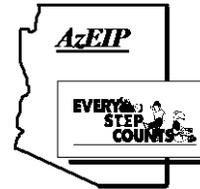


## Chapter 4



# Transition

## Arizona Early Intervention Program

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#### 4.0.0 Introduction

**4.0.1 Authority:** 20 U.S.C. §§1436((d)(8); 1437(9); 34 C.F.R. §§303.209, -.342(d), and (e), -.343(a), -.344(h), and -.401(d) and (e); A.R.S. §41-2022

#### 4.0.2 Policy

1. DES/AZEIP is responsible for ensuring the transition requirements under IDEA, Part C through the Early Intervention Program (EIP) providers throughout the state.
2. DES/AZEIP ensures a smooth transition from early intervention for children in AzEIP and their families:
  - A. At any time the child and family exits from AzEIP; and
  - B. To preschool or other appropriate services for young children at or around the date the child turns three years old.
3. To ensure the specific IDEA, Part C requirements for transition of a child in early intervention to special education services under IDEA, Part B, the Arizona Department of Economic Security (DES) and the Arizona Department of Education (ADE) enter into an Intergovernmental Agreement (IGA) called the Transition IGA. This agreement sets out the responsibilities of DES and ADE and has the following purposes:
  - A. delineate the procedures for the transition of children with disabilities and delays from AzEIP to the Public Education Agency (PEA) for the child;
  - B. ensure families' rights to services for which they are eligible;
  - C. delineate responsibilities of coordination and communication among ADE, DES, AzEIP Early Intervention Programs, and PEAs implementing transition requirements;
  - D. establish uniformity statewide that will provide a coordinated, unduplicated, and seamless system for serving children ages birth through five with developmental delays or disabilities according to IDEA Parts B and C; and
  - E. encourage cooperation and communication to ensure the provision of a Free Appropriate Public Education by a child's third birthday.
4. It is the responsibility of both the AzEIP Service Providing Agencies and the PEAs to work collaboratively to ensure children who are potentially eligible for Part B receive timely transitions.

#### 4.1.0 General Transition Timelines

##### 4.1.1 Policy

1. Discussions about transition are an ongoing process starting with a child's enrollment in AzEIP. The purpose of transition planning is to help make the transition from early intervention as smooth as possible for the child and family.
2. The AzEIP Service Coordinator is responsible for facilitating a child and family's transition from early intervention on or before the child's third birthday. The child is no longer enrolled in, or eligible for, early intervention services as of the date the child reaches three years of age.

3. For children already enrolled in early intervention services prior to the child's age of two years old, the AzEIP Service Coordinator holds an IFSP meeting at or around the time the child is two years old (before or after as it naturally occurs)
4. The AzEIP Service Coordinator must facilitate the **mandatory** Individualized Family Service Plan (IFSP) Transition Planning Meeting during the month in which the child reaches two years, six months of age (or as early as two years, three months if all parties agree). At this meeting, the Service Coordinator is required to document, on the IFSP, the transition steps discussed and agreed upon with the family at this meeting.
5. The AzEIP Service Coordinator must send notification of the child and family to the PEA using the PEA Notification form the next business day following the Transition Planning Meeting which must be held no later than the end of the month in which the child turns two year six months of age, unless the parent opted out , in writing, of the notification.
6. A family may opt-out of PEA Notification, in writing, by the end of the Transition Planning Meeting in order to prevent personally identifiable information from being sent to the PEA and ADE.
7. The Service Coordinator ensures the documentation of the parent's decision to opt out is entered into the state required database no later than 10 business days after the completion of the Transition Planning Meeting associated with the parent's decision.

AzEIP sends required notification to ADE on 15<sup>th</sup> of the subsequent month, or the next business day following.

8. The AzEIP Service Coordinator must facilitate a Transition Conference, for those parents that would like one, no later than the date the child reaches the age of two years nine months old, but as early as two years three months old if all parties agree. The Transition Conference may be combined with the Transition Planning meeting when AzEIP eligibility is determined for the child after the child's age of two years six months.
9. For eligible children whose family is interested, the provision of a Free and Appropriate Public Education (FAPE) through preschool special education services is required no later than the eligible child's third birthday. For those children who do not qualify or turn three toward the end of the school year and who are not Extended School Year (ESY) eligible, the AzEIP Service Providing Agency and the Public Education Agency (PEA) will identify other resources in the community to assist the child and family.

