

IDEA Part C Early Intervention Transition to Part B Early Childhood Special Education Timeline and Action Steps

Transition is required within the Individuals with Disabilities Education Act (IDEA) when potentially eligible children transition out of Part C Early Intervention (EI) into Part B early childhood special education services and supports. For a definition of 'potentially eligible' refer to [Appendix A](#) of this document. This document provides the requirements for each of the following federal indicator outcomes and the actions required by Part C and Part B to ensure compliance and a smooth transition for toddlers between programs.

Indicator C8 is the percentage of toddlers with disabilities exiting Part C with timely transition planning for whom the Lead Agency has:

- a.** Developed an Individualized Family Service Plan (IFSP) with transition steps and services not less than 90 days and at the discretion of all parties not more than 9 months before a child's third birthday.
- b.** Notified State Education Agency (SEA) and Local Education Agency (LEA) of potentially eligible children.
- c.** Conducted the transition conference (TC) with approval of the family.

Indicator B11 collects data to determine whether students receive initial evaluations and whether eligibility for special education is determined within the Massachusetts timeline of 45 school working days. Part C (early intervention) referrals are included in this indicator.

Indicator B12 is the percentage of children referred from Part C (early intervention) who are found eligible for special education services and supports and who have an Individualized Education Program (IEP) implemented on their third birthday.

Below is a comprehensive timeline of the action steps required for Indicator 8 on behalf of Part C, Early Intervention Service (EIS) Providers and Indicator 11 & 12 on behalf of Part B, Local Education Agency (LEA).

This document was developed by AnLar under contract and in collaboration with the Massachusetts Departments of Elementary and Secondary Education (DESE) and Public Health (DPH). It represents AnLar's best efforts to pull together for ease of use the current state of knowledge and practice in the field, representing a variety of sources, including links to external websites maintained by other organizations. The views expressed here are multidimensional, and the state of knowledge is constantly evolving; therefore, this document does not necessarily reflect the positions or policies of DESE or DPH.

Table of Timelines and Action Steps

Indicator	Timeline	Action for Part C	Action for Part B
Part C Indicator C8a Transition Plan (TP)	Part C: At least 90 days and not more than 9 months before a child's 3rd birthday <i>Recommended to occur before or when the child is 27 months old.</i>	Development of a TP on IFSP includes: • Documentation of initial, individualized discussions about the transition out of Part C early intervention and determining if the child is potentially eligible for Part B preschool special education services. • Reviewing the transition process with the family. • Developing a TP as part of the IFSP that includes identified appropriate steps and services. • Establishing timelines and identifying the person(s) responsible for transition activities as part of the plan.	No action at this time.
Part C Indicator C8b Notification	Part C: For toddlers with disabilities who are identified as potentially eligible, (see Appendix A), at least 90 days and at the discretion of all parties, not more than 9 months before a child's 3rd birthday. <i>Recommended to occur before or when the child is 27 months old.</i>	Opt-Out Option of Notification: • For toddlers with disabilities who are identified as potentially eligible (see Appendix A), the family must be informed of their option to opt-out of the LEA and SEA notification. • The date that the opt-out discussion occurs with the family is documented in the child's record. • The date the family chooses to opt-out is documented in the child's record. • If a family chooses to opt-out of notification, the family must do so in writing.	No action at this time.

Indicator	Timeline	Action for Part C	Action for Part B
Part C Indicator C8b Notification Part B Indicator B11 Child Find and Indicator B12 Early Childhood Transition	Part C: For toddlers with disabilities who are identified as potentially eligible, (see Appendix A), at least 90 days and at the discretion of all parties, not more than 9 months before a child's 3rd birthday. Recommended to occur before or when the child is 28 months old. Part B: At receipt of the notification/referral.	Notification to Local Education Agency (LEA) and State Educational Agency (SEA) includes: • Notifying the LEA where the child resides, letting them know there is a child who is potentially eligible for Part B services. » Document the date of LEA Notification on the IFSP. » Department of Public Health Early Intervention Division (DPH EI) notifies the SEA (DESE) of the child's date of notification. • If the family does not opt-out within 30 calendar days, the EIS program must send minimally personally identifiable information (PII) to the LEA and the DPH EI Division. » Minimally PII includes: • Child's name • Child's date of birth • Parent's name, home address, email address, and phone number. Notification must occur even if the parents do not communicate that they are choosing to opt-out.	Part C Notification/Part B Initial Referral to the LEA • The notification is an initial referral to the LEA. • The LEA must complete the evaluation and eligibility determination for all children determined potentially eligible and referred from early intervention which includes: » Providing written notice to the child's parent(s) in the native/primary language of the home indicating their child has been referred for an evaluation within 5 school days of receipt of the referral. » Providing the child's parent with a copy of Part B procedural safeguards notice.

