



Office of Exceptional Children

Guiding Practices for IDEA Part C to Part B Transition



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Child and Family Well-Being
NC Infant-Toddler Program (NC ITP)



North Carolina Department of
PUBLIC INSTRUCTION

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NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION

Office of Exceptional Children

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Introduction

How to Use the Guiding Practices

This document is intended to provide an outline of activities, timelines, and recommended practices to facilitate a child's transition from the North Carolina (NC) IDEA Part C program to the Part B program.

Note: All hyperlinks within this document are listed in the References as clickable/printable URLs.

It is important for professionals from both the Part C and Part B programs to understand the requirements of the [Individuals with Disabilities Education Act of 2004 \(IDEA\)](#), to ensure collaboration, compliance and effective transitions for children and families. Both programs are responsible for collaboratively completing the transition process to meet the IDEA requirement for public schools to have the Individualized Education Program (IEP) developed and implemented for each child eligible for the Part B program by his/her third birthday.

What Does Transition Mean?

Change is a part of life and “transition” means changing from one place, stage, or relationship to another. Change happens frequently throughout life, and our children and families will go through many transitions. Some transitions will signal the start of a new set of activities. Examples of early transitions include the move from the hospital to the home, from early intervention services to preschool services, and from preschool services to school-aged programs. Change can be both a time of growth and opportunity as well as a stressful time for those involved.

In NC, on the third birthday of a child with a disability, the responsibility for services shifts from the Department of Health and Human Services (Part C program) to the Department of Public Instruction (Part B program). The local lead agency responsibility shifts from the Children's Developmental Services Agency (CDSA) to the Public School Unit (PSU) (also known as the Local Educational Agency (LEA)). Transitions are smoother for children and families when the CDSA and PSU engage in intentional planning and preparation.

The transition for a potentially eligible child from the Part C program to the Part B program and/or another community program is most effective when planning and supported in collaboration with the family, those who currently provide services, and those who may provide services in the future. It is important that parents receive all necessary information and resources when making decisions for their child. Accordingly, effective sharing of information by parents and professionals is vital to ensure a smooth and effective transition. Mutual respect and understanding of each person's perspective are essential to ensuring a smooth and effective transition.

Explanation of Terms and Resources

These guiding practices will explain important aspects of the Part C to Part B transition planning process, including the meaning of frequently used terms and the timelines and expectations associated with a successful local partnership.

Catchment Area Transition (CAT) Plan: Each locally developed CAT Plan outlines the agreed upon practices for transmitting Child Find Notification data from the CDSA to the PSU as well as how the CDSA and PSU will work together to support the transition planning process for each child. At a minimum, the CDSA and PSU(s) should create consistent and efficient plans for Child Find Notification, the Part B referral process, and the Transition Planning Conference scheduling. Early

Intervention Service Coordinators (EISCs) and PSU Representatives must be fully informed of the expectations and commitments set forth in the CAT plan.

Transition Planning Meeting (TPM): occurs between **2 years 3 months and 2 years 5 months** and introduces transition planning process, begins IFSP transition plan and explains process and rationale for Part B notification and referral follow-up. The EISC should explain that the program serves children and families until each child's third birthday and begin developing the IFSP transition plan. Parents will decide which community programs they want to pursue for their child after the age of three. The EISC must help the family plan for the changes to take place in the future. At the TPM, the EISC must inform the family about the Part B notification process. This includes sharing that a PSU representative will contact the family to provide information about Part B services, discuss options, and plan next steps in the referral process. If applicable, it may be appropriate for the EISC to obtain written parental consent during the TPM to share information beyond what is shared in the Child Find Notification process (see below) to aid in the Part B referral and eligibility determination process.