#### **4.2.0 Individualized Family Service Plan (IFSP) Meeting Near Child's Second Birthday**

##### **4.2.1 Policy**

1. The AzEIP Service Coordinator facilitates an IFSP meeting closest to the child's 2<sup>nd</sup> birthday (before or after), such as at an annual or 6 month review with the IFSP team members to update the IFSP, as appropriate, and discuss with the family:

- A. the requirement for a **mandatory** Transition Planning Meeting and schedules the Transition Planning Meeting to occur the month the child reaches two years six months of age,
- B. the AzEIP Service Coordinator's requirement to make an automatic notification using the PEA Notification form of all children potentially eligible for preschool special education services (IDEA, Part B), to the PEA and a copy to ADE, which includes the child's name, date of birth, and the parents' names, address, and phone number(s); and
- C. the parent's right to opt-out of the automatic notification to the PEA no later than end of the Transition Planning Meeting.
- D. The parent's interest in having the **optional** Transition Conference. which must be held no later than the day the child reaches two years nine months of age ( or as early as two years three months, if all parties agree. ; The Transition Conference may be combined with the Transition Planning Meeting for children determined eligible for services through AzEIP after the child is two years six months old.
- E. all early childhood options available to the family in their community, including preschool special education services, Head Start, private preschools, and child care settings. If the family is interested in preschool special education services, the team also discusses the program options for the child for the period from that child's third birthday through the remainder of the school year;

#### 4.2.2 Procedures

1. The AzEIP Service Coordinator schedules an IFSP meeting at or around the date the child is two years old (preferably as it naturally would occur as a 6 month IFSP review of annual IFSP meeting).
2. At the meeting, the IFSP is updated as is required for either the 6-month review or annual IFSP meeting. In addition, the IFSP team shares with the family all the options that are available to the family when their child turns three years old and early intervention ends, including preschool special education services, private preschool, Head Start, child care settings, etc.
3. The AzEIP Service Coordinator also explains to the family that the **mandatory** IFSP Transition Planning Meeting must be held no later than the end of the month in which the child reaches two years six months of age, the purpose of the meeting and discusses who the family wants to be invited to participate in the meeting.
4. The AzEIP Service Coordinator schedules the IFSP Transition Planning meeting with the family and the team to occur no later than the end of the month in which the child reaches two years six months of age
5. The AzEIP Service Coordinator tells the family that a notification to the PEA containing the family's name, address, and contact numbers will be made no later than the day following the Transition Planning Meeting, unless the family does not want the notification. If the family does not want the notification, they can opt-out by

- signing the opt-out section of the PEA Notification form. The service coordinator explains the parent decision to opt-out of PEA Notification must be made and documented by the end of the IFSP Transition Planning Meeting.
6. The AzEIP Service Coordinator explains to the family that if the family chooses to have a Transition Conference, the meeting must occur between the child's age of 2 years, 6 months and 2 years, 9 months (and possibly as early as 2 years, 3 months, if all parties agree).
  7. The AzEIP Service Coordinator informs the family that the purposes of these meetings is to plan and document the steps that will be taken for transition, who will be responsible for each step, and the timelines for the steps, to ensure the family and child are prepared for their transition from AzEIP at the age of three

#### 4.3.0 Transition Planning Meeting (as part of an IFSP meeting)

##### 4.3.1 Policy

1. AzEIP Service Coordinators ensure that the *mandatory* IFSP Transition Planning Meeting is held no later than the end of the month in which the child reaches two years six months of age. The purpose of the meeting is to develop and document the transition steps on the IFSP with the family. This meeting must meet the following requirements for an IFSP meeting:
  - A. Conducting the meeting in a place and time that is convenient for the family;
  - B. Holding the meeting in the native language of the family or other mode of communication, unless it is clearly not feasible to do so;
  - C. Fully explaining the IFSP to the family and obtaining appropriate consent to initiate services, if needed; and
  - D. Including the required participants at the meeting: the parent(s); other family members as requested by the family; the service coordinator; a person(s) directly involved in conducting the evaluation or assessment (depending on whether an initial or other IFSP); and person(s) who provide IFSP services. If the person involved in the evaluation or assessment is not able to make the meeting in person, arrangements must be made for the person's involvement by telephone, sending an authorized representative or making pertinent records available at the meeting.
2. The parent is always a part of the development of the transition plan, the transition plan is documented in the IFSP and includes, but is not limited to:
  - A. the activities and steps to support the transition of the child from AzEIP; and
  - B. any transition services that the IFSP team identifies as needed by the child and his or her family;
3. The Transition Planning Meeting team reviews program options for the child for the period from the child's third birthday through the end of the school year.

