**[school system, Co-Op, etc]**

**&**

**Infant Toddler Services serving \_\_\_\_\_\_\_**

**Part C to Part B Transition**

**Memorandum of Understanding/Agreement**

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| **TRANSITION PLAN**To initiate the transition process (transition plan) for any child potentially eligible for services from the LEA. |
| **Regulations and Guidance*** A Transition Plan is developed for all children exiting ITS services no less than 90 days and, with the agreement of all parties, not more than 9 months prior to the child’s third birthday.
* During transition planning, the Family Service Coordinator (FSC) informs the family of program options available as the child exits early intervention at age three, including the LEA.
* If a family does not want to be referred to the LEA, they must withdraw from services prior to the referral being sent.
* The transition plan must include steps to exit the Part C program and any transition services the IFSP team identifies are needed by the child and family.
* ITS documents:
	+ Parental agreement to hold a transition conference
	+ Parental decision to share information with the LEA
	+ The family’s decision regarding ITS staff they would like invited to the IEP meeting (if child is found Part B eligible).
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| **For children exiting Infant Toddler Services, who are potentially eligible for services from the LEA:** ITS will:* Provide.

LEA will:  |

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| **PART B REFERRAL: POTENTIALLY ELIGIBLE CHILDREN**To provide referral of potentially eligible children residing within the LEA boundaries |
| **Regulations and Guidance*** Referral may occur not less than 90 days prior to the child’s third birthday and no more than 9 months prior to the child’s third birthday (with the agreement of all parties)
* Referral must include child’s name, date of birth, parent contact information (names, addresses, telephone numbers) and may also include the name and contact information for the family service coordinator and the language(s) spoken by the child and family.
* If a family does not want to be referred to the LEA, they must withdraw from services prior to the referral being sent.
* A potentially eligible child is defined as:
	+ A child receiving services (has an IFSP) in the Infant Toddler Services program 90 days prior to their third birthday, and
	+ A child determined eligible for Part C services at least 45 days prior to their third birthday. (see Late Referrals to Part C section below)
* Upon Part C referral, LEA provides “Parent Rights” or “Procedure Safeguards” to family.
 |
| **For children receiving services (has an IFSP) in the Infant Toddler Services program 90 days prior to their third birthday:** ITS will:* Provide referrals to \_\_\_\_\_ # days prior to the child’s third birthday or as soon as possible after eligibility is determined for children determined eligible less than # days before a child’s third birthday.
* Referrals will include:

LEA will: * Provide “Parent Rights” or “Procedure Safeguards” to family.
* Ensure that these children are evaluated, eligibility determined, and if eligible an IEP developed and implemented by the child’s third birthday.
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| **LATE REFERRALS TO PART C**Late referrals to Part C are defined as any referral of a child to the Part C program less than 90 days prior to the third birthday.  |
| **Regulations and Guidance*** For a child referred to ITS between 90 to 45 days prior to third birthday, Infant Toddler Program *will*
	+ Conduct initial evaluation
	+ If eligible for Part C, conduct initial IFSP meeting that:
		- will include completion of the Transition Plan,
		- may include completion of the Transition Conference,
		- must meet all requirements of an IFSP meeting.
	+ Provide notification/referral information to LEA as soon as possible after eligibility for Part C is determined.
* For a child referred to ITS less than 45-days prior to the third birthday, ITS will:
	+ With parental written consent, refer the child to the SEA and the LEA
	+ Without written consent, may provide the school contact information to the parent**.**
* Upon Part C referral, LEA provides “Parent Rights” or “Procedure Safeguards” to family.
 |
| **For children referred late to Infant Toddler Services:** ITS will:* Provide referrals to \_\_\_ as soon as possible after Part C eligibility is determined.

