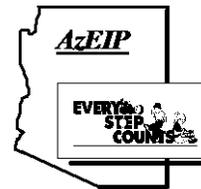


## Chapter 4



# 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 all 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) entered 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 EIPs and PEAs implementing transition requirements;
  - D. Establish uniformity statewide that will provide coordinated, unduplicated, and a 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 EIPs and the PEAs to work collaboratively to ensure children who are potentially eligible for Part B receive timely transitions.
5. 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, at any time, as smooth as possible for the child and family.
6. The AzEIP Service Coordinator (SC) 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.
7. The AzEIP SC coordinates with the PEA and other early childhood programs that the family is interested in to facilitate the transition activities. In instances where the

- parent opts-out of PEA Notification and chooses not to pursue preschool eligibility, the AzEIP SC will coordinate all remaining transition steps and activities.
- 8 The AzEIP SC must send notification to the PEA that a toddler receiving Part C services and who is potentially eligible for services under the Part B section 619 preschool program will shortly turn three years old and exit the Part C program by using the PEA Notification form:
    - A. For children eligible for AzEIP prior to two years, six months of age, no later than the business day following completion of the Transition Planning Meeting.
    - B. For children eligible for AzEIP between two years, six months of age and two years, nine months of age, no later than the business day following the end of the meeting in which the child is determined eligible, **and in no circumstances later than the day the child reaches two years, nine months of age.**
    - C. For children eligible for AzEIP between two years, nine months and two years, ten and one half months of age, no later than the business day following the end of the meeting in which the child is determined eligible.
  - 9 DES/AzEIP sends notification of children potentially eligible for IDEA Part B Services to the ADE prior to the time the child reaches two years, nine months of age.
  - 10 PEA Notification of children potentially eligible for IDEA Part B Services includes the following information, Child's Name, Date of Birth and Date Eligible for AzEIP, Parent contact information including: Name(s), Address, Telephone Number, and native language of the parent as well as the AzEIP SC Name and contact information (EIP and phone number)
  - 11 Parents choosing to opt-out of the PEA Notification process must do so in writing, and in accordance with the guidelines set forth as follows:
    - A. For children eligible for AzEIP prior to two years, six months of age, the parent may opt out of PEA notification until the end of the Transition Planning Meeting.
    - B. For children eligible for AzEIP between two years, six months of age and two years, nine months of age, the parent may opt out of PEA notification until the end of the meeting in which the child is determined eligible.
    - C. For children eligible for AzEIP between two years, nine months and two years, ten and one half months of age, the parent may opt out of PEA notification until the end of the meeting in which the child is determined eligible.
  - 12 In instances where the parent has chosen to opt out of PEA Notification, no information about the child or family will be disclosed to the PEA or the ADE unless the parent provides written consent to do so.
  - 13 The AzEIP SC ensures 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 (or as early as two years, three months if all parties agree). 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.
- 14 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;
- 15 The AzEIP SC is responsible for ensuring the transition plan is in place in the IFSP not fewer than 90 days, but at the discretion of all parties up to 9 months, before the toddler's third birthday for each infant and toddler with a disability exiting Early Intervention Services.
- 16 At the Transition Planning Meeting, the team reviews program options for the child for the period from the child's third birthday through the end of the school year.
- 17 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 or 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 of the following with the family:
    - 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;
    - 3. Transition Conference and whether the family would like one and who they want invited to it;
    - 4. Consent to share information prior to the beginning of the Transition Planning Meeting and/or Transition Conference when 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.
- 18 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).
- 19 The AzEIP SC is responsible for scheduling and facilitating the Transition Conference and documenting the revisions of the transition planning steps and activities.
- 20 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
  - B. 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.
- 21 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.
- 22 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. **In the event that a representative from the PEA does not attend the Transition Conference for a child, the SC shall conduct the conference as scheduled.**
- 23 The AzEIP SC 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.
- 24 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 EIP and the PEA will identify other resources in the community to assist the child and family.
- 25 In Arizona, the IFSP may not serve as the IEP for a child with a disability aged three to five.