4. The IFSP document must contain the steps to ensure the smooth transition of the child, including:
  - A. Discussions with, and training of, parents, as appropriate regarding future options for the child's transition;
  - B. Activities to prepare the child for changes in service delivery, including steps to help the child adjust to and function in a new setting;
  - C. Discussion with the family of the:
    - (1) Automatic notification to the PEA and ADE, if the family has not opted out of this notification process;
    - (2) Parent's right to opt out of the PEA Notification no later than the end of the Transition Planning Meeting;
    - (3) Transition Conference and whether the family would like one and who they want invited to it;
    - (4) Consent to share information at the Transition Planning Meeting if it is combined with the Transition Conference and there are individuals who are not involved in early intervention at the meeting (such as PEA representatives); and
    - (5) if they want their child's records shared with future programs;
  - D. Any other activities identified by the IFSP team to support the transition of the child.

#### 4.3.2 Procedures

1. The AzEIP Service Coordinator schedules the *mandatory* Transition Planning Meeting with the IFSP team to plan the child's and family's transition from early intervention to be held no later than the end of the month in which the child reaches two years six months of age.
2. The AzEIP Service Coordinator facilitates the IFSP Transition Planning meeting at a time and location that is convenient for the family.
3. The IFSP team develops the transition plan, which the AzEIP Service Coordinator documents on the IFSP Transition Plan and Timeline page. The plan outlines the steps necessary to support the parents in gathering additional information about early childhood programs of interest (such as meeting with representatives of programs, visiting programs, talking to other parents, etc.), and the specific steps needed to support the child's successful transition to the program of choice (such as steps to help the child adjust to, and function in, a new setting)
4. When a Parent would like the Transition Planning Meeting and the Transition Conference combined, the AzEIP Service Coordinator, with approval from the parent, invites representatives from early childhood programs the family is interested in (such as the PEA representative, Head Start, etc.) to the meeting to develop the transition plan and to fulfill the requirements of the Transition Planning Meeting
5. The AzEIP Service Coordinator informs the parents:

- A. AzEIP must make a notification, using the PEA Notification form, to the PEA *unless* the parent chooses to opt-out, by initialing the opt out portion of the IFSP by the end of the *mandatory* Transition Planning Meeting; and
  - B. The PEA Notification form includes the child's name, date of birth, and the parents' names, address, and phone number(s).
6. The parent has the right to opt out of this notification as long as the parent's decision is (i) in writing and (ii) made no later than the end of the *mandatory* Transition Planning Meeting.
  - A. If the parent decides to opt-out of the referral to the PEA, the AzEIP Service Coordinator will have the parent sign the Opt-Out section in the IFSP. The AzEIP Service Coordinator and *must document* the decision in the AzEIP data system no later than the end of the month in which the child reaches two years six months of age, and does not send the PEA Notification form to the PEA.
  - B. AzEIP will not send notification to ADE based on the opt-out decision being entered into the database.
7. The AzEIP Service Coordinator discusses the purpose of a Transition Conference, which must occur between the child's age of 2 years, 6 months and 2 years, 9 months (and no earlier than 2 years, 3 months). If the family is interested in the Transition Conference, the AzEIP Service Coordinator documents it in the IFSP and includes the names of who the family would like invited to the transition conference, such as other family members, a Head Start or preschool representative, etc.
8. If the parent *does not* want a Transition Conference, the AzEIP Service Coordinator documents the parent's decision in the IFSP.
9. For families who do not want a Transition Conference but do not opt-out of the automatic notification to the PEA, the AzEIP Service Coordinator still must make the notification to the PEA by sending the PEA Notification form to the school. The PEA must accept the referral and proceed with transition timelines.
10. If the parent chooses to seek eligibility for preschool special education services, they may, but are not required to, provide written consent to share early intervention information to the PEA prior to the Transition Conference. The AzEIP Service Coordinator discusses what information the parent consents to share with the PEA, such as the IFSP Summary of Child's Present Levels of Development (as defined in Section 4.10.0), the current Vision Screening Checklist, Hearing Tracking Form, and current assessment information.
11. The AzEIP Service Coordinator verifies the family's current address when sending the PEA Notification form to ensure information is sent to the district of residence for the family.

12. If the PEA notification has already been made to the PEA, the family may still discontinue the transition process by notifying the PEA at any time during the process.

