NEW YORK CITY HEALTH DEPARTMENT
BUREAU OF EARLY INTERVENTION

Table for Ongoing Service Coordination (OSC) Standard

Ongoing Service Coordination

1. Parents expeditiously received a copy of the IFSP documents after an IFSP meeting.

2. OSC arranged for providers to deliver early intervention services authorized and addressed all tasks assigned in IFSP within required timeframes.

3. OSC ensured that services were given at the level specified in the IFSP and reviewed child's health insurance coverage status regularly.

4. OSC arranged, prepared for and convened six (6)-month review or annual meeting at least two (2) weeks prior to the expiration date of an IFSP.

5. OSC introduced transition and the process of exiting the Early Intervention Program thoroughly in a timely manner.

6. A transition plan to exit the early intervention program was developed with the family for a child receiving early intervention services who was at least 26/27 months old.

7. For children receiving early intervention services who were at least 26/27 months old, service coordinator ensured that the family was given full information about the notification to CPSE of child's potential eligibility.

8. OSC provided full information on the transition conference and with consent convened a meeting with all applicable participants within required timeframe.

9. OSC discussed preschool referral process including timelines necessary for completion of evaluation and determination of eligibility and sharing of EI records with CPSE thoroughly and timely with parents.

10. Transition plan was in place for children leaving EIP for any reason before the age of three.

11. Required tasks and timelines for transition were documented in EI-Hub Transition tabs and service coordination notes and forms were uploaded and maintained in case files.

1. Parents expeditiously received a copy of the IFSP documents after an IFSP meeting.

Federal Law and Regulations

Code of Federal Regulations

34 CFR 303.34(b)(6)

(b) ***Specific service coordination services.*** Service coordination services include—

(6) Coordinating, facilitating, and monitoring the delivery of services required under this part to ensure that the services are provided in a timely manner;

New York State Law and Regulations

10 NYCRR 69-4.6 (b)(4)

(b) Service coordination shall be an active ongoing process that involves:

(4) facilitating the timely delivery of early intervention services; as soon as possible after written parental consent for the services in the IFSP is obtained and,

New York City Policy and Procedure Manual 2024

Chapter 5: Individualized Family Service Plan (IFSP), Policy Number 5-C The Individualized Family Service Plan Review and Annual Meetings. PP: 5-C. 8-9

2. OSC arranged for providers to deliver early intervention services authorized and addressed all tasks assigned in IFSP within required timeframes.

Federal Law and Regulations

Code of Federal Regulations

34 CFR 303.34(b)(6)

(b) ***Specific service coordination services.*** Service coordination services include—

(6) Coordinating, facilitating, and monitoring the delivery of services required under this part to ensure that the services are provided in a timely manner;

New York State Law and Regulations

10 NYCRR 69-4.6 (b) (1, 4, 5)

(b) Service coordination shall be an active ongoing process that involves:

(1) assisting parents of eligible infants and toddlers in gaining access to the early intervention services and other services identified in the individualized family service plan, including making referrals to providers for needed early intervention services and other services identified in the IFSP, and scheduling appointments for infants and toddlers with disabilities and their families;

(4) facilitating the timely delivery of early intervention services; as soon as possible after written parental consent for the services in the IFSP is obtained and,

(5) continuously seeking the appropriate services and situations necessary to benefit the development of the child for the duration of the child's eligibility.

10 NYCRR 69-4.6 (c) (1, 3, 4)

(c) Specific service coordination activities shall include:

(1) coordinating the performance of evaluations and assessments;

(3) conducting referral and other activities to assist families in identifying available early intervention program service providers;

(4) coordinating, facilitating, and monitoring the delivery of early intervention services to ensure that the services are provided and in a timely manner;

New York State Department of Health Memorandum and Guidance

IFSP implementation Tool Kit for Service Coordinators

pp. 1-2

GUIDANCE FOR ONGOING SERVICE COORDINATORS IFSP IMPLEMENTATION

I. Arrange for providers to deliver Early Intervention Program services

1. Consult with the initial service coordinator immediately regarding any scheduling or other demographic needs that the family may have that will impact the assignment of providers
2. Review the IFSP to identify service needs, including type, frequency, specialties, etc.
3. Contact parents to confirm scheduling, service, and other needs
4. Identify providers who can deliver services in the geographic area of service provision, with consideration for providers' special expertise that may be needed by a child/family*
5. Contact providers to determine availability; request reply within two days
   a. E-mail can be used as a resource for canvassing providers
      i. Information regarding service needs such as specialty, service type, frequency, length, geographic area, etc., can be sent
      ii. E-mail can be sent to multiple agencies/individuals at one time, increasing the likelihood of identifying available providers quickly
      iii. Reminder: e-mail is not secure. Child and family identifying information should not be included in emails to providers
6. Make frequent and persistent attempts to contact providers if a timely reply is not received
7. Receive verbal commitment from provider(s) who is available to deliver services a. Identify for provider the date by which services must begin b. Identify the provider's planned service start date
8. Maintain documentation in case notes of all efforts to identify providers to deliver services

II. Ensure implementation of the child's and family's IFSP, in accordance with the IFSP, including ensuring the timely delivery of Early Intervention Program services within 30 calendar days from the projected dates for initiation of services as set forth in the plan. The projected dates for the initiation of services in the IFSP must be as soon as possible after the parent provides written consent for the service(s) in the IFSP, except in circumstances of intermittent or infrequent service delivery planned by the IFSP team and documented on the IFSP to occur more than 30 calendar days after the parent has signed the IFSP and provided written consent for the services.

1. Ensure that providers have IFSP and parent contact information
2. Facilitate contact between providers and parents

3. Offer and provide assistance as needed by providers and parents to facilitate scheduling and provision of the first service session
4. Follow up with providers and parents frequently to ensure the scheduling and first date of service occurs within the required timeframe
5. Document in service coordination notes, where applicable, all circumstances related to the start of IFSP services, including all factors which affect timeliness, especially family circumstances, and all steps taken to facilitate timeliness

Standards and Procedures for Service Coordination
Under the Early Intervention Program

pg. 10

Responsibilities Unique to the Ongoing Service Coordinator

The ongoing service coordinator is responsible for securing and arranging for providers to deliver Early Intervention Program services, including ensuring the implementation of the child and family's IFSP as soon as possible but not later than 30 days after the parent provides written consent for the services in the IFSP or after any subsequent amendments to the IFSP. If the parent and other members of the IFSP team determine that one or more types of service(s) included in the IFSP must appropriately be initiated more than 30 days after the parent provides written consent for the services in the IFSP, such service(s) must be delivered no later than 30 days after the projected date of initiation of such service(s) as set forth in the IFSP. The IFSP Toolkit for Service Coordinators provides additional details on this responsibility for the ongoing service coordinator.

New York State Department of Health - Early Intervention Provider Agreement

XII. EI Model Specific Responsibilities

A. Service Coordination:

A25. Provider shall ensure that the IFSP, including any amendments thereto, is implemented in a timely manner within thirty (30) days of parent consent to the IFSP, or if the projected date for the initiation of a service is greater than thirty(30) days of parent consent to the IFSP, not later than thirty (30) calendar days after the projected date for initiation of the service.

A26. Provider shall in consultation with the service Provider and the family/caregiver continuously seek the appropriate services and situations necessary to benefit the development of the child for the duration of the child's EIP eligibility, including

providing appropriate referrals for families to access social and mental health services.