**4.1.0 Transition Policy, Procedures and Timelines for Children Eligible for AzEIP Prior to Two Years, Six Months of Age****4.1.1 Policy:**

1. The AzEIP SC 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 and eligible for early intervention services after the child's third birthday.
2. For children already enrolled in early intervention services, the AzEIP SC holds an IFSP meeting at or around the time the child is 2 years old (before or after as it naturally occurs) to discuss upcoming transition activities with the family and, specifically the requirement for a Transition Planning Meeting, AzEIP's PEA Notification opt-out policy and the Transition Conference.
3. The AzEIP SC must hold and facilitate the required 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 AzEIP SC will document, on the IFSP, the appropriate transition steps discussed and agreed upon with the family during this meeting. The IFSP must include identification of transition services deemed necessary by the IFSP team. The AzEIP SC ensures the date this meeting occurred is entered into the state approved database within 10 business days of completion of this meeting.
4. The AzEIP SC sends notification of the child and family to the PEA using the PEA Notification Form the next business day following the Transition Planning Meeting, unless the parent opted out of the notification. The AzEIP SC ensures the date the form is sent, or the date on which the parent documented their opt-out of notification to the PEA in writing, into the state approved database within 10 business days of completion of this activity.
5. DES/AzEIP sends required notification to the ADE for all children who the notification was provided by the AzEIP SC to the PEA on the 15<sup>th</sup> of the following month, or the next business day following. If the parent opted out of the notification in writing, their information will not be included in the notification to ADE.
6. A family may opt-out of PEA Notification, in writing, by end of the Transition Planning Meeting in order to prevent personally identifiable information from being sent to the PEA and ADE.
7. The AzEIP SC must schedule and facilitate a Transition Conference, for those parents that would like one, subsequent to the Transition Planning Meeting, and before the date the child reaches two years, nine months of age. The AzEIP SC ensures the date this meeting occurred is entered into the state approved database within 10 business days of completion of this meeting.

8. For eligible children whose family is interested, the provision of a 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 ESY eligible, the AzEIP EIP and the PEA will identify other resources in the community to assist the child and family.

#### **4.2.0 Transition Policy, and Timelines for Children Eligible for AzEIP between Two Years, Six Months and Two Years, Nine Months of Age**

##### **4.2.1 Policy**

1. The AzEIP SC is responsible for facilitating transition from early intervention on or before the child's third birthday. The child is no longer enrolled in and eligible for early intervention services after the child's third birthday.
2. Once AzEIP eligibility is confirmed for the child, the AzEIP SC discusses the required automatic PEA Notification to the PEA and ADE. The parent can opt-out of PEA notification, in writing, no later than the meeting held on the date eligibility is determined. The AzEIP SC sends notification of the child and family to the PEA using the PEA Notification Form the next business day following the Eligibility Determination Meeting, unless the parent opted out of the notification.
3. For children who are determined **AzEIP eligible on the date the child reaches 2 years, 9 months of age**, the AzEIP SC must send PEA Notification to the PEA and ADE the same day eligibility is determined. The AzEIP SC ensures the date the form is sent, or the date on which the parent documented their opt-out of notification to the PEA in writing into the state approved database within 10 business days of completion of this activity.
4. The AzEIP SC includes the requirements of the Transition Planning Meeting during the initial IFSP meeting, specifically, the steps required to successfully transition the child and family upon the child reaching the age of three years old, and including the Transition Conference if the family is interested. At this meeting, the AzEIP SC will document, on the IFSP, the appropriate transition steps discussed and agreed upon with the family during this meeting. The IFSP must include identification of transition services deemed necessary by the IFSP team. The AzEIP SC ensures the date this meeting occurred is entered into the state approved database within 10 business days of completion of this meeting.
5. DES/AzEIP sends required notification to the ADE for all children who the notification was provided by the AzEIP SC to the PEA on the 15<sup>th</sup> of the following month, or the next business day following. If the parent opted out of the notification in writing, their information will not be included in the notification to ADE.