#### 4.4.0 Transition Conference

##### 4.4.1 Policy

1. When parents agree to have a Transition Conference, it must *occur* when the child is between 2 years, 6 months and 2 years, 9 months (and no earlier than 2 years, 3 months, if all parties agree)
2. The AzEIP Service Coordinator is responsible for scheduling and facilitating the conference and documenting the revisions of the transition planning steps and activities to comply with IDEA, Part C.
3. The focus of the Transition Conference is to:
  - A. revise the transition plan developed at the *mandatory* Transition Planning Meeting (or develop the transition plan if the combined Transition Planning Meeting and Transition Conference is also the initial IFSP meeting); and
  - A. provide the parents with information about the various programs they are interested in, as well as, the steps that Transition Conference attendees will take to support the parents in their decision-making, such as to make a visit to the programs.
4. The Transition Conference must be held in the native language of the family or other mode of communication, unless it is clearly not feasible to do so.
5. The Transition Conference must be held at a time and location convenient for the family, and includes: (1) the parent(s) of the child, (2) other family members, as requested by the parents, if feasible to do so, (3) an advocate or person outside of the family, if requested by the parents, (4) the Service Coordinator, (5) a person or persons directly involved in the evaluation or assessment, (6) the providers from the family's IFSP team, (7) as requested by the parent, a PEA representative(s), and (8) other early childhood program representatives, as requested by the parent.
6. The AzEIP Service Coordinator must ensure that written consent to share early intervention information is obtained prior to the start of the Transition Conference so that early intervention information may be discussed during the meeting.
7. For children who become AzEIP eligible between 2 years, 6 months and 2 years, 9 months, the AzEIP Service Providing Agency working with the family begins discussions of transition, including a discussion of opt out, the automatic notification to the PEA and ADE, and the options when the child is three years of age, as soon as possible after referral.

##### 4.4.2 Procedures

1. At the Transition Planning Meeting, the AzEIP Service Coordinator discusses with the family whether or not they would like to hold a Transition Conference. If they

- decline, the service coordinator documents this information in the IFSP and explains the required notification to the school and the AzEIP opt-out policy to the family as outlined in Section 4.3.0 above.
2. If the parent has provided approval to convene the Transition Conference, the AzEIP Service Coordinator *schedules* the Transition Conference to occur between the child's age of 2 years, 6 months and 2 years, 9 months (and as early as 2 years, 3 months, if all parties agree).
  3. The AzEIP Service Coordinator invites meeting participants using the Invitation to Participate in a Transition Conference Summary Form. A copy of this form must be maintained in the child's records. Participants to the Transition Conference must include:
    - A. The parent;
    - B. Other family members, if feasible;
    - C. An advocate or person outside of the family, if the parent requests that the person participate;
    - D. The AzEIP Service Coordinator;
    - E. A person or person(s) directly involved in conducting the evaluation or assessments;
    - F. A service provider; and
    - G. Representatives from early childhood programs (such as a PEA, Head Start, private school representative, etc.) as requested by the parent.
  4. The AzEIP Service Coordinator discusses with the family the need to have written consent to share early intervention information prior to the start of the Transition Conference so that early intervention information may be discussed during the meeting.
  5. When the parent is interested in having someone from the PEA attend the Transition Conference, the PEA representative:
    - A. distributes the Invitation to Participate in a Transition Conference and other information received from the AzEIP Service Coordinator to all PEA members that will participate in the Transition Conference;
    - B. provides information to the parent(s) about Free Appropriate Public Education (FAPE), evaluation procedures, and eligibility criteria for preschool special education services; and
    - C. provides information to the parent(s) about all potential educational programs for eligible preschool children, including those programs for children with and without disabilities.
  6. At the end of the Transition Conference, the PEA will:
    - A. provide the parent(s) with a copy of the procedural safeguards as required in Part B of the IDEA
    - B. provide the parent(s) with Prior Written Notice for referral and Review of Existing Data;

- C. establish tentative timelines for completing the eligibility determination and transition into the school, if the child is eligible;
  - D. describe the purpose, scope, and participation in the Multidisciplinary Evaluation Team (MET)/eligibility and Individualized Education Program (IEP) meetings including a discussion of Part C members that the parent may request to attend the initial IEP, if eligible;
  - E. explain the purpose of Extended School Year (ESY) services and the information and data needed to support the IEP team in determining eligibility for ESY services; and
  - F. if parents are interested, work with the parent(s) and the AzEIP Service Coordinator to plan for visitations to potential preschool options, if visitations have not already occurred.
7. At the end of the Transition Conference, the AzEIP Service Coordinator summarizes the agreed upon additions or revisions to the transition steps developed at the **mandatory** Transition Planning Meeting on the Transition Conference Summary Form and provides a copy to the family and other Transition Conference attendees as appropriate. The AzEIP Service Coordinator maintains a copy of the Transition Conference Summary Form in the child's records.
  8. In those rare instances when a PEA representative or other program representative is not able to attend the Transition Conference before the child is 2 years, 9 months, the AzEIP Service Coordinator must proceed with the Transition Conference without the PEA representative to ensure compliance with the federally-required timelines. The AzEIP Service Coordinator is responsible for:
    - A. discussing and documenting the any revisions to transition steps developed at the **mandatory** Transition Planning Meeting and responsible person on the Transition Conference Summary Form;
    - B. providing the parent with information about the possible early childhood programs available when the child turns three years of age;
    - C. with parental consent, sending the Transition Conference Summary Form and information from the child early intervention records to those programs that the family is interested in; and
    - D. proceeding with the action steps on the IFSP and the Transition Conference Summary Form.
  9. For children who become AzEIP eligible between 2 years, 6 months and 2 years, 9 months, the AzEIP Service Coordinator begins transition discussions with the family during the first home visit, if not sooner. Discussions include:
    - A. the IFSP Transition Planning Meeting to be held with the Initial IFSP meeting.
    - B. the required notification to the PEA and ADE at the end of the IFSP Transition Planning Meeting;
    - C. the Transition Conference, if the parent would like one and;
    - D. the service coordinator may combine the initial IFSP meeting with the Transition Conference and the TPM, inviting representatives from early childhood programs to the meeting, with the family's consent. All activities for each of the meetings