Child Find Notification: To support seamless transitions, IDEA requires Part C programs (CDSAs) to routinely notify Part B programs (PSUs) of children enrolled in the Part C program who may be eligible for the Part B program. In NC, this notification occurs when the child is **2 years 6 months old**. For children determined eligible for Part C after the age of 2 years 6 months, the notification must occur as soon as possible (and the child should be included on the next spreadsheet). Child Find Notification does not require parental consent and includes the child's name, date of birth, and contact information. In addition, this notification also includes the service coordinator's name and the language spoken by the child and family. This ensures families receive information about the Part B program, including parent rights, responsibilities, and procedural safeguards. Further, by receiving information about children served by CDSAs, PSUs can prepare to schedule relevant meetings, estimate the number of classes needed, and plan for potential staffing and instructional needs.

In NC, the Part C and Part B programs have agreed that Child Find Notification for children served by Part C should be provided in one consistent statewide format (e.g., notification spreadsheets) to the primary contact person with the PSU.

Note: *Written parental consent must be obtained to allow the CDSA to share additional relevant information with the PSU. This may be especially helpful for children with complex or intense service delivery needs. This may occur concurrently with the Child Find Notification process as outlined in the CAT Plan, during the Part B referral process and/or any time leading up to, during or after the Transition Planning Conference (TPC). Ideally the PSU has access to all available information in a timely manner to support efficient eligibility determination planning.*

The Federal Office of Special Education Programs (OSEP) has declared an exception to FERPA which allows the Part C program to disclose, without parental consent, limited personally identifiable information about a child enrolled in Part C to Part B prior to transition to meet Child Find obligations.

Paraphrased from U.S. Department of Education OSERS Policy Letter
February 11, 2004 Letter to Mary Elder

Part B Receipt of Child Find Notification: [North Carolina Policies Governing Services for Children with Disabilities \(NC Policies\)](#) requires that within 30 days of receipt of a written notification of concerns regarding a child (e.g., Child Find Notification), the PSU shall issue a written response to the child's parent. The response shall include either an explanation of reasons the PSU will not pursue the concerns or a date for a meeting in which the PSU and parent will review existing data

and determine whether a referral for consideration of eligibility for special education is necessary. Such a meeting must be held within a reasonable time ((NC 1501-2.9(d)).

Referral to Part B: After Child Find Notification, the PSU will contact the parent to determine whether to initiate a request for an initial evaluation to determine if the child is a child with a disability. If a disability is suspected, necessary evaluations must be conducted, eligibility determined, and for an eligible child, the IEP developed, and placement completed within 90 days of receipt of the written request (e.g., referral) from the parent. When a child transitioning from Part C to B is determined eligible the IEP must be written and consented to (e.g., start date) no later than the child's third birthday. The IEP Team determines if the child is a child with a disability under NC 1500-2.4 as well as the educational needs of the child (NC 1503.2.2).

“The SEA must have in effect policies and procedures to ensure children participating in Part C early intervention, and who are potentially eligible for preschool programs under Part B, experience a smooth and effective transition to those programs. 34 C.F.R. § 300.124. The State lead agency’s transition notification to the SEA and appropriate LEA must be treated as a referral under Part B. An LEA must take certain specific steps upon receipt of Part C’s referral as described below.”

U.S. Department of Education OSERS March 17, 2023 Policy Letter to Jennifer E. Nix

Transition Planning Conference (TPC): The CDSA staff, will convene a TPC and, with written or oral parental consent, will invite all participants in writing. CDSAs and PSUs are encouraged to work together to plan the referral meeting and TPC to occur concurrently when possible. The TPC is an opportunity to share information regarding the needs of the child and family among parents, the EISC, PSU representative, and any other service providers who might help support the transition plan. The purpose is to discuss services that the child may be eligible to receive in the Part B program; review program options from the child's third birthday through the remainder of the school year; and to revise or update the transition plan including steps for exiting the Part C program. One important task is to identify the steps of the referral process including the gathering of available evaluation information from the Part C program, and other service providers. The TPC must occur no later than 90 days before the child's third birthday; however, if eligible for Part B services the IEP must be developed and consented to prior to the child's third birthday to ensure implementation by the child's third birthday.

Early Childhood Transitions in North Carolina: A Parent's Guide to the Infant-Toddler and Preschool Programs: This document has been developed to support families when discussing the transition process and includes the differences between the NC Part C and Part B programs.