Indicator	Timeline	Action for Part C	Action for Part B
Part C Indicator C8c Transition Conference (TC)	Part C: For toddlers with disabilities who are identified as potentially eligible, (see Appendix A), at least 90 days and at the discretion of all parties, not more than 9 months before a child's 3rd birthday. Recommended to occur when a child is 30 months old. Part B: Attend the TC when it is scheduled.	Invitation to TC includes: - The EIS provider must provide written notice of the TC to the family and other participants, which includes the LEA, early enough to ensure attendance. - Confirmation that PII was transmitted to the LEA and SEA (DPH EI) consistent with the opt-out provision specified in the policy. - With parental approval, an invitation to the TC is given to the LEA. TC should be scheduled in collaboration with the parent and LEA. With parental/caregiver consent, the EIS program will transmit additional information about the child to the LEA which may include the most recent evaluation, assessments, medical diagnosis reports, and IFSP to ensure continuity of services.	Invitation to TC: The LEA must work with the EIS provider to ensure that appropriate LEA personnel are invited to and participate in the transition conference. Confirm attendance at the scheduled TC.

Indicator	Timeline	Action for Part C	Action for Part B
Part C Indicator C8c Transition Conference (TC) Part B Indicator B11 Child Find and Indicator B12 Early Childhood Transition	Part C: For toddlers with disabilities who are identified as potentially eligible, (see Appendix A), at least 90 days and at the discretion of all parties, not more than 9 months before a child's 3rd birthday. Recommended to occur when a child is 32 months old. Part B: Upon receiving consent for evaluation, a full evaluation must be completed within 30 school working days. <i>*If there are fewer than 45 school working days before the child's third birthday, the district must prioritize conducting evaluations, determining eligibility, and developing Individualized Education Program (IEP) for Part C Referrals to ensure that services are in place by the child's third birthday.</i>	Transition Conference (TC): - The EIS program must, with the agreement of the parents, convene a TC to: » Review the child's services and development; » Discuss possible options for support and services once the child exits EI; and » Establish or review transition activities as part of the Transition Plan. - Whether or not a LEA representative attends, the EIS program must conduct the TC. Prior written notice of the TC is provided early enough to parents to allow attendance.	Transition Conference (TC): - The LEA is required, with the agreement of the parents, to: » Participate in the TC to provide the parent with information about Part B ECSE services. » Facilitate a timely evaluation and eligibility determination. - It is recommended that the LEA use the TC to: » Provide Part B procedural safeguards (if not already provided), » Provide prior written notice, » Obtain parental consent to conduct an initial evaluation to determine eligibility for services under Part B. - The LEA may participate in person, by phone, or video. Meeting with the families at a later date or outside of the TC does not comply with federal regulations.

Indicator	Timeline	Action for Part C	Action for Part B
Part B Indicator 11 Child Find and Indicator 12 Early Childhood Transition	Part B: No later than 36 months Upon receiving consent for evaluation, a full evaluation must be completed within 30 school working days. <i>*If there are fewer than 45 school working days before the child's third birthday, the district must prioritize conducting evaluations, determining eligibility, and developing the IEP for referrals from Part C to ensure that services are in place by the child's third birthday.</i>	No action at this time.	Initial Evaluation: • The LEA shall evaluate children who are two and half years of age and who may be receiving services through an early intervention program. The LEA must: » Provide Prior Written Notice to the child's parent(s) in the native/primary language of the home indicating their child has been referred for an evaluation (within 5 school days of receipt of referral), and » Obtain the parent's consent to conduct an initial evaluation to determine the child's eligibility for services under Part B. • The LEA should complete the evaluation within 30 school working days of parent's consent. • If there are fewer than 30 school days left before a child turns three, school districts must give priority to the evaluation of early intervention referrals to ensure that services are implemented by the child's third birthday. • The LEA may either conduct its own evaluations and assessments or utilize current and relevant EIS program evaluations. For an EIS program referral, the LEA is not permitted to decide that there is not enough information to justify the referral, nor may it conduct a "screening" as a way to determine a referral and evaluation is not needed.

Indicator	Timeline	Action for Part C	Action for Part B
Part B Indicator 12 Early Childhood Transition	Part B: No later than 36 months Within 45 school working days after receipt of consent to evaluate. <i>*If there are fewer than 45 school working days before the child's third birthday, the district must prioritize conducting evaluations, determining eligibility, and developing the IEP for referrals from Part C to ensure that services are in place by the child's third birthday.</i>	No action at this time.	Eligibility Determination: • The LEA provides Prior Written Notice. • A team, which includes the child's parent, determines whether the child is a child with a disability under Part B and the educational needs of the child. • The LEA provides a copy of the evaluation report and the documentation of determination of the child's eligibility, at no cost to the parents. • If the child is not eligible, the IEP Team chairperson shall record the reason for such finding, list the meeting participants, and provide written notice to the parent of their rights in accordance with federal requirements within ten days of the Team meeting. LEAs may complete the eligibility determination and develop the IEP in the same meeting if all required participants are in attendance.