are explained to the family so they can determine whether they want a joint meeting.

#### **4.5.0 Child AzEIP Eligible Between 2 years 9 months and 2 years 10 1/2 months of age**

##### **4.5.1 Policy –**

1. The AzEIP Service Coordinator supports the family to transition to preschool or other appropriate services prior to the child's third birthday.
2. A separate IFSP Transition Planning Meeting is not required, the AzEIP Service Coordinator is responsible for assisting the family in developing a transition plan (including appropriate steps and services), which is documented in the IFSP.
3. A Transition Conference is not required; however,
4. Notification to the PEA, is required as soon as possible after AzEIP eligibility determination, and no later than the initial IFSP meeting, unless the family opts out before then.
5. Notification to ADE is not required after the age of 2 years 9 months.
6. The family may opt out of the notification to the PEA no later than the initial IFSP meeting.

##### **4.5.2 Procedures**

1. The AzEIP Service Coordinator begins discussions of transition with the family as soon as possible after referral, including a discussion of the automatic notification to the PEA, the family's right to opt out of the notification to the PEA, and the early childhood program options when the child is three years of age.
2. With consent from the family, the service coordinator may invite representatives from the program(s) in which the family is interested to the initial IFSP meeting.
3. The AzEIP service coordinator develops the transition plan, which includes assisting the family in learning about the early childhood options available and assisting with transition to those programs. Transition steps and services are documented on the IFSP.
4. If the family has not opted out on or before the initial IFSP meeting, the AzEIP Service Coordinator provides the PEA Notification form to the PEA at the initial IFSP meeting. If the PEA representative does not attend the initial IFSP meeting, then the PEA Notification form must be sent by the close of the next business day.

#### **4.6.0 Child AzEIP Eligible Between 2 years, 10 1/2 months and Three years of age**

##### **4.6.1 Policy**

1. The AzEIP Service Coordinator is responsible to assist the family with transition before the child turns three years of age.
2. A separate Transition Planning Meeting, the Transition Conference, and notification to the PEA are not required.
3. While an official referral to the school is not required, if the family is interested in preschool special education services, then the service coordinator helps to facilitate contact with the PEA as soon as possible by (1) providing the parent with contact information for the PEA, or (2) making a referral to the PEA after obtaining the parent's written consent.

#### **4.6.2 Procedures**

1. The AzEIP Service Coordinator begins the transition process with the family as soon as possible after referral to AzEIP, assisting the family with contacting early childhood programs in which the family is interested.
2. The service coordinator, with the family's consent, invites attendees to the initial IFSP meeting/Transition Planning Meeting and sends early intervention records to help the family transition as soon as possible.

### **4.7.0 Preschool Special Education Services**

#### **4.7.1 Policy**

1. When a parent is interested in determining whether their child is eligible for preschool special education services, the AzEIP Service Coordinator and the PEA coordinate so that the school can implement the procedures and requirements under IDEA, Part B and Arizona law.
2. The AzEIP Service Coordinator is responsible for sharing information with the PEA, with the family's consent, and attending the Multidisciplinary Evaluation Team (MET) Eligibility Conference and the Individualized Education Program, at the parent's request. The family may also request another IFSP team member to attend these events.

#### **4.7.2 Procedures**

1. The AzEIP Service Coordinator coordinates with the PEA and other early childhood programs that the family is interested in to facilitate the transition meetings, including, if the parent does not opt out, a referral to the PEA.
2. The AzEIP Service Coordinator or another IFSP team member attends MET and the IEP conference at the request of the parent and provides information and data to assist the IEP Team in developing the IEP, including consideration of the need for ESY services.