Understanding the Differences Between Programs

Shared program knowledge and effective collaboration among transition team members is key to ensure parents understand the differences in programs, eligibility criteria, assessment processes, and service delivery. While both the Part C and Part B programs serve children with disabilities under IDEA, the design and delivery differ, and it is imperative that families understand these differences to support a smooth transition process. **Table A** provides a crosswalk between the NC Part C and Part B programs by implementation components.

Table A: Comparison of the Programs

PROGRAM COMPONENT	Part C Program	Part B Program
Individualized Planning	Individualized Family Service Plan (IFSP): The IFSP identifies outcomes and strategies to address family-focused concerns, priorities, and resources. Services are designed to be provided in natural environments.	Individualized Education Program (IEP): The IEP is based on the child's present level of academic achievement and functional performance. For the preschool child, the present level must describe how the disability affects the child's participation in appropriate activities. Measurable annual goals are developed to meet the educational needs of the child. Related services needed (if required to benefit from special education), supplemental aids, services, modifications, and/or accommodations are identified. Services in the least restrictive environment (LRE) are determined. The PSU may adopt services and supports from the IFSP by documenting them in the IEP if the IFSP services and supports meet all IDEA and State Policy requirements, are appropriate for the school setting, and agreed to by the PSU and the child's parents (NC 1503-4.4).
Family Involvement	The IFSP outlines the Part C services for the child and family based on the needs of both child and family. Parents are equal partners in making decisions and the team must consider parents' concerns and information they provide regarding their child.	Parents are important members of the IEP Team. Parental input is fully considered as the IEP Team reviews information and develops each child's plan. Decisions are made through team consensus and when there is disagreement the LEA Representative makes the final decision. Informal and formal dispute resolution processes are available for parents if there is disagreement with the final decision.
Primary Contact	The EISC from the CDSA coordinates services with the family.	The IEP case manager is the primary contact and could be the Preschool Coordinator, Speech-Language Pathologist, Preschool Teacher, or other PSU member of the IEP team.
Coordination of Services	Service coordination is provided as a component of the Part C program services and may be called case management. The CDSA must ensure provisions of the IFSP are implemented as written. The IFSP Team can convene at any time to consider new information and review and revise the IFSP as needed.	The PSU must ensure provisions of the IEP are implemented as written in the IEP. The IEP Team can convene at any time to consider new information and review and revise the IEP as needed.

Where Services are Provided	Services are provided in “natural environments” in the home and community to enhance the child’s natural learning opportunities within daily routines and activities of the child and family.	Special education and related services are provided in the least restrictive environment (LRE) and to the extent appropriate with nondisabled peers. These service settings may include regular early childhood program, separate class/school, home, and service provider location and can be reconsidered by the IEP Team at any time.
Costs for Services	The following services must be provided at no cost to the family: child identification and screening, service coordination, developmental evaluations, IFSP development and review, and activities related to making sure family rights are protected. Parents may be asked to pay for some services on the Part C approved sliding fee scale. Private Insurance and Medicaid can be billed, with parental consent.	Services included in the IEP are provided at no cost to the family. Under federal law, this is part of what is meant by a Free Appropriate Public Education (FAPE). Given parent consent, the PSU may seek reimbursement for some IEP services from the child’s public insurance. However, regardless of reimbursement, services that a child requires in an IEP are provided at no cost to families.
Transition	Transition planning must address the child’s program options, child and family preparation, the transfer of assessment information, referrals that should be made for future services, appropriate steps for child and family to exit the Part C program and any transition services that the IFSP team identifies as needed. A step within the transition process requires Part C to notify Part B of all children who are potentially eligible for Part B services. This is done through written notification to the LEA/PSU. CDSA staff will convene a TPC as part of overall transition planning with families of children exiting from the Part C program. The schedules and timelines for each activity required in transition are provided in this guide.	The PSU is required to follow-up on written child find notification and determine, with the parents, whether a referral for Part B services will be made. PSU staff are required to participate in the TPC when they have been invited (with parental consent) in a timely manner by the CDSA staff for a child who may be eligible for special education services. Their participation is prior to the actual transition and should support ongoing planning activities. The PSU is required to provide assistance to assure the transition is a smooth and effective process for the child and the family.