6. The AzEIP SC must schedule and facilitate a Transition Conference, for those parents that would like one, subsequent to the Transition Planning Meeting and prior to the day the child reaches two years, nine months of age. The Transition Conference may be combined with the Transition Planning Meeting at the request of the family. When this occurs, the Transition Conference immediately follows completion of the initial IFSP Transition Planning Meeting. The AzEIP SC ensures the date this meeting occurred, or the date of the parent's decision not to hold a Transition Conference is entered into the state approved database within 10 business days of completion of this activity.
7. For eligible children whose family is interested, the provision of a 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 ESY eligible, the AzEIP EIP and the PEA will identify other resources in the community to assist the child and family.

#### **4.3.0 Transition Policy and Timelines for Children Eligible for AzEIP between Two Years, Nine Months and Two Years, Ten and One-Half Months of Age**

##### **4.3.1 Policy:**

1. The AzEIP SC is responsible for facilitating transition for the child and family from early intervention on or before the child's third birthday. The child is no longer enrolled in and eligible for early intervention services after the child's third birthday.
2. Once AzEIP eligibility is confirmed for the child, the AzEIP SC discusses the required automatic PEA Notification to the PEA and ADE. **The AzEIP SC sends notification of the child and family to the PEA and the ADE** using the PEA Notification Form the next business day following the Eligibility Determination Meeting, unless the parent objects, in writing, to the notification by the end of the meeting. The AzEIP SC ensures the date the form is sent to the PEA and ADE, or the date the parent provided the written objection is entered into the state approved database within 10 business days of completion of this activity.
3. The AzEIP SC includes the requirements of the Transition Planning Meeting during the initial IFSP meeting, specifically, the steps required to successfully transition the child and family upon the child reaching the age of three years old, and the Transition Conference. At this meeting, the Service Coordinator will document, on the IFSP, the appropriate transition steps discussed and agreed upon with the family during this meeting. The IFSP must include identification of transition services deemed necessary by the IFSP Team. The AzEIP SC ensures the date this meeting occurred is entered into the state approved database within 10 business days of completion of this meeting.
4. The AzEIP SC must schedule and facilitate a Transition Conference, for those parents that would like one, subsequent to the Transition Planning Meeting. The Transition

Conference may be combined with the Transition Planning Meeting at the request of the family. When this occurs, the Transition Conference discussion immediately follows completion of the initial IFSP Transition Planning Meeting discussion. The AzEIP SC ensures the date this meeting occurred, or the date of the parent's decision not to hold a Transition Conference is entered into the state approved database within 10 business days of completion of this activity

5. For eligible children whose family is interested, the provision of a 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 ESY eligible, the AzEIP EIP and the PEA will identify other resources in the community to assist the child and family.

#### **4.4.0 Transition Policy, and Timelines for Children Referred to AzEIP between Two Years, Ten and One-Half Months and Three Years of Age**

##### **4.4.1 Policy:**

1. DES/AzEIP is not required to conduct evaluation, assessment, or create an initial IFSP.
2. If the child may be eligible for preschool services under Part B of the IDEA, the recipient of the referral, with written parental consent will refer the toddler to the PEA and ADE.
3. This referral is considered a Child Find Activity. No transition activities are required. DES/AzEIP and ADE have entered into a Child Find Intergovernmental Agreement which details the State's Child Find requirements.

#### **4.5.0 Preschool Special Education**

##### **4.5.1 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 SC 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.
3. The AzEIP SC or another IFSP team member must attend the 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. The AzEIP SC ensures documentation of the IDEA Part B eligibility decision in the state required database prior to exiting the child's record in the database.