### **4.8.0 Definitions**

#### **4.8.1 Policy**

1. AzEIP Summary of Child's Present Levels of Development (also called the AzEIP Summary of Development) is a component of the IFSP that provides a comprehensive, integrated developmental summary of the child's ability to: 1) engage or participate in social relationships; 2) acquire and use knowledge and skills; and, 3) be independent within the family's routines and activities. The AzEIP Summary of Development documents functional information synthesized from multiple sources, such as parent report, observation, and/or criterion-referenced assessment.
2. Educational Programs and Other Appropriate Services are the range of settings and services in which a preschool-aged child might participate after transition from early intervention. Examples include preschool special education services, Head Start programs, and private preschools. The AzEIP Service Coordinator and other IFSP team members must discuss all educational options in the community with the family during the IFSP planning meeting closest to, but not before the child's second birthday, at which the transition plan is developed.
3. Eligibility Criteria for Part B Preschool Special Education Services, in accordance with A.R.S. § 15-761, et seq.:
  - A. Developmental Delay (DD) means performance by a child who is at least three years of age, but under ten years of age, on a norm-referenced test that measures at least one and one-half, but not more than three, standard deviations below the mean for children of the same chronological age in two or more of the following areas:
    - (1) Cognitive development.
    - (2) Physical development.
    - (3) Communication development.
    - (4) Social or emotional development.
    - (5) Adaptive development.

The results of the norm-referenced measure must be corroborated by information from a comprehensive development assessment and from parental input, if available, as measured by a judgment based assessment or survey. If there is a discrepancy between the measures, the evaluation team shall determine eligibility based on a preponderance of the information presented.
  - B. Hearing Impairment (HI) means a loss of hearing acuity, as determined by evaluation pursuant to A.R.S. §15-766, which interferes with the child's performance in the educational environment and requires the provision of special education and related services.
  - C. Preschool Severe Delay (PSD) means performance by a preschool child on a norm-referenced test that measures more than three standard deviations below the mean for children of the same chronological age in one or more of the following areas:
    - (1) Cognitive development.

- (2) Physical development.
- (3) Communication development.
- (4) Social or emotional development.
- (5) Adaptive development.

The results of the norm-referenced measure must be corroborated by information from a comprehensive developmental assessment and from parental input, if available, as measured by a judgment based assessment or survey. If there is a discrepancy between the measures, the evaluation team shall determine eligibility based on a preponderance of the information presented.

- D. Speech/Language Impairment (SLI) for a preschool child means performance on a norm-referenced language test that measures at least one and one-half standard deviations below the mean for children of the same chronological age or whose speech, out of context, is unintelligible to a listener who is unfamiliar with the child. Eligibility for a preschool child under this subdivision is appropriate only when a comprehensive developmental assessment and parent input indicate that the preschool child is not eligible for services under another preschool category or under the developmental delay category.

If there is a discrepancy between the measures, the evaluation team will determine eligibility based on preponderance of the information presented.

- E. Visual Impairment (VI), including blindness, means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.

4. Evaluation:

- A. PART C: Evaluation for children aged birth through two years means the procedures, in accordance with 34 C.F.R. §303.321, used by appropriate, qualified personnel to determine a child's initial and continuing eligibility for AzEIP, including determining the status of the child in each of the developmental areas. A child may also be determined eligible for AzEIP based on an established condition or when records confirm a developmental delay consistent with AzEIP eligibility criteria. For all eligible children, a multidisciplinary assessment is required covering all areas of development.

- B. PART B: Evaluation for children aged three to five years, evaluation means procedures used in accordance with 34 C.F.R. §§300.300-300.311 to determine whether a child has a disability and is in need of special education services and the nature and extent of special education and related services that the child needs in accordance with 34 C.F.R. §300.500. This evaluation includes: (a) a review of existing information about the child; (b) a decision regarding the need for additional information; (c) if necessary, the collection of additional information; and (d) a review of all information about the child and a determination of

eligibility for special education services and needs of the child. A.A.C. R7-2-401 (B) (13).

Comprehensive Developmental Assessment (CDA) is a full and individual evaluation of the child in all developmental areas: cognitive, physical (including vision and hearing screening), communication, social/emotional and adaptive development. A CDA may be accomplished through a review of existing data, criterion referenced assessments, norm referenced assessments, observation and parent input, however, for the purpose of determining eligibility, at least one norm referenced assessment to obtain standard deviation information must be used to determine if eligibility criteria is met. A (CDA) is required to determine eligibility for Preschool Severe Delay (PSD), Developmental Delay (DD) and Speech Language Impaired (SLI). The final responsibility for the CDA and eligibility lies with the PEA.