New York City Policy and Procedure Manual 2024

Chapter 6: Service Delivery: Policy Number 6-A Start date of Services. PP 6-A. 1-2

3. OSC ensured that services were given at the level specified in the IFSP and reviewed child's health insurance coverage status regularly.

Federal Law and Regulations

Code of Federal Regulations

34 CFR 303.34(b)(6) (7)

(b) ***Specific service coordination services.*** Service coordination services include—

(6) Coordinating, facilitating, and monitoring the delivery of services required under this part to ensure that the services are provided in a timely manner;

(7) Conducting follow-up activities to determine that appropriate part C services are being provided;

New York State Law and Regulations

10 NYCRR 69-4.6 (b) (1), (4)

(b) Service coordination shall be an active ongoing process that involves:

(1) assisting parents of eligible infants and toddlers in gaining access to the early intervention services and other services identified in the individualized family service plan, including making referrals to providers for needed early intervention services and other services identified in the IFSP, and scheduling appointments for infants and toddlers with disabilities and their families;

(4) facilitating the timely delivery of early intervention services; as soon as possible after written parental consent for the services in the IFSP is obtained and,

10 NYCRR 69-4.6 (c) (4, 5)

(c) Specific service coordination activities shall include:

(4) coordinating, facilitating, and monitoring the delivery of early intervention services to ensure that the services are provided and in a timely manner;

(5) conducting follow-up activities to determine that appropriate early intervention services are being provided and in a timely manner;

10 NYCRR 69-4.6 (d)

(d) In a format prescribed by the department, initial and ongoing service coordinators shall obtain and update at least quarterly, and parents shall provide, any information and

documentation necessary to establish an eligible child's third party payor coverage and the nature and extent of such coverage, including coverage through the medical assistance program, other state governmental insurance or benefit program, and/or other policy, plan, or contract under which the child has coverage. Such service coordinators shall transmit such information and documentation to the early intervention service provider and Early Intervention Official within 14 calendar days of receipt.

New York State Department of Health Memorandum and Guidance

New York State Department of Health – Bureau of Early Intervention IFSP Implementation Tool Kit for Service Coordinators

GUIDANCE FOR ONGOING SERVICE COORDINATORS IFSP IMPLEMENTATION

pp. 1-2

I. Arrange for providers to deliver Early Intervention Program services

1. Consult with the initial service coordinator immediately regarding any scheduling or other demographic needs that the family may have that will impact the assignment of providers
2. Review the IFSP to identify service needs, including type, frequency, specialties, etc.
3. Contact parents to confirm scheduling, service, and other needs
4. Identify providers who can deliver services in the geographic area of service provision, with consideration for providers' special expertise that may be needed by a child/family
5. Contact providers to determine availability; request reply within two days
    a. E-mail can be used as a resource for canvassing providers
        i. Information regarding service needs such as specialty, service type, frequency, length, geographic area, etc., can be sent
        ii. E-mail can be sent to multiple agencies/individuals at one time, increasing the likelihood of identifying available providers quickly
        iii. Reminder: e-mail is not secure. Child and family identifying information should not be included in emails to providers
6. Make frequent and persistent attempts to contact providers if a timely reply is not received
7. Receive verbal commitment from provider(s) who is available to deliver services
    a. Identify for provider the date by which services must begin
    b. Identify the provider's planned service start date
8. Maintain documentation in case notes of all efforts to identify providers to deliver services
9. Amend service authorizations with assigned provider information and submit for municipal authorization
10. Follow up frequently with municipal staff to ensure amended service authorizations are processed
11. Ensure that service authorizations are issued, received, and accepted in NYEIS by assigned providers

II. Ensure implementation of the child's and family's IFSP, in accordance with the IFSP, including ensuring the timely delivery of Early Intervention Program services within 30 calendar days from the projected dates for initiation of services as set forth in the plan. The projected dates for the initiation of services in the IFSP must be as soon as possible after the parent provides written consent for the service(s) in the IFSP, except in circumstances of intermittent or infrequent service delivery planned by the IFSP team and documented on the IFSP to occur more than 30 calendar days after the parent has signed the IFSP and provided written consent for the services.

1. Ensure that providers have IFSP and parent contact information
2. Facilitate contact between providers and parents
3. Offer and provide assistance as needed by providers and parents to facilitate scheduling and provision of the first service session
4. Follow up with providers and parents frequently to ensure the scheduling and first date of service occurs within the required timeframe
5. Document in service coordination notes and NYEIS, where applicable, all circumstances related to the start of IFSP services, including all factors which affect timeliness, especially family circumstances, and all steps taken to facilitate timelines

Standards and Procedures for Service Coordination
Under the Early Intervention Program

pg. 10

<u>Responsibilities Unique to the Ongoing Service Coordinator</u>

The ongoing service coordinator is responsible for securing and arranging for providers to deliver Early Intervention Program services, including ensuring the implementation of the child and family's IFSP as soon as possible but not later than 30 days after the parent provides written consent for the services in the IFSP or after any subsequent amendments to the IFSP. If the parent and other members of the IFSP team determine that one or more types of service(s) included in the IFSP must appropriately be initiated more than 30 days after the parent provides written consent for the services in the IFSP, such service(s) must be delivered no later than 30 days after the projected date of initiation of such service(s) as set forth in the IFSP. The IFSP Toolkit for Service Coordinators provides additional details on this responsibility for the ongoing service coordinator.

The ongoing service coordinator is responsible for monitoring the delivery of early intervention services in accordance with the IFSP. Ongoing service coordinators provide parents with continuing opportunities to share information, priorities, and concerns regarding their IFSP. A variety of methods are available to the ongoing service coordinator for providing such opportunities to families and for monitoring and coordinating the provision of services in the IFSP, including home visits; telephone contacts with the parent, other caregiver, and service providers; and meetings with the parent and service providers to foster and support collaboration and integration of service strategies. While contact will vary depending on the needs of each family, a guideline that service coordinators should consider is an average of about one hour of total (contact and non-contact) time per week per family.

New York State Department of Health - Early Intervention Provider Agreement

XII. EI Model Specific Responsibilities

A. Service Coordination:

A25. Provider shall ensure that the IFSP, including any amendments thereto, is implemented in a timely manner within thirty (30) days of parent consent to the IFSP, or if the projected date for the initiation of a service is greater than thirty(30) days of parent consent to the IFSP, not later than thirty (30) calendar days after the projected date for initiation of the service.

A26. Provider shall in consultation with the service Provider and the family/caregiver continuously seek the appropriate services and situations necessary to benefit the development of the child for the duration of the child's EIP eligibility, including providing appropriate referrals for families to access social and mental health services.

A27. When notified by a Provider or by otherwise becoming aware of a child's absence from more than three (3) scheduled sessions for the delivery of services, Provider shall contact the child's parent/family to ascertain the reason for any absences and immediately notify the EIO regarding the absences, reason for such absences and whether there is a need to modify an existing IFSP.

New York City Policy and Procedure Manual 2024

Chapter 6: Service Delivery: 6-A Start date of Services. PP 6-A. 1-2

4. OSC arranged, prepared for and convened six (6)-month review or annual meeting at least two (2) weeks prior to the expiration date of an IFSP.

New York State Law and Regulations

10 NYCRR 69-4.6 (b) (2), (5)

(b) Service coordination shall be an active ongoing process that involves:

(2) ensuring the individualized family service plan outcomes and strategies reflect the family's priorities, concerns and resources, and that changes are made as the family's priorities concerns and resources change;

(5) continuously seeking the appropriate services and situations necessary to benefit the development of the child for the duration of the child's eligibility.

