

IDEA Reauthorization: A Chance for a Redo and Revise for Infants and Young Children and their Families



**Early Intervention/Early Childhood Special Interest Group
(EIEC SIG)
Webinar Series
October 22, 2013**

- Introductions
- Presentation
- Q & A after presentation
 - You can ask a question by pressing the * then # key to request the floor. Questions will be answered in the order they are received.
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IDEA Reauthorization: A Chance for a Redo and Revise for Infants and Young Children and their Families

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October 22, 2013

When Will IDEA Be Reauthorized?

- Part A & B are permanently authorized
- Part C & Part D must be reauthorized
- Authorized through FFY 2010 with automatic GEPA one year extension
- ESEA Reauthorization and other programs come before IDEA
- **Not likely before the 2014 election**

Partnership on EC IDEA Issues

- 6 organizations decided to meet on a selected group of topics beginning in 2012
- To develop possible reauthorization language for the field to consider
- Met 2 times in person and held multiple phone calls
- Selected transition, settings and finance as the first topics to consider

Organizations Involved

- Division for Early Childhood of the Council for Exceptional Children (DEC);
- Early Intervention Family Alliance (EIFA);
- Family Voices;
- The 619 Consortium;
- The Early Childhood Intervention Special Interest Group of the Association of University Centers on Disabilities (AUCD); and
- The IDEA Infant and Toddler Coordinators Association (ITCA).

Intent of the Partnership

- To draft broad recommendations in a thoughtful, systematic manner
- For use in future discussions among a broader audience.
- Recognition that each current and future constituency group who reviews these **DRAFT** recommendations may bring a different perspective.
- It's a beginning.....

Therefore.....

- These do **NOT** represent the official positions of the organizations
- Offered **ONLY** as a foundation for future reauthorization discussions for IDEA, Part C and Part B (619).
- Each organization is **now sharing** recommendations **for input and discussion only**(E.G. Input obtained at national meetings: state 619 & Part C coordinators and ICC Chairs; DEC annual meeting

Process For Today

- AUCD wants maximum input from you
- Many opportunities before reauthorization
- Focus on statute and what should be changed
- State or local implementation issues may be unique
- Please write questions to send into the discussion

How We Did It: Sample work sheet:

Section 637 (a) State Application and Assurances

(9) a description of the policies and procedures to be used to ensure a smooth transition for toddlers receiving early intervention services under this part (and children receiving those services under section 635(c)) ~~to preschool, school, other appropriate services, or exiting the program, to~~ *early childhood programs and services*, including a description of how:

(A) the families of such ~~toddlers~~ and children will be included in the transition plans required by subparagraph (B); and

(B) the lead agency designated or established under section 635(a)(10) will:

(i) ~~notify~~ *refer a child, who may be eligible for preschool special education, with parental agreement, to the local educational agency for the area in which the child resides that the child will shortly reach the age of eligibility for preschool services under part B, as determined in accordance with State law; and*

Topics for Discussion

- Transitions: Part C and Part B
- Settings and Services: Part C and Part B
- Financing: Part C

Transition: Part C

Lead Agency will....

- ***refer a child, who may be eligible for preschool special education, with parental agreement, to the local educational agency;***

(C) Rule of Construction. Nothing in (9)(B)(i) shall be construed to require the Part C lead agency to refer a child to the SEA to comply with this requirement.

Convene a meeting to develop a transition plan, and with the approval of the family of the child, invite representatives from the local educational agency and early childhood programs and services for the purposes of sharing information. The meeting will:

- Occur not less than 90 days (and at the discretion of all such parties, not more than 9 months) before the child is eligible ...
- ***Be convened at a mutually agreed upon time and place;***
- ***Be held with timely notice to facilitate participation;***
- ***Allow participation of invited participants through conference call or through written information;***
- Review the child's options ***for programs and services after exiting early intervention;*** and to discuss any such services that the child may receive; and
- Establish a transition plan, including, as appropriate, steps to exit from ***the early intervention*** program.

Transition: Part B

LEAs Must Ensure...

- *Representatives from the LEA will participate in the transition planning meeting to review the child's program options establish a transition plan, including as appropriate steps to enter the program;*
- *Referrals of potentially eligible children, will be accepted from Part C, consistent with Sec 615(b)(3), with parental approval;*
- *Informed consent is sought from the parent to obtain current evaluation and assessment information and that this information will be considered in the Part B evaluation and eligibility process;*

LEA Must Ensure...

- *In the case of a child who was previously served under part C, an invitation to the initial IEP meeting shall, at the request of the parent, be sent to the part C service coordinator or other representatives of the part C system;*
- *the IEP Team shall consider the IFSP;*
- *The IEP Team will consider the need for extended school year; and*
- *By the third birthday of such a child, an individualized education program or, if consistent with sections 614(d)(2)(B) and 636(d), an individualized family service plan, has been developed and is being implemented for the child.*

Transition: Part B

School-Age

- *The LEA must ensure that eligible children participating in preschool special education shall experience a smooth and effective transition to kindergarten or other school-aged programs.*

Settings: Part C

Policies and Procedures

- to the maximum extent appropriate, early intervention services are provided ***within the context of the family's routines and activities***; and
- the provision of early intervention services for any infant or toddler with a disability occurs in a setting other than ***within the context of the family's routines and activities*** that *are* most appropriate, as determined by the individualized family service plan team, only when early intervention cannot be achieved satisfactorily for the infant or toddler in ***the family's routines and activities***.

Settings: Part C

Services and IFSP

- to the maximum extent appropriate, are provided ***within the context of the family's routines and activities, in*** the home, and community settings in which children without disabilities participate;
- statement of the ***places and routines*** in which early intervention services will appropriately be provided, including a justification of the extent, if any, to which the services will not be provided ***in the places, and during the routines and activities of the family.***

Settings: Part B – LRE

- *To the maximum extent appropriate, preschool children with disabilities, are educated with nondisabled peers, and education separate from children without disabilities occurs only when the nature or severity of the disability of a child is such that education in settings with preschool children without disabilities, with the use of supplementary aids and services, cannot be achieved satisfactorily.*

Settings: Part B

IEP Language

Individualized Education Programs - LRE

- *for preschool children, an explanation of the extent, if any, to which the child will not participate in educational settings with children without disabilities, such as Head Start, child care and Pre-K programs and in the activities described in subclause (IV)(cc);*

Payor of Last Resort: Part C

- **State and Local Effort.** *States may define state and local fiscal effort to include proceeds from private insurance and/or family fees collected in accordance with Part C.*

Or

- **State and Local Effort.** *Nothing in this part shall be construed to prohibit a state from including proceeds from private insurance and/or parent fees collected in accordance with this part as part of the state's definition of state and local fiscal effort.*

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Visit the Websites

- AUCD Website: <http://www.aucd.org>
- EIEC SIG Website: <http://www.aucd.org/eiec>

Questions about the SIG?

- SIG Co-Chairs
 - Mary Beth Bruder: bruder@nso1.uch.edu
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Questions about the Webinar?

- Anna Costalas: acostalas@aucd.org

Please take a few minutes to complete our survey!