5. Extended School Year (ESY) Services means additional special education and related services for students with disabilities to supplement the normal school year, for the purpose of preventing loss of a free appropriate public education (FAPE), and loss of meaningful educational benefit gained from the previous year(s) as defined in A.R.S. §15-881 and A.A.C. R7-2-408. ESY services, which meet the standard of ADE, are provided to a Part B eligible child with a disability beyond the normal school year of the public education agency, in accordance with the child's IEP, at no cost to the parents of the child. Eligibility for ESY services shall be determined by the IEP team based on the standards indicated in A.R.S. §15-881 and A.A.C. R7-2-408. Eligibility for ESY services shall be based on a multifaceted inquiry, using both retrospective and predictive data. Eligibility for participation shall not be based on need or desire for any of the following: (1) a day care or respite care service for students with a disability; (2) a program to maximize the academic potential of a student with a disability; or (3) a summer recreation program for students with a disability. The availability of extended school year services is required for all students for whom the IEP team has determined that it is necessary in order to ensure FAPE.
6. Free Appropriate Public Education (FAPE) in accordance with 34 C.F.R. § 300.101 means special education and related services that meet state standards and are provided based upon an IEP. These services are provided at public expense under public supervision and direction, without charge to the parents and must be provided in the least restrictive environment (LRE) in accordance with 34 C.F.R. §§300.114 and 300.550.
7. Individualized Education Program (IEP) means a written statement, developed, reviewed, or revised in accordance with applicable federal and state laws for providing special education services to each eligible child with a disability that includes a statement of: a) the child's present levels of academic achievement and functional performance, including how the disability affects the preschool child's participation in appropriate activities; b) measurable annual goals, including academic and functional goals c) a description of how the child's progress toward meeting the

- annual goals will be measured; (d) a statement of the special educational and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child to advance appropriately toward attaining the annual goals and to be involved in and make progress in the general curriculum; e) an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class; f) the projected dates, duration and location for service; and g) a statement of how the parents will be informed of their child's progress. 20 U.S.C. §1401(14); 34 C.F.R. §300.320; A.R.S. §15-761(11); A.A.C. R7-2-401G.
8. IEP Conference is a meeting to occur by the eligible child's third birthday to determine appropriate programming. Required participants are the individuals described in 9. and, at the discretion of the parent, other individuals who have knowledge or special expertise regarding the child (e.g., AzEIP Service Coordinator), including related services personnel as appropriate 20 U.S.C. §1414(d)(1)(D); C.F.R. §§300.321(f).
  9. The IEP team includes, in accordance with 34 C.F.R. §300.321:
    - A. The parent(s) of the child;
    - B. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
    - C. At least one special education teacher of the child, or if appropriate, at least one special education provider of the child;
    - D. A representative of the public agency who:
      - (1) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
      - (2) Is knowledgeable about the general curriculum; and
      - (3) Is knowledgeable about the availability of resources of the public agency;
    - E. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in paragraphs (a)(2) through (6) of 34 C.F.R. §333.321; and
    - F. At the discretion of the parent or PEA, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate.
  10. Transition Planning Meeting is a **mandatory** meeting held during the month in which the child reaches two year six months of age, (or as early as 2 years 3 months if all parties agree) to develop and document the transition plan on the IFSP with the family as part of an IFSP meeting. This meeting must meet specific requirements for an IFSP meeting, including conducting the meeting in a place and time that is convenient for the family and holding the meeting in the native language of the family or other mode of communication, unless it is clearly not feasible to do so. This meeting may be combined with the Transition Conference.

11. Multidisciplinary Evaluation Team in IDEA, Part B means, in accordance with A.R.S. §15-761(16), a team of persons including individuals described as the IEP team and other qualified professionals who shall determine whether a child is eligible for special education.
12. Multidisciplinary Evaluation Team (MET)/Eligibility Conference is a *required* meeting to occur by the child's third birthday to determine if the child is eligible and/or continues to be eligible for special education. Required participants are the individuals described in 11. including by parent request the AzEIP Service Coordinator and a provider from the family's IFSP team as individuals with knowledge or special expertise regarding the child in accordance with 34 C.F.R. §300.306 This conference can be held at the same time as the IEP Conference.
13. Notification to the Public Education Agency (also called PEA Notification) is AzEIP's responsibility to notify the PEA where the parents of a child with a disability live that the child will shortly reach the age of eligibility for Part B services and is potentially eligible for Part B services. The PEA Notification must include (a) the child's name; (b) date of birth; and (c) parent contact information, (including names, addresses and telephone numbers). The PEA notification must also include the Service Coordinator's name and contact information, and the language(s) spoken by the child and family.