10 NYCRR 69-4.11 (b) (1-3)

(b) The IFSP shall be reviewed at six month intervals and shall be evaluated annually to determine the degree to which progress toward achieving the outcomes is being made and whether or not there is a need to amend the IFSP to modify or revise the services being provided or anticipated outcomes. Upon request of the parent, or if conditions warrant, the IFSP may be reviewed at more frequent intervals.

(1) IFSP reviews shall be conducted by an in-person meeting or other means agreed to by the parent which may include a telephone or video conference call or record review and written correspondence.

(2) An IFSP meeting shall be conducted at least annually to evaluate the IFSP for the child and the child's family, and, as appropriate, to revise its provisions. The results of any current evaluations conducted under section 69-4.8 and any other information available from the ongoing assessment of the child and family, must be used in determining the services that are needed and will be provided.

(3) When a request is made to review an IFSP prior to the six month review period, for the purposes of increasing the frequency or duration of an approved service, including service coordination, the early intervention official may require an additional multidisciplinary evaluation or supplemental evaluation at public expense by an approved evaluator other than the current provider of service, with parent consent. The early intervention official may consider parent input when selecting the evaluator.

New York State Department of Health - Early Intervention Provider Agreement

VI. Documentation and Recordkeeping

E. Provider shall make periodic progress notes summarizing the effectiveness of the service and the progress being made toward outcomes included in the child's and family's IFSP. Progress notes shall be made at a minimum frequency of twice during the IFSP yearly cycle - for six month IFSP reviews and for the annual IFSP review. The Department may direct that the progress notes be made in a certain format or manner. Progress notes shall be included in the child's record and shall be available upon request by the service coordinator, Municipality, or Department.

New York City Policy and Procedure Manual 2024

Chapter 5: Individualized Family Service Plan (IFSP): Policy Number 5-C The Individualized Family Service Plan and Annual Meetings. PP 5-C. 2-5

5. OSC introduced transition and the process of exiting the Early Intervention Program thoroughly in a timely manner.

New York State Law and Regulations

10 NYCRR 69-4.20 (b)

(b) For children thought to be eligible for services under section 4410 of the Education Law, not fewer than 90 days prior to the child's potential eligibility for services under the Education Law, Section 4410, the service coordinator shall provide written notification to the committee on preschool special education of the local school district in which an eligible child resides of the potential transition of the child.

(1) The service coordinator shall ensure the parent is informed in accordance with procedures in subdivision 69-4.11(a)(10)(xiii) of this subpart of the opportunity to object to such notification prior to providing notice to the CPSE of the child's potential transition.

(i) The parent shall be afforded at least thirty calendar days to object in writing to written notification to the CPSE of the child's potential transition.

(ii) If the parent objects to such notification, the notification shall not be made, and the parent's objection shall be documented in the child's record.

New York State Department of Health Memorandum and Guidance

Standards and Procedures for Service Coordination
Under the Early Intervention Program

pg. 11

<u>Responsibilities Unique to the Ongoing Service Coordinator</u>

The ongoing service coordinator is responsible for facilitating the child's transition to preschool special education programs and services and/or other programs and services needed by the child and family as the child ages out of the Early Intervention Program, including the development of a transition plan. While this is typically the responsibility of ongoing service coordinators, initial service coordinators may be responsible for initiating these activities, depending on the age of the child at the time of referral to the Early Intervention Program. In situations that involve transition plans, the service coordinator is responsible for the following activities:

- reviewing information concerning the transition procedure with the parent(s) and obtaining parental consent for the transfer of appropriate evaluations, assessments, IFSPs, and other pertinent records; 40

- assisting the parent(s) in development of a transition plan to other appropriate early childhood and supportive services, including preschool and special education programs and services under Education Law § 4410, when appropriate; [41] and

- establishing a transition plan in the IFSP, which must be developed with the child's family, and shall include procedures to prepare the child and family for changes in service delivery, including:

    - a review of program and service options for the child from the child's third birthday through the remainder of the program year, if appropriate;
    - steps for the child and the family to exit from the Early Intervention Program;
    - steps and services to help the child adjust to and function in a new setting;
    - procedures to prepare program staff or individual qualified personnel who will be providing services to the child to facilitate a smooth transition; and
    - transition services and other activities that the IFSP participants determine are needed by the child and family to support the transition of the child. [42]

The service coordinator is responsible for coordinating the transition of young toddlers from the Early Intervention Program to preschool special education programs and services.[43] The Transition Toolkit for Service Coordinators includes relevant forms and describes the various steps and procedures for such transitions, which includes:

- sending written notification to the Committee on Preschool Special Education (CPSE) of the school district for children thought to be eligible for services under Education Law § 4410, unless the parent opts out. The parent must be allowed 30 days to opt out, either orally or in writing, before the notification is sent to the CPSE. Written notification shall be provided not fewer than 90 days prior to the child's potential eligibility for services under Education Law § 4410;
- arranging, with parental consent, for a transition conference with the parent, Early Intervention Official, and CPSE chairperson or designee no fewer than 90 days before the child's third birthday or the date on which the child is first eligible for services under Education Law § 4410, and, at the discretion of all parties, no more than nine months prior to the child's third birthday, to discuss any services the child may receive under Education Law § 4410, review the child's program options, and establish a transition plan;
- assisting the parent with sending the parent referral to the CPSE of the local district in which the child resides for an evaluation to determine the child's eligibility for such services;
- transmitting, with parental consent, EIP records to the CPSE; and
- attending the initial CPSE meeting, if parent requests the CPSE to invite the EIP service coordinator. [44]

New York State Department of Health – Early Intervention Provider Agreement

XII. EI Model Specific Responsibilities

A. Service Coordination

A29. Provider shall identify transition issues and discuss steps to prepare the family for choices/options at different transition points and to prepare the child for participating in the new setting when transition occurs. Provider shall ensure that the family understands the timeframe for transition from the EIP and when transition planning should occur.

A31. When applicable, Provider shall notify the local Committee on Preschool Special Education of a child's potential transition to CPSE services utilizing Department-standardized forms, procedures, and timelines in accordance with applicable law and regulations.

New York City Policy and Procedures Manual 2024

Chapter 10: Transition Out of the Early Intervention Program: Policy Number 10-A Transition Out of the Early Intervention program (EIP)

6. A transition plan to exit the early intervention program was developed with the family for a child receiving early intervention services who was at least 26/27 months old.

Federal Law and Regulations

Code of Federal Regulations

34 CFR 303.34 (b)(10)
(b) ***Specific service coordination services.*** Service coordination services include—

(10) Facilitating the development of a transition plan to preschool, school, or, if appropriate, to other services.

34 CFR 303.209(d)
(d) Transition plan.
(1)

(i) It reviews the program options for the toddler with a disability for the period from the toddler's third birthday through the remainder of the school year; and

(ii) Each family of a toddler with a disability who is served under this part is included in the development of the transition plan required under this section and § 303.344(h);

New York State Law and Regulations

10 NYCRR 69-4.6 (c)(10)

(c) Specific service coordination activities shall include:

(10) facilitating the development of a transition plan to preschool services if appropriate or to other available supports and services.