Eligibility Determination

Staff from the Part C and Part B programs should understand the differences in eligibility requirements for each program and work together to assemble the necessary information and assessment requirements to consider eligibility under the [IDEA Part B Federal Regulations](#) and [NC Policies](#). Eligibility for the Part C program does not automatically transfer to eligibility for the Part B program at age three, nor does any specific diagnosis automatically qualify a child for special education and related services at age three. It is the responsibility of the PSU to collect the required information, which may necessitate updated evaluations, prior to the IEP Team determining eligibility.

NC Part C Program Eligibility Determination

Children from birth to age three (3) are eligible for early intervention services under Part C of the Individuals with Disabilities Education Act (IDEA) if they have been determined by the Children's Developmental Services Agency to meet the criteria of one of the two following categories:

- developmental delay;
- or established conditions.

More information regarding the NC Part C eligibility definition as well as the eligibility determination criteria, process and requirements can be found at the [North Carolina Infant-Toddler Program \(NC ITP\) website](#).

NC Part B Program Eligibility Determination

Children from age three (3) to age twenty-one (21) are eligible for exceptional children services under IDEA Part B if they have been determined eligible by the PSU. A child with a disability is defined as a child evaluated in accordance with the [NC Policies](#) as having autism, deaf-blindness, deafness, developmental delay (applicable only to children ages three through seven), hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment, serious emotional disability, specific learning disability, speech or language impairment, traumatic brain injury, or visual impairment (including blindness), and who, by reason of the disability, needs special education and related services.

Eligibility determinations are based on multiple sources of data by the IEP Team, which includes the parent(s) and other qualified school personnel. To be eligible for services, the child must have a disability, the child's disability must have an adverse effect on educational performance and require specially designed instruction. If it is determined, through an appropriate evaluation, that a child has a disability under IDEA, but only needs a related service and not special education, the child is not eligible for services under IDEA. If the only service required by the child is speech language, it is considered special education rather than a related service and the child would be determined to be a child with a disability (NC 1500-2.4).

More information regarding the NC Part B eligibility definition as well as the eligibility determination process, criteria and requirements can be found in the [NC Policies](#).

The Individualized Plan or Program

IDEA has established the IFSP as the structure for planning child and family outcomes and services for infants and toddlers with disabilities. Under the IDEA and [NC Policies](#), the IEP provides the structure for planning and implementing goals and services for children with disabilities ages three- to five-years-old who are not eligible for kindergarten.

The components of the IFSP and IEP are different therefore, it is important to consider both the IFSP and the IEP during the TPC. Understanding the similarities and differences between the intent of these plans and the content will be helpful for both the CDSA providers and PSU staff when supporting families through the transition. **Table B** provides a comparison of the IFSP and IEP.

Table C provides a timeline for the transition process from birth to three years. **Tables D1-7** provides an overview of roles and responsibilities during the transition process.

Table B. Comparison of the IFSP and IEP

	Components of the IFSP	Components of the IEP
Statement of Present Levels	- A statement of the child's present levels of physical, cognitive, communication, social or emotional, and adaptive development, based on objective criteria. - Information on the child's strengths and needs.	A description of the child's present level of academic achievement and functional performance and for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.
Outcomes/ Goals	A statement of measurable outcomes and results needed to meet the unique needs of the child and family within the context of the family's everyday routines.	A statement of measurable annual goals related to how the child will be involved and participate in appropriate activities, as well as how the child's educational needs that result from the disability will be met.
Family Information	A statement of the family's resources, priorities, and concerns related to enhancing the development of the child with a disability.	Parents are key members of the IEP Team and contribute to the development of the IEP by sharing concerns and desired outcomes for their child in the educational setting.
Services	A statement of specific early intervention services necessary to meet the unique needs of the child and family and help the child accomplish the outcomes identified.	A statement of the special education and related services, modifications, accommodations and supplementary aids and services to be provided to the child or on behalf of the child.
Environments or Educational Placement	A statement of natural environments in which Part C services will be provided, including a justification of the extent, if any, to which services will not be provided in natural settings.	The IEP Team must discuss educational placement options, which will meet the child's specific identified needs. The IEP Team must consider the Least Restrictive Environment (LRE) and determine the setting that is appropriate for each individual child. An explanation must be provided of the extent, if any, to which the child will not participate with nondisabled peers.

