

CHAPTER 4: TRANSITION

REVISION DATES: 07/01/2021, 12/14/2018

EFFECTIVE DATES: 04/01/2022, 07/01/2019

INTENDED USER(S): All ADES/AzEIP personnel, AzEIP Service Providing Agencies including all employees, contractors, subcontractors, and volunteers.

REFERENCES/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 Introduction

- 4.0.1 ADES/AzEIP ensures early intervention programs (EIPs) meet IDEA, Part C transition requirements.
- 4.0.2 ADES/AzEIP ensures a smooth transition from early intervention for all AzEIP-eligible children and their families:
 - A. Any time the child and family exits AzEIP
 - B. To preschool or other appropriate services at or around the date a child turns three years old.
- 4.0.3 A child is no longer eligible for AzEIP services as of the date the child reaches three years of age or transitions to preschool, whichever comes first.

4.1 Collaboration with the Arizona Department of Education (ADE)

- 4.1.1 An intergovernmental agreement (IGA) between ADES/AzEIP and the Arizona Department of Education (ADE) has been established to ensure specific IDEA, Part C requirements for transition of a child in early intervention to special education services under IDEA, Part B.
- 4.1.2 The ADES/AzEIP and ADE IGA:
 - A. Delineates the procedures for the transition of children with disabilities or delays from AzEIP to the Public Education Agency (PEA). PEAs include school districts, charter schools, accommodation schools, state supported institutions, or any other political subdivisions of this state responsible for providing education to children with disabilities A.R.S. §15-761(26)
 - B. Ensures families' rights to services for which they are eligible
 - C. Delineates responsibilities of coordination and communication among ADE, ADES, EIPs, and PEAs implementing transition requirements
 - D. Establishes uniformity statewide to provide a coordinated, unduplicated, and seamless system for serving children ages birth through five with developmental delays or disabilities according to IDEA, Parts Band C

- E. Encourages cooperation and communication to ensure the provision of a Free Appropriate Public Education (FAPE) by a child's third birthday.
- 4.1.3 It is the responsibility of both the EIPs and the PEAs to work collaboratively to ensure children who are potentially eligible for IDEA, Part B receive timely transitions.

4.2 Transition Planning Overview

- 4.2.1 Discussion about transition is an ongoing process that begins when a child is determined eligible for AzEIP and is revisited during each periodic review of the IFSP.
- 4.2.2 The purpose of transition planning is to ensure that transition from early intervention, at any time, is as smooth as possible for the child and family.
- 4.2.3 Transition planning includes three specific transition activities each with required timelines based on the child's age at AzEIP eligibility determination:
- A. Transition planning meeting (TPM)
 - B. PEA notification or opt out
 - C. Transition conference.
- 4.2.4 The service coordinator is responsible for:
- A. Facilitating a child and family's transition from early intervention on or before the child's third birthday.
 - B. Completing all transition activities within required timelines
 - C. Ensuring a transition plan is in place in the IFSP not fewer than 90 days and at the discretion of all parties, not more than 9 months before the toddler's third birthday.

4.3 Transition Planning Meeting

- 4.3.1 The purpose of the transition planning meeting is to develop and document a transition plan in the IFSP. The service coordinator ensures the transition plan, including transition steps and tentative timelines, is documented in the IFSP.
- 4.3.2 The transition planning meeting (TPM) is a mandatory meeting that must be completed by the end of the calendar month the child turns two years, six months and may be completed as early as the day the child turns two years, three months (also defined as nine months before the child's third birthday), if all parties agree. If held later, the TPM must be completed with the initial IFSP.

- 4.3.3 The transition planning meeting must meet the requirements of an IFSP meeting as follows:
- A. Held in a setting and at a time that is convenient for the family
 - B. Conducted in the native language of the family or other mode of communication used by the family
 - C. Arranged with, and written notice provided to, the family and other participants early enough before the meeting date to ensure they have the opportunity to attend
 - D. Fully explained to the family with consent obtained to initiate services, if needed; and
 - E. Include the required participants at the meeting:
 - 1) The parent(s) of the child
 - 2) Other family members as requested by the parent
 - 3) The service coordinator
 - 4) A person(s) directly involved in conducting the evaluation or assessment (based on initial or other IFSP)
 - 5) All active IFSP team members.
 - i. If a required participant is not able to attend the meeting in person, arrangements must be made for the person's involvement by alternative methods, including participation by phone or in writing, sending an authorized representative, or making pertinent records available at the meeting.
 - F. During development of the transition plan, the service coordinator, family, and team discuss and document the activities, steps, and tentative timelines to support the transition of the child from AzEIP, including but not limited to:
 - 1) Status of current vision and hearing screenings, including any additional steps needed to obtain current screenings
 - 2) All potential preschool, community, and other options available through the child's health insurance and/or public agencies that the parent would like to explore
 - 3) Parent's acknowledgement that their informed consent is required before information about their child and family is shared with future programs