10 NYCRR 69-4.20 (b) (3)

(b) For children thought to be eligible for services under section 4410 of the Education Law, not fewer than 90 days prior to the child's potential eligibility for services under the Education Law, Section 4410, the service coordinator shall provide written notification to the committee on preschool special education of the local school district in which an eligible child resides of the potential transition of the child.

(3) The service coordinator shall review information concerning the transition procedure with the parent and obtain parental consent for the transfer of appropriate evaluations, assessments, Individualized Family Service Plans, and other pertinent records.

New York State Department of Health Memorandum and Guidance

The Transition of Children from the New York State Department of Health Early Intervention Program to the State Education Department Preschool Special Education Program or Other Early Childhood Services

pp. 8-9

IV. TRANSITION PROCEDURES

TRANSITION PLANNING FOR ALL CHILDREN

A transition plan must be developed for all children exiting the EIP, whether the child will be transitioning to programs and services under Section 4410 of the Education Law or to other early childhood services and supports. It is very important to begin planning for transition as early as possible to ensure a successful transition for the child and family. It is also important for parents, service coordinators, providers, and public officials to work together to:

- review the progress made by the child and family, and consider whether any services may be needed when the child exits the EIP;
- determine whether a referral is appropriate for preschool special education programs and services;
- determine whether the child and family may need services from other programs under the auspices of the NYSDOH, or services administered by other state or local agencies such as the Office of Mental Retardation and Developmental Disabilities (service coordination services, respite, etc), Office of Mental Health (children's mental health services), Office of Children and Family Services (child care services), etc.;
- ensure a transition plan is in place within required timelines to ensure continuity of services, as appropriate, for the child and family, and with parent consent, to incorporate the transition plan into the IFSP;
- develop a transition plan for the child and family, that includes steps to help the child adjust to and function in a new setting; and, procedures to prepare program staff or individual qualified personnel who will be providing services to the child to facilitate a smooth transition; and,
- identify community resources needed by and available to assist the child and family.

If a child has made such significant progress in the EIP that the child and family do not require any type of continuing services, the IFSP should include the steps that will be taken to discharge the child and family from the EIP.

TRANSITION PLANNING FOR CHILDREN FOR WHOM A REFERRAL TO PROGRAMS UNDERSECTION 4410 OF THE EDUCATION LAW IS NOT THOUGHT TO BE APPROPRIATE

Transition planning for children for whom a referral to preschool special education programs and services is not thought to be appropriate should begin at the IFSP meeting within six months prior to the child's third birthday, or earlier, if local procedures require that transition planning for these children begin at an earlier time. The transition plan must include steps to ensure the transition is completed by the time the child exits the EIP before his/her third birthday (when the child is no longer age eligible for the EIP). The last date for services under the IFSP must be the day before the child's third birthday.

The service coordinator is responsible for assisting the parent in identifying, locating, and accessing other early childhood and supportive services that may be needed by the child and family. The service coordinator may refer the family to the Early Childhood Direction Center (ECDC) or to the Child Care Resource and Referral Program (CCRR), which may assist the family in accessing child care services. Lists of the ECDCs and CCRRs are included in Appendix B and Appendix C.

New York State Department of Health Bureau of Early Intervention
Transition Tool Kit for Service Coordinators (November 2024)

Transition Process Quick Guide

p. 1

Transition Plan

• Identify important transition dates using the Early Intervention Program (EIP) to 4410 calculator: https://www.p12.nysed.gov/sedcar/ei_to_4410_calculator.html.

• Develop a transition plan with the family for all children not fewer than 90 days – and, at the discretion of all parties, not more than nine months – before the child's third birthday (Individualized Family Service Plan (IFSP) Transition Plan Forms A/B can be used but are not required).

• Explain to the family the transition options, including the Committee on Preschool Special Education, and other supports and services (e.g., Head Start, local play groups, etc.).

• Explain to the family the transition steps to the Committee on Preschool Special Education (notification, transition conference, referral, choosing/sharing Early Intervention Program records, evaluation by the Committee on Preschool Special Education, initial Committee on Preschool Special Education meeting, determining transition date).

Notification

• Explain opt-out policy and deadline for objecting in writing to the Committee on Preschool Special Education notification.

• Obtain parent signature on the Parent Form: ***Written Notification and Written Opt-Out Requirements and Timeline (DOH-5809A)***. Provide parent with a copy of this form.

• Send written ***Notification of Potential Eligibility to the Committee on Preschool Special Education (CPSE) Form (DOH-5089B)***, to the Committee on Preschool Special Education of the child's local school district at least 90 days prior to the date the child is potentially eligible for services through the Committee on Preschool Special Education, or no fewer than 90 days before the child's third birthday, whichever is first, if the parent has not objected in writing.

Transmittal of Child Records

• Obtain parental Consent Form for Transmittal of Early Intervention Program (EIP) ***Evaluations and Records to the Committee on Preschool Special Education (DOH-5809E).***

• Assist parent in choosing the Early Intervention Program records to send to the Committee on Preschool Special Education and/or other programs with parental consent.

• Send child records, with copy of parental consent, to the Committee on Preschool Special Education.

New York State Department of Health - Early Intervention Provider Agreement

XII. <u>EI Model Specific Responsibilities</u>

A. Service Coordination:

A30. Provider shall, together with the IFSP team, develop a transition plan as part of the IFSP process which includes the outcomes and activities to prepare the child and family for success after early intervention.

New York City Policy and Procedures Manual 2024

Chapter 10: Transition Out of the Early Intervention Program: Policy Number 10-A Transition Out of the Early Intervention program (EIP)

Chapter 10: Transition Out of the Early Intervention Program: Policy Number 10-C Developing a Transition Plan for Children who Leave the Early Intervention Program Before Three Years of Age.

7. For children receiving early intervention services who were at least 26/27 months old, service coordinator ensured that the family was given full information about the notification to CPSE of child's potential eligibility.

Federal Law and Regulations

Code of Federal Regulations

34 CFR 303.209(b)(1)(i)

(i) Subject to paragraph (b)(2) of this section, not fewer than 90 days before the third birthday of the toddler with a disability if that toddler may be eligible for preschool services under part B of the Act, the lead agency notifies the SEA and the LEA for the area in which the toddler resides that the toddler on his or her third birthday will reach the age of eligibility for services under part B of the Act, as determined in accordance with State law;

New York State Law and Regulations

PBH 2548

To the extent that a toddler with a disability is thought to be eligible for services pursuant to section forty-four hundred ten of the education law, the service coordinator shall notify in writing the committee on preschool special education of the local school district in which an eligible child resides of the potential transition of such child and, with parental consent, arrange for a conference among the service coordinator, the parent and the chairperson of the preschool committee on special education or his or her designee at least ninety days before such child would be eligible for services under section forty-four hundred ten of the education law to review the child's program options and to establish a transition plan, if appropriate. If a parent does not consent to a conference with the service coordinator and the chairperson of the preschool committee on special education or his or her designee to determine whether the child should be referred for services under section forty-four hundred ten of the education law, and the child is not determined to be eligible by the committee on preschool special education for such services prior to the child's third birthday, the child's eligibility for early intervention program services shall end at the child's third birthday.

10 NYCRR69-4.20 (b) (1, 2)

(b) For children thought to be eligible for services under section 4410 of the Education Law, not fewer than 90 days prior to the child's potential eligibility for services under the Education Law, Section 4410, the service coordinator shall provide written notification to the committee on

preschool special education of the local school district in which an eligible child resides of the potential transition of the child.