Indicator	Timeline	Action for Part C	Action for Part B
Part B Indicator 12	No later than 36 months. Within 45 school working days after receipt of consent to evaluate. <i>*If there are fewer than 45 school working days before the child's third birthday, the district must prioritize conducting evaluations, determining eligibility, and developing the IEP for referrals from Part C to ensure that services are in place by the child's third birthday.</i>	Initial IEP Meeting & Development of the IEP: Upon request of the parent, the EIS program staff may be invited to attend the Initial IEP meeting. If invited to the Initial IEP meeting, EIS program staff should attend the meeting.	Initial IEP Meeting & Development of the IEP: - The team develops an individualized education program which includes identified services to meet the child's educational needs within 45 school working days or prior to the child's third birthday, whichever comes first. - If requested by the parent, the LEA invites the service coordinator or other EIS program representative to the initial IEP meeting. The LEA should document the method and date of this invitation. - The LEA obtains signatures, completion of registration, or provision of required forms to ensure identified services can begin at age three. LEAs may complete the eligibility determination and develop the IEP in the same meeting if all required participants are in attendance.
Part B Indicator 12	Part B: No later than 36 months	No action at this time.	Implementation of the IEP: - IEP is implemented by age three. - If a child's third birthday occurs during the summer, the child's IEP Team, including the parents, must determine the date when services under the IEP will begin. LEA must ensure that extended school year services are available as necessary to provide Free Appropriate Public Education (FAPE).

Appendix A

According to the Massachusetts Department of Public Health Early Intervention Operational Standards updated in December 2022.

Section IX. Transition and Discharge; D. Transition Planning for Children Potentially Eligible for Part B Services at Age 3.

A child is considered 'potentially eligible' for Part B services if the child *meets the criteria for one or more of the following disabilities or impairments*.

- 1. Autism.** A developmental disability significantly affecting verbal and nonverbal communication and social interaction. The term shall have the meaning given in federal law at 34 CFR §300.8(c) (1).
- 2. Developmental Delay.** The learning capacity of a young child (3–9 years old) is significantly limited, impaired, or delayed as exhibited by difficulties in one or more of the following areas: receptive and/or expressive language; cognitive abilities; physical functioning; social, emotional, or adaptive functioning; and/or self-help skills.
- 3. Sensory Impairment.** The term shall include the following:
 - Hearing Impairment or Deaf.** The capacity to hear, with amplification, is limited, impaired, or absent and this results in one or more of the following: reduced performance in hearing-acuity tasks; difficulty with oral communication; and/or difficulty in understanding auditorally presented information in the education environment. The term includes students who are deaf and students who are hard of hearing.
 - Vision Impairment or Blind.** The capacity to see, after correction, is limited, impaired, or absent and this results in one or more of the following: reduced performance in visual-acuity tasks; difficulty with written communication; and/or difficulty with understanding information presented visually in the education environment. The term includes students who are blind and students with limited vision.
 - Deafblind.** Concomitant hearing and visual impairments, the combination of which causes severe communication and other developmental and educational needs.

- 4. *Neurological Impairment.*** The capacity of the nervous system is limited or impaired with difficulties exhibited in one or more of the following areas: the use of memory, the control and use of cognitive functioning, sensory and motor skills, speech, language, organizational skills, information processing, affect, social skills, or basic life functions. The term includes students who have received a traumatic brain injury.
- 5. *Emotional Impairment.*** As defined under federal law at 34 CFR §300.8(c)(4), the student exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects educational performance: an inability to learn that cannot be explained by intellectual, sensory, or health factors; an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; inappropriate types of behavior or feelings under normal circumstances; a general pervasive mood of unhappiness or depression; or a tendency to develop physical symptoms or fears associated with personal or school problems. The determination of disability shall not be made solely because the student's behavior violates the school's discipline code, because the student is involved with a state court or social service agency, or because the student is socially maladjusted, unless the IEP Team determines that the student has a serious emotional disturbance.
- 6. *Communication Impairment.*** The capacity to use expressive and/or receptive language is significantly limited, impaired, or delayed and this is exhibited by difficulties in one or more of the following areas: speech, such as articulation and/or voice; and conveying, understanding, or using spoken, written, or symbolic language. The term may include a student with impaired articulation, stuttering, language impairment, or voice impairment if such impairment adversely affects the student's educational performance.
- 7. *Physical Impairment.*** The physical capacity to move, coordinate actions, or perform physical activities is significantly limited, impaired, or delayed and this is exhibited by difficulties in one or more of the following areas: physical and motor tasks; independent movement; performing basic life functions. The term shall include severe orthopedic impairments or impairments caused by congenital anomaly, cerebral palsy, amputations, and fractures, if such impairment adversely affects a student's educational performance.
- 8. *Health Impairment.*** A chronic or acute health problem such that the physiological capacity to function is significantly limited or impaired and results in one or more of the following: limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli resulting in limited alertness with respect to the educational environment. The term shall include health impairments due to asthma, attention deficit disorder or attention deficit with hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, if such health impairment adversely affects a student's educational performance.