LEA will: * Provide “Parent Rights” or “Procedure Safeguards” to family when……
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| **TRANSITION CONFERENCE**With parental consent, convene a transition conference meeting to which a representative of the LEA is invited, at least 90 days prior to the child’s third birthday.  |
| **Regulations and Guidance*** The Transition Conference is a Part C meeting, which must be conducted within the context of an IFSP meeting and meet all IFSP meeting requirements including:
	+ Held at a time and place convenient to the family
	+ Meet natural environment criteria (the child’s home)
	+ Include the family and anyone they wish to invite.
* The transition conference must occur not less than 90 days prior to the child’s third birthday and no more than 9 months prior to the child’s third birthday (with the agreement of all parties).
* The LEA must be invited to the transition conference in a timely manner to ensure they will be able to attend. Kansas interprets this as 10 days.
* The LEA must attend the transition conference.
* The LEA’s role at the transition conference is to provide the parent with information about Part B preschool services.
* The LEA must provide parents with notice of procedural safeguards if this has not yet occurred.
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| **For children receiving services (has an IFSP) in the Infant Toddler Services program 90 days prior to their third birthday:** ITS will:* With parental consent, convene the transition conference more than 90 days prior to the child’s third birthday.
* ITS will invite LEA…..

LEA will: * Inform the family of Part B services including:
	+ Enrollment requirements
* Provide “Parent Rights” or “Procedure Safeguards” to family if not already done so.
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| **WHEN LEA CANNOT ATTEND** **TRANSITION CONFERENCE**To ensure parents are provided with Part B information, whether or not a LEA representative participates in the transition conference/IFSP meeting.  |
| **Regulations and Guidance*** If the LEA is unable to attend the transition conference, ITS must still hold the conference and provide the family with information about Part B preschool services.
	+ A description of the Part B eligibility definitions.
	+ Timelines and process for consenting to an evaluation and conducting eligibility determinations under Part B.
	+ Availability of special education and related services.
 |
| ITS will:* Document

LEA will: * Document
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| **FAMILY NOT SEEKING PART B SERVICES**To provide written documentation to the LEA in the event the family chooses not to pursue transition to preschool services from the school district, no later than 90 days prior to the child’s third birthday. |
| **Regulations and Guidance*** The family may agree to referral to the LEA and then choose not to proceed with other transition activities. This allows the child to remain in Part C services until age three.
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| ITS will:* Notify the LEA of the family’s decision

LEA will: * Document the family’s decision by:
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| **GATHERING ASSESSMENT INFORMATION FOR PART B ELIGIBILITY**With written parental consent, transferring information about the child to the new provider to ensure continuity of services. |
| **Regulations and Guidance*** ITS programs share current evaluation and assessment information and the most recent IFSP with the LEA.
* The LEA reviews the ITS documentation and decides what additional evaluation information is needed.
* The LEA conducts evaluation and determines Part B eligibility.
* The LEA ensures that children who have received services in an ITS program have their IEP written and implemented by their third birthday.
* The LEA will invite ITS to the IEP meeting, following the family’s wishes as documented in transition planning.
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| ITS will:LEA will:  |

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| **TURNING THREE LATE SPRING OR SUMMER**To share information about service delivery options for those children who turn three in the late spring or summer. |
| **Regulations and Guidance*** Once a child begins LEA services, he/she is no longer eligible for ITS services and ITS funds cannot be used to fund services for the child.
* If a child is turning age three during the summer (defined as the day after the last day of school) is determined to be eligible for special education, and has an IEP in place with special education services to begin the following school year, the child *can* continue to be served on an IFSP by the ITS program during the summer until the IEP is implemented at the beginning of the next school year.
* If a child turns age three before the end of the school year and it is determined by the IEP team that it is in the best interest of the child to be served by ITS providers on an IEP in the child’s home until the beginning of the next school year, the school district *can* contract with ITS to provide those services to the child.
* If a child turns age three during the summer and the Part B IEP team determines the need for extended school year (ESY), the team *may* decide that it is in the best interest of the child to be served in the child’s home by ITS providers on a LEA IEP until the next school year. The LEA *can* choose to contract with ITS to provide extended school year (ESY) services to an eligible child in order to minimize disruption to the family and to assure a smooth transition.
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| ITS will:LEA will:  |

**SIGNATURES:**

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Infant Toddler Services Coordinator Date

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LEA Special Education Director Date