(1) The service coordinator shall ensure the parent is informed in accordance with procedures in subdivision 69-4.11(a)(10)(xiii) of this subpart of the opportunity to object to such notification prior to providing notice to the CPSE of the child's potential transition.

(i) The parent shall be afforded at least thirty calendar days to object in writing to written notification to the CPSE of the child's potential transition.
(ii) If the parent objects to such notification, the notification shall not be made, and the parent's objection shall be documented in the child's record.
(iii)If the parent does not object to such notification, the service coordinator shall include the following information in the written notice to the CPSE of the child's potential transition:

(a) the child's name;
(b) the child's date of birth and date of referral to the early intervention program;
(c) the method by which the parent may be contacted, including the parent's name, address, and telephone number; and,
(d) the name and contact information for the child's service coordinator who is transmitting the notification.

(iv) if notification in subdivision (b)(1)(iii) of this section is required the service coordinator must confirm, in written documentation, the transmission of the notification to the CPSE and include such documentation in the child's and family's transition plan established under section 69-4.11(a)(10)(xiii).

New York State Department of Health Memorandum and Guidance

The Transition of Children from the New York State Department of Health Early Intervention Program to the State Education Department Preschool Special Education Program or Other Early Childhood Services

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IV. TRANSITION PROCEDURES

TRANSITION PLANNING FOR ALL CHILDREN

A transition plan must be developed for all children exiting the EIP, whether the child will be transitioning to programs and services under Section 4410 of the Education Law or to other early childhood services and supports. It is very important to begin planning for transition as early as possible to ensure a successful transition for the child and family. It is also important for parents, service coordinators, providers, and public officials to work together to:

- review the progress made by the child and family, and consider whether any services may be needed when the child exits the EIP;
- determine whether a referral is appropriate for preschool special education programs and services;
- determine whether the child and family may need services from other programs under the auspices of the NYSDOH, or services administered by other state or local agencies such as the Office of Mental Retardation and Developmental Disabilities (service coordination services, respite, etc), Office of Mental Health (children's mental health services), Office of Children and Family Services (child care services), etc.;
- ensure a transition plan is in place within required timelines to ensure continuity of services, as appropriate, for the child and family, and with parent consent, to incorporate the transition plan into the IFSP;
- develop a transition plan for the child and family, that includes steps to help the child adjust to and function in a new setting; and, procedures to prepare program staff or individual qualified personnel who will be providing services to the child to facilitate a smooth transition; and,
- identify community resources needed by and available to assist the child and family.

If a child has made such significant progress in the EIP that the child and family do not require any type of continuing services, the IFSP should include the steps that will be taken to discharge the child and family from the EIP.

TRANSITION PLANNING FOR CHILDREN FOR WHOM A REFERRAL TO PROGRAMS UNDERSECTION 4410 OF THE EDUCATION LAW IS NOT THOUGHT TO BE APPROPRIATE

Transition planning for children for whom a referral to preschool special education programs and services is not thought to be appropriate should begin at the IFSP meeting within six months prior to the child's third birthday, or earlier, if local procedures require that transition planning for these children begin at an earlier time. The transition plan must include steps to ensure the transition is completed by the time the child exits the EIP before his/her third birthday (when the child is no longer age eligible for the EIP). The last date for services under the IFSP must be the day before the child's third birthday.

The service coordinator is responsible for assisting the parent in identifying, locating, and accessing other early childhood and supportive services that may be needed by the child and family. The service coordinator may refer the family to the Early Childhood Direction Center (ECDC) or to the Child Care Resource and Referral Program (CCRR), which may assist the family in accessing child care services. Lists of the ECDCs and CCRRs are included in Appendix B and Appendix C.

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Notice Requirements and Timeframes for the Transition Conference

Under Section 2548 of the PHL and Section 69-4.20(b) of EIP regulations, the EIO is required, with parental consent, to notify the school district in which a child resides of the child's potential eligibility for services under Section 4410 of the Education Law at least 120 days before the child is first eligible for these services. In addition, the EIO must, with parental consent, arrange for a transition conference among the EIO, service coordinator, parent, and the chair (or her/his designee) of the CPSE at least 90 days before the child is first eligible for services under Section 4410 of the Education Law, or the child's third birthday, whichever is first. If the child is already receiving, or may need additional services from another state agency (for example, if a child is in an Office of Mental Retardation and Developmental Disabilities (OMRDD) waiver program or may be eligible for services under (OMRDD) it may be appropriate to invite representatives of that agency, with the parent's consent.

EIOs must obtain parental consent for the notice to the CPSE of the child's potential eligibility for services under Section 4410 of the Education Law, convening of the transition conference, and referral to the school district in writing and ensure these consents and all actions related to transition are documented in the child's record. It is recommended that the EIO send the referral to the CPSE with a return receipt requested.

p.25 – Question 8

8. **Question:** Must the Early Intervention Official (EIO) notify school districts and arrange transition conferences **EXACTLY** 120 days and 90 days, respectively, prior to the child's potential eligibility for services under Section 4410 of the Education Law?

Answer: No. EIP regulations require the notice be **AT LEAST** 120 days prior to the child's potential eligibility for services under Section 4410 of the Education Law; and, the transition conference to be convened **AT LEAST** 90 days prior to a child's potential eligibility for services under Section 4410 of the Education Law or the child's third birthday, whichever is first. To manage notice and transition conferences at the municipal level, it is permissible for the EIO to notify school districts and arrange for transition conferences during the month or quarter in which a child's birth date falls, as long as the notice is sent and the transition conference is convened within the timeframes required in regulations and within sufficient time for the CPSE to render an eligibility determination before the child's third birthday.

pg. 27 – Question 19

19. **Question:** When should the transition planning process begin?

Answer: Because children are in the EIP for a short time, it is appropriate to begin transition planning as early as possible. For children potentially eligible for services under Section 4410 of the Education Law, transition planning must be initiated in accordance with requirements in PHL in this document. For children for whom a referral to the CPSE is not appropriate, a transition

plan should be developed at the IFSP meeting within six months prior to the child's third birthday.

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APPENDIX D - ROLES AND RESPONSIBILITIES IN THE TRANSITION PROCESS TO PRESCHOOL SPECIAL EDUCATION PROGRAMS AND SERVICES

Designated Staff	Role(s) and Responsibilities in the Transition Process
Early Intervention Official/Designee	• Decides, in consultation with parents, service coordinators, and service providers, whether it is appropriate to notify the CPSE of the child's potential eligibility for services under Section 4410 of the Education Law. Obtains parental consent for the notice. • With parent consent, notifies the CPSE of the child's potential eligibility for services under Section 4410 of the Education Law. The notice must be provided at least 120 days prior to the date the child is first age-eligible for preschool special education. • With parent consent, arranges for a transition conference among the service coordinator, parent, and CPSE chair or designee, at least 90 days prior to the date the child is first age-eligible for preschool special education. • If a parent chooses not to participate in a transition conference, notifies the parent in writing of the steps that must be taken to have the child evaluated by the CPSE; and, that the child's eligibility for the EIP will end on the child's third birthday, unless the child is evaluated and found eligible for services under Section 4410 of the Education Law before the child's third birthday. • If parent chooses not to participate in a transition conference, but would like their child referred to the CPSE, with parental consent, refers the child to the CPSE. • With parent consent, refers the child to the CPSE following the transition conference. • With parent consent, and when applicable, notifies the CPSE of the parent's decision to have the child remain in the EIP until the child is no longer age-eligible for the EIP. • Ensures that a transition plan is developed for all children exiting the EIP.
Service Coordinator	• Is knowledgeable about services under Section 4410 of the Education Law. • Attends the transition conference.