PEA Notification does not require parental consent; however, parents have the opportunity to "Opt-Out" of PEA Notification. If the parent has not opted out of PEA notification in writing by the end of the *mandatory* Transition Planning Meeting, the AzEIP Service Coordinator will send Notification to the PEA.

The PEA Notification must be treated as an initial referral by the public education agency for consideration of eligibility for preschool special education services. It initiates the PEA's requirement to provide Procedural Safeguards and Prior Written Notice under 34 C.F.R. §300.504(a)(1) and §300.503. The PEA notification must be provided to the PEA designated as district of residence.
14. Opt-Out means that a parent, after being informed of AzEIP's intent to disclose Notification to the Public Education Agency (also known as PEA Notification/) may object to the disclosure in writing by the end of the *mandatory* Transition Planning Meeting. If the parent opts out in writing, AzEIP will not notify the PEA. The parent must be informed of AzEIP's intent to disclose PEA Notification information during the IFSP meeting, which near the child's second birthday. The parent must object in writing using the Opt-Out section of the IFSP Transition page. PEA notification will occur in the absence of parent objection.
15. Potentially eligible child under IDEA, Part B means a child who is eligible for AzEIP when the child is two years of age or older.

16. Public Education Agency (PEA) means a school district, charter school, accommodation school, state supported institution or other political subdivision of the state that is responsible for providing education to children with disabilities.
17. Transition Conference is a meeting arranged and facilitated by the AzEIP Service Coordinator in which those early childhood programs in which the family has an interest, such as the PEA, Head Start, or private preschool participate. The Transition Conference will occur between the time the child is two years six months of age and two years nine months of age (or as early as 2 years, 3 months, if all parties agree). The purpose of the Transition Conference is to ensure the following steps are taken:
  - A. review the potential program options/continuum of services available on the child's third birthday;
  - B. review and revise tentative timelines and activities for the child's transition into the PEA, if eligible;
  - C. establish a plan for parental visitation to the educational programs available (if not already completed);
  - D. review existing data, including vision and hearing screening information; and
  - E. plan for the collection of additional information, including evaluation and procedures to assist in determining eligibility for Part B and appropriate IEP services, including ESY.

The Transition Conference may occur, but is not required to, as part of the *mandatory* IFSP Transition Planning Meeting, during which the transition plan is developed.

The Transition Conference must meet the requirements for an IFSP meeting and additionally includes a PEA or other early childhood representative as requested by the Parent.

#### **4.9.0 Dispute Resolution between AzEIP and PEAs**

##### **4.9.1 Policy**

1. If a parent, PEA, AzEIP Service Coordinator or other interested individual believes that a PEA or an AzEIP Service Providing Agency is not fulfilling its obligations under the law and policies for transition children from AzEIP to preschool special education services, that individual may take one or both of the following steps:
  - A. Seek technical assistance from AzEIP or ADE by providing a Transition Alert (AzEIP Service Providing Agencies contact DES/AzEIP and PEAs contact ADE with concerns). Technical assistance may be obtained by writing or calling DES/AzEIP or ADE. See B. below for contact information.
  - B. File a Complaint with DES or ADE. DES and ADE have each established complaint and dispute resolution procedures in order to comply with, respectively, Part C and Part B of the IDEA. Information about the available complaint and dispute resolution procedures may be obtained as follows:

Arizona Department of Economic Security

Arizona Early Intervention Program  
3839 North Third Street, Suite 304  
Phoenix, AZ 85012  
(602) 532-9960  
Email: [AllAzEIP2@azdes.gov](mailto:AllAzEIP2@azdes.gov)

Arizona Department of Education  
Early Childhood Special Education Unit  
1535 West Jefferson Street BIN 24  
Phoenix, AZ 85007  
(602) 364-1530  
Email: [C2BInbox@azed.gov](mailto:C2BInbox@azed.gov)

2. ADE will provide to DES a copy of all Letters of Findings for complaint investigations filed under Part B of the IDEA relating to transition services within 30 days of issuance. DES will provide to ADE a copy of all Letters of Findings for complaint investigations filed under Part C of the IDEA relating to transition services within 30 days of issuance.
3. The ADE and DES strongly encourage PEAs and AzEIP Service Providing Agencies to meet at least annually to develop and review written transition processes that are mutually agreeable and identify and resolve transition issues in accordance with this Agreement and with A.A.C. R7-2-401(J).