- 4) Activities to prepare the child for changes in service delivery, including outcomes and services to help the child adjust to and function in a new setting
- 5) Parent's decision regarding PEA notification and understanding of their right to opt out of PEA notification to the school district and ADE
- 6) Parent's decision to hold or not hold a transition conference and who they would like invited if they would like one
- 7) Any other activities identified by the IFSP team to support the transition of the child.
 - i. If the parent opts-out of PEA notification and/or chooses not to pursue preschool eligibility, the service coordinator will coordinate all remaining transition steps and activities.
 - ii. The service coordinator ensures the transition activities completed at the transition planning meeting are entered into the ADES data system(s) within ten (10) calendar days of completion of the meeting.

4.4 PEA Notification

- 4.4.1 The child's school district of residence and ADE must be notified that a toddler receiving IDEA, Part C services who is potentially eligible for services under the IDEA, Part B section 619 preschool program will shortly turn three years old and exit the IDEA, Part C program unless the parent opts out of this notification.
- 4.4.2 Parental consent is not required to send a PEA notification; however, the parent may opt out of this notification if they do not want the child's demographic information shared with the school district.
- 4.4.3 When a parent chooses to opt out of PEA notification:
 - A The parent must opt out in writing by signing the bottom of the PEA Notification and Referral form at the transition planning meeting for children who are determined AzEIP eligible prior to 2 years, 6 months, or at AzEIP eligibility determination for children who are determined AzEIP eligible after 2 years, 6 months
 - B. Personally identifiable information about the child and family will not be disclosed to the PEA or the ADE unless the parent provides written consent to do so.
- 4.4.4 When a parent does not opt out of PEA notification, the service coordinator must send the PEA Notification and Referral Form including the child's name, date of birth, AzEIP eligibility date, parent contact information, native language of the parent and the service coordinator's name and contact information (EIP and

phone number):

- A. To the PEA within one business day of the transition planning meeting for children determined AzEIP eligible prior to two years, six months
 - B. To the PEA and ADE within one business day of the AzEIP eligibility date if the child is determined AzEIP eligible after two years, six months.
- 4.4.5 For children determined AzEIP eligible prior to two years, six months of age, ADES/AzEIP sends notification of children potentially eligible for IDEA, Part B Services to the ADE prior to the date the child reaches two years, nine months of age when the parent has not opted out of PEA notification and this decision and the child's school district is entered into the ADES data system timely.
- 4.4.6 The service coordinator ensures the date the form is sent to the PEA and ADE, if applicable, or the date on which the parent opted out of PEA notification, and the name of the school district is entered into the ADES data system(s) within ten (10) calendar days of the PEA decision.

4.5 Transition Conference

- 4.5.2 The purpose of the transition conference is to:
- A. Revise and update as needed the transition plan developed at the mandatory transition planning meeting
 - B. Provide the parent with information about the various programs in which they are interested
 - C. Identify the steps that will be taken by whom and by when to support the parent's decision-making. Steps may include but are not limited to visiting available preschool programs, completing additional evaluations
 - D. Review program options for the child for the period from the child's third birthday through the end of the school year.
- 4.5.3 When a parent agrees to hold a transition conference, it must be held on or before the day the child is 2 years, 9 months old and no earlier than the day the child is 2 years, 3 months old (9 months before the child's third birthday), if all parties agree. If held later, the transition conference must be held on the same day and immediately following the initial IFSP.
- 4.5.4 The service coordinator coordinates with the PEA and other early childhood programs in which the family is interested to facilitate a transition conference.
- 4.5.5 The service coordinator is responsible for scheduling and facilitating the transition conference and documenting any revisions to the steps and activities in the transition plan.
- 4.5.6 The transition conference must meet the requirements of an IFSP meeting as follows:
- A. Held in a setting and at a time that is convenient for the family