	• When applicable, helps to ensure the transition from the Early Intervention Program to the CPSE is smooth and seamless. • Explains the differences between the EIP and preschool special education programs and services available under Section 4410 of the Education Law, the CPSE process, and differences in eligibility between the two programs. • With parent consent, provides information to the CPSE on what programs and services the child received under the EIP. • With parent consent, incorporates the transition plan into the IFSP. • With parent consent, transfers relevant evaluation records to the CPSE. • May participate in the initial CPSE meeting as the licensed or certified professional from the EIP.

New York State Department of Health Bureau of Early Intervention
Transition Tool Kit for Service Coordinators (November 2024)

Transition Process Quick Guide

p. 1

Notification

- Explain opt-out policy and deadline for objecting in writing to the Committee on Preschool Special Education notification.
- Obtain parent signature on the Parent Form: ***Written Notification and Written Opt-Out Requirements and Timeline (DOH-5809A).*** Provide parent with a copy of this form.
- Send written ***Notification of Potential Eligibility to the Committee on Preschool Special Education (CPSE) Form (DOH-5089B)***, to the Committee on Preschool Special Education of the child's local school district at least 90 days prior to the date the child is potentially eligible for services through the Committee on Preschool Special Education, or no fewer than 90 days before the child's third birthday, whichever is first, if the parent has not objected in writing.

New York State Department of Health - Early Intervention Provider Agreement

XII. <u>EI Model Specific Responsibilities</u>

A. Service Coordination:

A29. Provider shall identify transition issues and discuss steps to prepare the family for choices/options at different transition points and to prepare the child for

participating in the new setting when transition occurs. Provider shall ensure that the family understands the timeframe for transition from the EIP and when transition planning should occur.

A31. When applicable, Provider shall notify the local Committee on Preschool Special Education of a child's potential transition to CPSE services utilizing Department-standardized forms, procedures, and timelines in accordance with applicable law and regulations.

New York City Policy and Procedure Manual 2024

Chapter 10: Transition Out of the Early Intervention Program: Policy Number 10-A Transition Out of Early Intervention, PP: 10-A. 2-4

8. OSC provided full information on the transition conference and with consent convened a meeting with all applicable participants within required timeframe.

Federal Law and Regulations

Code of Federal Regulations

34 CFR 303.209(c) (e)

(c) ***Conference to discuss services.*** The State lead agency must ensure that—

(1) If a toddler with a disability may be eligible for preschool services under part B of the Act, the lead agency, with the approval of the family of the toddler, convenes a conference, among the lead agency, the family, and the LEA not fewer than 90 days—and, at the discretion of all parties, not more than 9 months—before the toddler's third birthday to discuss any services the toddler may receive under part B of the Act; and.

(2) If the lead agency determines that a toddler with a disability is not potentially eligible for preschool services under part B of the Act, the lead agency, with the approval of the family of that toddler, makes reasonable efforts to convene a conference among the lead agency, the family, and providers of other appropriate services for the toddler to discuss appropriate services that the toddler may receive.

(e) ***Transition conference and meeting to develop transition plan.*** Any conference conducted under paragraph (c) of this section or meeting to develop the transition plan under paragraph (d) of this section (which conference and meeting may be combined into one meeting) must meet the requirements in §§ 303.342(d) and (e) and 303.343(a).

New York State Laws and Regulations

PBH 2548

To the extent that a toddler with a disability is thought to be eligible for services pursuant to section forty-four hundred ten of the education law, the service coordinator shall notify in writing the committee on preschool special education of the local school district in which an eligible child resides of the potential transition of such child and, with parental consent, arrange for a conference among the service coordinator, the parent and the chairperson of the preschool committee on special education or his or her designee at least ninety days before such child would be eligible for services under section forty-four hundred ten of the education law to review the child's program options and to establish a transition plan, if appropriate. If a parent does not consent to a conference with the service coordinator and the chairperson of the preschool committee on special education or his or her designee to determine whether the child should be referred for services under section forty-four hundred ten of the education law, and the

child is not determined to be eligible by the committee on preschool special education for such services prior to the child's third birthday, the child's eligibility for early intervention program services shall end at the child's third birthday.

10 NYCRR69-4.20 (b) (4)(iii)

(b) For children thought to be eligible for services under section 4410 of the Education Law, not fewer than 90 days prior to the child's potential eligibility for services under the Education Law, Section 4410, the service coordinator shall provide written notification to the committee on preschool special education of the local school district in which an eligible child resides of the potential transition of the child.

(4) With parent consent, the service coordinator shall convene a transition conference with the parent, service coordinator, and the chairperson of the CPSE or designee, at least 90 days prior to the child's eligibility for services under Education Law, Section 4410, or no fewer than 90 days before the child's third birthday, whichever is first, provided, however, that such conference shall not be held more than nine months prior to the child's third birthday, to review program options and if appropriate, establish a transition plan.

(iii) The parent may decline a transition conference; provided, however, that the parent shall be informed that the child's eligibility for services under section 4410 of the Education Law must be determined by the child's third birthday to continue receiving early intervention services after the child's third birthday and that if a determination of eligibility for services under section 4410 of the Education Law has not been made by the CPSE prior to the child's third birthday, eligibility for early intervention services will end the day before the child's third birthday.

(a) Declination of a transition conference by the parent shall be documented in the child's record.

(b) The service coordinator shall explain to the parent that if the parent declines a transition conference, the parent may refer the child to the CPSE for determination of eligibility for Education Law 4410 services and shall provide information on how the parent may make such referral.

(c)For children thought not to be eligible for programs under Education Law, Section 4410, the service coordinator shall assist the parent in the development of a transition plan to other appropriate early childhood and supportive services. The service coordinator shall assist the parent in identifying, locating, and accessing such services.

(d) With parental consent, the service coordinator shall notify the committee on preschool special education of those children potentially eligible for transition to the preschool special education program but whose parents have selected to continue with early

intervention services for the specified period of eligibility for the Early Intervention Program.

New York State Department of Health Memorandum and Guidance

The Transition of Children from the New York State Department of Health Early Intervention Program to the State Education Department Preschool Special Education Program or Other Early Childhood Services

pp. 11-12

Notice Requirements and Timeframes for the Transition Conference

Under Section 2548 of the PHL and Section 69-4.20(b) of EIP regulations, the EIO is required, with parental consent, to notify the school district in which a child resides of the child's potential eligibility for services under Section 4410 of the Education Law at least 120 days before the child is first eligible for these services. In addition, the EIO must, with parental consent, arrange for a transition conference among the EIO, service coordinator, parent, and the chair (or her/his designee) of the CPSE at least 90 days before the child is first eligible for services under Section 4410 of the Education Law, or the child's third birthday, whichever is first. If the child is already receiving, or may need additional services from another state agency (for example, if a child is in an Office of Mental Retardation and Developmental Disabilities (OMRDD) waiver program or may be eligible for services under (OMRDD) it may be appropriate to invite representatives of that agency, with the parent's consent.

EIOs must obtain parental consent for the notice to the CPSE of the child's potential eligibility for services under Section 4410 of the Education Law, convening of the transition conference, and referral to the school district in writing and ensure these consents and all actions related to transition are documented in the child's record. It is recommended that the EIO send the referral to the CPSE with a return receipt requested.