#### 4.6.0 Definitions

##### 4.6.1 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 SC and other IFSP team members must discuss all educational options in the community with the family during the IFSP planning meeting.
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 the definition of the IEP team, 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. 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.

11. 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 defined as the IEP Team and Multidisciplinary Evaluation Team, including by parent request the AzEIP SC 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.
12. Notification to the Public Education Agency (also called PEA Notification) is AzEIP's responsibility to notify the PEA where the parents of child with a disability lives 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 may 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 Transition Planning Meeting (or for children made eligible after two years, six months, by the end of the meeting in which eligibility is determined), the AzEIP SC will send Notification to the PEA.

The PEA Notification must be treated as an initial referral to 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.

13. 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 Transition Planning Meeting for children eligible for AzEIP prior to two years, six months of age. If the parent opts out in writing, AzEIP will not notify the PEA or ADE. The SC is responsible to inform the parent that the following information will be provided in the notification:
- A. Child's name
  - B. Child's date of birth
  - C. Parent contact information (including parents' names, addresses, and telephone numbers).

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.

14. Public Education Agency means a school district, a charter school an accommodation school a state supported institution or any other political subdivision of this state that is responsible for providing education to children with disabilities A.R.S. §15-761(26)
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. Transition Plan means the documentation of any appropriate steps for the toddler to exit the Part C program, and any transition services needed by that toddler and his or her family, on the IFSP at the Transition Planning Meeting to be taken to support the smooth transition of the child from Part C services to:
  - A. Preschool services under Part B of IDEA, to the extent that those services are appropriate;
  - B. Part C services until the child reaches three years of age; and/or
  - C. Other appropriate services

Transition steps include, but are not limited to:

- A. Discussions with and training of parents, as appropriate, regarding future placements and other matters related to the child's transition;
  - B. Procedures to prepare the child for changes in service delivery, including steps to help the child adjust to and function in a new setting;
  - C. Confirmation that child find information about the child has been transmitted to the PEA or other relevant agency, in accordance with §303.209(b) (and any policy adopted by the State under §303.401(e)) and, with parental consent if required under §303.414, transmission of additional information needed by the PEA to ensure continuity of services from the Part C program to the Part B program, including a copy of the most recent evaluation and assessments of the child and the family and most recent IFSP developed in accordance with §§303.340 through 303.345; and
  - D. Identification of transition services and other activities that the IFSP Team determines are necessary to support the transition of the child. §303.344(h)
17. Transition Planning Meeting means a meeting held before the child is two years, nine months, (or as early as two years, three months if all parties agree) to develop and document the transition plan 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.
  18. Transition Conference means a meeting arranged and facilitated by the AzEIP SC in which those early childhood programs in which the family has an interest, such as the PEA, Head Start, or private preschool participates. The Transition Conference will occur between the time the child is two years, six months and two years, nine months

(or as early as two years, three months, if all parties agree). The purpose on 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. Establish 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, upon request from the family, as part of the IFSP Transition Planning Meeting for children eligible for AzEIP after the age of two years, six months, during which the transition plan is developed.

The Transition Conference must meet the requirements for an IFSP meeting. The SC must a representative from the PEA, and representative(s) other early childhood programs as requested by the parent.

#### 4.7.0 Dispute Resolution

##### 4.7.1 Policy

1. If a parent, PEA, AzEIP SC or other interested individual believes that a PEA or an AzEIP EIP 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 EIPs 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

Arizona Department of Education  
  
Early Childhood Special Education  
Unit  
1535 West Jefferson Street BIN 24  
Phoenix, AZ 85007  
(602) 364-1530

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Email: [AllAzEIP2@azdes.gov](mailto:AllAzEIP2@azdes.gov)

Email: [ECEInbox@azed.gov](mailto:ECEInbox@azed.gov)

2. ADE will provide to DES/AzEIP 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/AzEIP 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/AzEIP strongly encourage PEAs and AzEIP EIPs 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).