- B. Conducted in the native language of the family or other mode of communication used by the family
- C. Arranged with, and written notice provided to, the family and other participants far enough in advance to ensure that they have the opportunity to attend
- D. Fully explained to the family with consent obtained to initiate services, if needed
- E. Include the required participants at the meeting:
 - 1) The parent(s) of the child
 - 2) Other family members as requested by the parent
 - 3) An advocate or person outside of the family, if requested by the parent
 - 4) The service coordinator
 - 5) A person(s) directly involved in conducting the evaluation or assessment (based on initial or other IFSP)
 - 6) All active IFSP team members.
 - 7) A representative(s) from the PEA; and
 - 8) Other early childhood program representatives, as requested by the parent.

If a required participant is not able to attend the meeting in person, arrangements must be made for the person's involvement by alternative methods, including participation by phone or in writing, sending an authorized representative, or making pertinent records available at the meeting.

4.5.7 The service coordinator must:

- A. Ensure reasonable efforts are made to ensure a PEA representative attends the transition conference.
 - 1) If a PEA representative is unavailable due to extenuating circumstances, coordinate with the PEA representative to present materials and information on behalf of the PEA representative, including:
 - i. Part B eligibility definitions
 - ii. Timelines
 - iii. Process for consenting to an evaluation and conducting Part B eligibility determination
 - iv. Availability of special education and related services
- B. Ensure written consent to share early intervention information is obtained prior to the beginning of the transition conference so that early intervention information may be discussed during the meeting.

4.6 Preschool Special Education

- 4.6.1 When a parent is interested in determining whether their child is eligible for preschool special education services, the service coordinator and the PEA coordinate so that the school can implement the procedures and requirements under IDEA, Part Band Arizona law.
- 4.6.2 The service coordinator is responsible for sharing information with the PEA, with the family's consent, to assist the IEP team in developing the IEP, including consideration of the need for extended school year services.
- 4.6.3 The service coordinator and/or any other IFSP team member must attend the MET and the IEP conference at the request of the parent.
- 4.6.4 When the family is interested, the provision of a Free and Appropriate Public Education (FAPE) through preschool special education services is required to begin no later than the child's third birthday for any child who has been determined eligible by the PEA.
- 4.6.5 The EIP and the PEA will identify other resources in the community to assist any child and family who does not qualify for preschool special education or who turns three years old toward the end of the school year and is not eligible for Extended School Year (ESY).
- 4.6.6 In Arizona, the IFSP may not serve as the Individualized Education Plan (IEP) for a child age three (3) to five (5) with a disability.
- 4.6.7 The service coordinator ensures documentation of the IDEA, Part B eligibility decision is entered in the ADES data system(s) prior to exiting the child's record in the ADES data system(s).

4.7 Child Find

- 4.7.1 When a child is referred to AzEIP between two years, ten and one-half months and three years of age, AzEIP is not required to conduct evaluation, assessment, or create an initial IFSP.
 - A. If the child may be eligible for preschool services under IDEA, Part B, the recipient of the referral, with written parental consent, will refer the toddler to the PEA and ADE. The referral is considered a child find activity, so transition activities are not required. ADES/AzEIP and ADE have entered into a Child Find Intergovernmental Agreement which details the State's Child Find requirements.

4.8 Dispute Resolution

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

Arizona Department of Economic Security Arizona Early Intervention Program

1789 W. Jefferson St. Phoenix, AZ 85007

Phone: 602-532-9960

Email: AzEIP@AZDES.GOV

Arizona Department of Education Early Childhood Special Education Unit

1535 W. Jefferson St. BIN 24

Phoenix, AZ 85007

Phone: 602-364-1530

Email: ECEInbox@AZED.GOV

- 4.9.2 ADE will provide to ADES/AzEIP a copy of all Letters of Findings for complaint investigations filed under IDEA, Part B relating to transition services within 30 days of issuance. ADES/AzEIP will provide to ADE a copy of all Letters of Findings for complaint investigations filed under IDEA, Part C relating to transition services within 30 days of issuance.
- 4.8.3 The ADE and ADES/AzEIP strongly encourage PEA's and EIP's 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.AC. R7-2-401(J).
- 4.8.4 ADES/AzEIP ensure EIP's comply with Unorganized Territories guidance and child find referral procedures upon learning of a concern from a parent who lives in a region outside the boundaries of any public education agency.