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Procedures to Refer the Child to the Committee on Preschool Special Education

If a determination is made at the transition conference to refer the child to the CPSE, and the parent consents to the referral, the EIO must refer the child in writing to the chairperson of the CPSE in the school district in which the child resides. If the parent does not participate in the transition conference, the EIO is still responsible for referring the child to the CPSE, with parental consent, if the EIO believes the child is potentially eligible for services under Section 4410 of the Education Law. The referral must specify the extent to which the child has received EIP services prior to the referral.

pg. 26 – Question 14

14. **Question**: Who else should participate in the transition conference?

Answer: With the parent's consent, representatives of other service delivery systems, with whom the child and family are currently involved or from whom the child may need services (such as OMRDD or OCFS) should be invited to participate in the transition conference.

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APPENDIX D - ROLES AND RESPONSIBILITIES IN THE TRANSITION PROCESS TO PRESCHOOL SPECIAL EDUCATION PROGRAMS AND SERVICES

Designated Staff	Role(s) and Responsibilities in the Transition Process
Early Intervention Official/Designee	• Decides, in consultation with parents, service coordinators, and service providers, whether it is appropriate to notify the CPSE of the child's potential eligibility for services under Section 4410 of the Education Law. Obtains parental consent for the notice. • With parent consent, notifies the CPSE of the child's potential eligibility for services under Section 4410 of the Education Law. The notice must be provided at least 120 days prior to the date the child is first age-eligible for preschool special education. • With parent consent, arranges for a transition conference among the service coordinator, parent, and CPSE chair or designee, at least 90 days prior to the date the child is first age-eligible for preschool special education. • If a parent chooses not to participate in a transition conference, notifies the parent in writing of the steps that must be taken to have the child evaluated by the CPSE; and, that the child's eligibility for the EIP will end on the child's third birthday, unless the child is evaluated and found eligible for services under Section 4410 of the Education Law before the child's third birthday. • If parent chooses not to participate in a transition conference, but would like their child referred to the CPSE, with parental consent, refers the child to the CPSE. • With parent consent, refers the child to the CPSE following the transition conference. • With parent consent, and when applicable, notifies the CPSE of the parent's decision to have the child remain in the EIP until the child is no longer age-eligible for the EIP.

	• Ensures that a transition plan is developed for all children exiting the EIP.
Service Coordinator	• Is knowledgeable about services under Section 4410 of the Education Law. • Attends the transition conference. • When applicable, helps to ensure the transition from the Early Intervention Program to the CPSE is smooth and seamless. • Explains the differences between the EIP and preschool special education programs and services available under Section 4410 of the Education Law, the CPSE process, and differences in eligibility between the two programs. • With parent consent, provides information to the CPSE on what programs and services the child received under the EIP. • With parent consent, incorporates the transition plan into the IFSP. • With parent consent, transfers relevant evaluation records to the CPSE. • May participate in the initial CPSE meeting as the licensed or certified professional from the EIP.

New York State Department of Health Bureau of Early Intervention
Transition Tool Kit for Service Coordinators (November 2024)

pg. 2

Transition Conference

• Explain the purpose of a transition conference and obtain written parental consent or declination.

• If parent declines a transition conference, provide parent with the documents titled Transition Information for Parents including Steps to Transition (DOH-5809F) and Comparison of the Early Intervention Program (EIP) and Preschool Special Education.

• Arrange for the transition conference with parent(s), Committee on Preschool Special Education chairperson/designee, and other members of the Individualized Family Service Plan team, as invited.

• Maintain documentation of the invitation to the transition conference sent to the Committee on Preschool Special Education. (If the Committee on Preschool Special Education chairperson does not attend, the service coordinator can meet requirements for convening the conference if documentation of this invitation is maintained in the child's record.)

• Hold the transition conference at least 90 days prior to the child's potential eligibility for preschool special education services, or no fewer than 90 days before the child's third birthday, whichever is first, provided however, that the conference is not held more than nine months prior to the child's third birthday and document discussion of the following topics:

— Differences between Committee on Preschool Special Education and Early Intervention Program services

— Committee on Preschool Special Education evaluation/eligibility process

— Eligibility criteria for Committee on Preschool Special Education services

— Options for Committee on Preschool Special Education service delivery

— Last day for Early Intervention Program services is the day before the child's third birthday, if the child is not found eligible by the Committee on Preschool Special Education before their third birthday

— Options for other services and supports (e.g., Head Start, local play groups, etc.).

New York City Policy and Procedure Manual 2024

Chapter 10: Transition Out of the Early Intervention Program: Policy Number 10-A Transition Out of Early Intervention.

9. OSC discussed preschool referral process including timelines necessary for completion of evaluation and determination of eligibility and sharing of EI records with CPSE thoroughly and timely with parents.

New York State Law and Regulations

10 NYCRR 69-4.20 (b) (3)

(b) For children thought to be eligible for services under section 4410 of the Education Law, not fewer than 90 days prior to the child's potential eligibility for services under the Education Law, Section 4410, the service coordinator shall provide written notification to the committee on preschool special education of the local school district in which an eligible child resides of the potential transition of the child.

(3) The service coordinator shall review information concerning the transition procedure with the parent and obtain parental consent for the transfer of appropriate evaluations, assessments, Individualized Family Service Plans, and other pertinent records.

New York State Department of Health Memorandum and Guidance

Transition Tool Kit for Service Coordinators

pg. 2

Referral

- Assist parent(s) with sending the parent referral to the Committee on Preschool Special Education using the Form for Parent Referral to the Committee on Preschool Special Education (CPSE) (DOH-5809D).

Transmittal of Child Records

- Obtain parental Consent Form for Transmittal of Early Intervention Program (EIP) Evaluations and Records to the Committee on Preschool Special Education (DOH-5809E).
- Assist parent in choosing the Early Intervention Program records to send to the Committee on Preschool Special Education and/or other programs with parental consent.
- Send child records, with copy of parental consent, to the Committee on Preschool Special Education.

Billing for Initial and Ongoing Service Coordination Activities in the Early Intervention Program

ONGOING SERVICE COORDINATION – BILLABLE ACTIVITIES

Discussions and other activities with parents or surrogate parents regarding:

- Transition activities including:
- obtaining parent/surrogate consents for incorporating the transition plan into the IFSP.
- explanation of the right to opt out of notification to CPSE.*
- explanation of information related to the transition conference.*
- convening the transition conference with required attendees.*
- transferring pertinent child records to CPSE with parent consent.
- assisting parent/caregiver with referral to CPSE.*
- obtaining parent consent to continue services beyond the child's third birthday.*

New York State Department of Health - Early Intervention Provider Agreement

XII. <u>EI Model Specific Responsibilities</u>

A. Service Coordination:

A29. Provider shall identify transition issues and discuss steps to prepare the family for choices/options at different transition points and to prepare the child for participating in the new setting when transition occurs. Provider shall ensure that the family understands the timeframe for transition from the EIP and when transition planning should occur.

A31. When applicable, Provider shall notify the local Committee on Preschool Special Education of a child's potential transition to CPSE services utilizing Department-standardized forms, procedures, and timelines in accordance with applicable law and regulations.

New York City Policy and Procedure Manual 2024

Chapter 10: Transition Out of the Early Intervention Program: Policy Number 10-A
Transition Out of Early Intervention, PP: 10-A. 2-4

10. Transition plan was in place for children leaving EIP for any reason before the age of three.

New York State Law and Regulations

10 NYCRR 69-4.20 (a)

(a) A transition plan shall be established in the IFSP to ensure a smooth transition for every child exiting the Early Intervention Program.

