as but no later than 90 days prior to the child's third birthday.
- For children determined eligible for EI less than 90 days prior to their third birthday, a Transition Plan which includes steps and services as part of their IFSP is developed as soon as possible.

- The family must be included in the development of the plan.
- The plan must include:
  - all appropriate steps needed for the toddler and his or her family to exit EI and any transition services that the IFSP team identifies as needed by the child and his/her family;
  - a review of program options (e.g., discussions about Part B starting date, ESY, community resources) for the child from the third birthday through the remainder of the school year; and
  - confirmations that: (a) child find information has been transmitted to the LEA or other relevant agency, and (b) EI has transmitted additional evaluations, assessments, and the IFSP (with parent consent) to the LEA.

Transition Plan *(Continued)*

- Steps must include:
  - Discussions with and training of parents as appropriate regarding future placements and other matters related to the child's transition;

- Procedures to prepare the child for changes in service delivery including steps to help the child adjust to and function in a new setting;

- Identification of transition services that the IFSP team determines is necessary to support the transition of the child; and

- Procedures to gather and provide input regarding child functioning(e.g., RI Transition Summary Form).

- These timelines have been developed to allow sufficient time to initiate Part B services by the child's third birthday (if child is found eligible).

- Children who discharge EI earlier than 9 months prior to their third birthday do not require pages T-1 and T-2 to be completed but transition steps and services must be developed and documented in the record.

- The Transition Conference and the IFSP meeting to develop the Transition plan may be combined as long as the regulatory requirements for both are met. In Rhode Island the Transition Conference and IFSP meeting to develop the Transition Plan are always combined.