(1) If the child may be eligible for preschool services under section 4410 of the Education Law, the service coordinator, with parental consent, shall convene a conference among the early intervention official, the parent, and the chairperson of the CPSE or designee, not fewer than 90 days, and at the discretion of all parties, not more than nine months before the child's third birthday to discuss any services the child may receive under education law.

(2) If the child is not potentially eligible for preschool services under section 4410 of Education Law, the service coordinator, with parental consent, shall make reasonable efforts to convene a conference among the early intervention official, the parent, and providers of other appropriate services for the toddler to discuss appropriate services that the child may receive, including early education, Head Start, Early Head Start, child care programs or other appropriate services.

(3) All meetings to develop the transition plan, including the transition conference, must be at a time and place mutually convenient to all participants and must meet all requirements pertaining to IFSP meetings in section 69-4.11(a)(2)-(5) of this Subpart.

(4) The transition plan established in the IFSP must be developed with the child's family and shall include procedures to prepare the child and family for changes in service delivery, including:

(i) a review of program and service options for the child from the child's third birthday through the remainder of the program year, if appropriate;

(ii) steps for the child and his or her family to exit from the Early Intervention Program;

(iii) steps and services to help the child adjust to and function in a new setting;

(iv) procedures to prepare program staff or individual qualified personnel who will be providing services to the child to facilitate a smooth transition; and

(v) transition services and other activities that the IFSP participants determine are needed by the child and family to support the transition of the child.

New York State Department of Health Memorandum and Guidance

The Transition of Children from the New York State Department of Health Early Intervention Program to the State Education Department Preschool Special Education Program or Other Early Childhood Services

pg. 8-9

IV. TRANSITION PROCEDURES

TRANSITION PLANNING FOR ALL CHILDREN

A transition plan must be developed for all children exiting the EIP, whether the child will be transitioning to programs and services under Section 4410 of the Education Law or to other early childhood services and supports. It is very important to begin planning for transition as early as possible to ensure a successful transition for the child and family. It is also important for parents, service coordinators, providers, and public officials to work together to:

- review the progress made by the child and family, and consider whether any services may be needed when the child exits the EIP;
- determine whether a referral is appropriate for preschool special education programs and services;
- determine whether the child and family may need services from other programs under the auspices of the NYSDOH, or services administered by other state or local agencies such as the Office of Mental Retardation and Developmental Disabilities (service coordination services, respite, etc), Office of Mental Health (children's mental health services), Office of Children and Family Services (child care services), etc.;
- ensure a transition plan is in place within required timelines to ensure continuity of services, as appropriate, for the child and family, and with parent consent, to incorporate the transition plan into the IFSP;
- develop a transition plan for the child and family, that includes steps to help the child adjust to and function in a new setting; and, procedures to prepare program staff or individual qualified personnel who will be providing services to the child to facilitate a smooth transition; and,
- identify community resources needed by and available to assist the child and family.

If a child has made such significant progress in the EIP that the child and family do not require any type of continuing services, the IFSP should include the steps that will be taken to discharge the child and family from the EIP.

TRANSITION PLANNING FOR CHILDREN FOR WHOM A REFERRAL TO PROGRAMS UNDERSECTION 4410 OF THE EDUCATION LAW IS NOT THOUGHT TO BE APPROPRIATE

Transition planning for children for whom a referral to preschool special education programs and services is not thought to be appropriate should begin at the IFSP meeting within six months prior to the child's third birthday, or earlier, if local procedures require that transition planning for these children begin at an earlier time. The transition plan must include steps to ensure the transition is completed by the time the child exits the EIP before his/her third birthday (when the child is no longer age eligible for the EIP). The last date for services under the IFSP must be the day before the child's third birthday.

The service coordinator is responsible for assisting the parent in identifying, locating, and accessing other early childhood and supportive services that may be needed by the child and family. The service coordinator may refer the family to the Early Childhood Direction Center (ECDC) or to the Child Care Resource and Referral Program (CCRR), which may assist the family in accessing child care services. Lists of the ECDCs and CCRRs are included in Appendix B and Appendix C.

New York State Department of Health Bureau of Early Intervention

Transition Tool Kit for Service Coordinators (November 2024)

pg. 1

Transition Plan

- Identify important transition dates using the Early Intervention Program (EIP) to 4410 calculator: https://www.p12.nysed.gov/sedcar/ei_to_4410_calculator.html.
- Develop a transition plan with the family for all children not fewer than 90 days – and, at the discretion of all parties, not more than nine months – before the child's third birthday (Individualized Family Service Plan (IFSP) Transition Plan Forms A/B can be used but are not required).
- Explain to the family the transition options, including the Committee on Preschool Special Education, and other supports and services (e.g., Head Start, local play groups, etc.).
- Explain to the family the transition steps to the Committee on Preschool Special Education (notification, transition conference, referral, choosing/sharing Early Intervention Program records, evaluation by the Committee on Preschool Special Education, initial Committee on Preschool Special Education meeting, determining transition date).

New York Policy and Procedure Manual 2024

Chapter 10: Transition Out of the Early Intervention Program: Policy Number 10-C Developing a Transition Plan for Children who Leave the Early Intervention Program Before Three Years of Age.

11. Required tasks and timelines for transition were documented in EI-Hub Transition tabs and service coordination notes and forms were uploaded and maintained in case files.

Federal Law and Regulations

Code of Federal Regulations

34 CFR 303.34(b)(10)
(b) ***Specific service coordination services.*** Service coordination services include—

(10) Facilitating the development of a transition plan to preschool, school, or, if appropriate, to other services.

New York State Law and Regulations

10 NYCRR 69-4.6 (c)(10)

(c) Specific service coordination activities shall include:

(10) facilitating the development of a transition plan to preschool services if appropriate or to other available supports and services.

10 NYCRR 69-4.20 (b)(3)

(b) For children thought to be eligible for services under section 4410 of the Education Law, not fewer than 90 days prior to the child's potential eligibility for services under the Education Law, Section 4410, the service coordinator shall provide written notification to the committee on preschool special education of the local school district in which an eligible child resides of the potential transition of the child.

(3) The service coordinator shall review information concerning the transition procedure with the parent and obtain parental consent for the transfer of appropriate evaluations, assessments, Individualized Family Service Plans, and other pertinent records.

10 NYCRR 69-4.26 (a)(13)

(a) Municipalities shall maintain an early intervention record for each child referred to the program which documents the performance of all activities required to be completed by early intervention officials or their designees on behalf of eligible children under Article 25 of Title II-A of Public Health Law. The early intervention record shall be maintained in a confidential

manner in accordance with section 69-4.17(c) of this Subpart. The early intervention record shall include the following:

(13) original or copies of all correspondence with the local school district regarding the child's transition from the Early Intervention Program to services under section 4410 of the Education Law. Municipalities must also maintain in the child's record notations of all actions taken to ensure a smooth transition for the child from the Early Intervention Program to services under section 4410 of Education Law;

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Documentation

• For each step above, there are standardized forms in the Transition Tool Kit for Service Coordinators.

• Maintain copies of all completed and signed forms in the child’s record.

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Chapter 10: Transition Out of the Early Intervention Program: Policy Number 10-A Transition Out of Early Intervention