Review and Progress Reporting	• The IFSP is reviewed a minimum of every six months by IFSP team members. • The criteria, procedures, and timelines used to determine the degree to which progress toward achieving the outcomes is being made and whether modifications or revisions of the outcomes are necessary.	• A statement of how the child's progress toward the annual goals will be measured that includes periodic reports on the progress the child is making toward the annual goals will be provided.
Case Management or Service Coordination	• EISCs provide service coordination.	• Special education and related services may be provided by a Preschool Coordinator, Special Education Teacher, Speech and Language Pathologist, or other appropriately licensed staff.
Parent Signature	• Parent signature on the IFSP indicates that the parent understands and is fully informed of: ○ the purpose of each service to be provided; ○ the financial charges (if any) that the parent might incur for the service; ○ any burdens that the parent might bear as a result of each proposed service (e.g., whether the parent must provide transportation, possible impact on the family of services provided in the home, fees involved), and ○ the possible adverse consequences of refusing proposed services (e.g., worsening or no improvement in the child's condition). • And information has been provided in writing in the family's native language, unless clearly not feasible to do so.	• Parent name recorded on the IEP indicates that the parent participated in the meeting and the development of the IEP. Informed written consent must be provided by the parent prior to conducting an initial evaluation and the initial provision of special education and related services. Separately, a parent's signature is also required to provide permission for the PSU to seek reimbursement for services provided from the child's public insurance.
Transition Plan	• Begins at the TPM which is held between 2 years, 3 months and 2 years, 5 months and includes the individual steps to be taken to support the transition of the child with a disability to Part B or other appropriate services. The plan may be updated throughout the transition process.	• Begins at age 14 for secondary transition.

Table C. North Carolina Early Childhood Transition Timeline

2 years 3 months to 2 years 6 months	2 years 6 months	2 years 6 months to 2 years 7 months	2 years 6 months to 2 years 8 months	2 years 6 months to 2 years 9 months	2 years 6 months to 2 years 11 months
Transition Planning Meeting <i>EISC conducts the TPM and initiates the Transition Plan</i>	Child Find Notification <i>CDSA sends PSU notification spreadsheet</i>	Part B Notification Follow-Up & Referral <i>PSU representative determines, with parents, whether a referral will be initiated</i>	Part B Notification Follow-Up & Referral <i>EISC schedules TPC and sends timely invitations</i>	Transition Planning Conference <i>EISC conducts the TPC with family and PSU representative, if applicable</i>	Part B Eligibility Determination and IEP Development <i>Eligibility is determined and, if applicable, IEP is developed</i>

Tables D1-7 Transition Roles and Responsibilities

The CDSA and PSU must ensure all materials and meetings are accessible to families regarding interpretation, translations, scheduling considerations, etc. to the extent possible.

Table D1 2 years 3 months to 2 years to 5 months: Transition Planning Meeting (TPM)

EISC	PSU Representative	Parent(s)
• Share and reviews Early Childhood Transitions in North Carolina • Review Part C parental rights and responsibilities • Explain the general transition process • Begin IFSP transition plan and outcomes • Explain LEA/PSU notification and referral process including that a PSU representative will contact the parents, explain the program and parental rights/safeguards and discuss options. • Consider the need and appropriateness of obtaining written parental consent to share additional relevant information (e.g., current evaluations and IFSP) with PSU		• Review Early Childhood Transition in North Carolina • If applicable, provide written consent, share additional relevant information (e.g., current evaluations and IFSP) with PSU • Begin thinking about transition options at age three • Share any changes they want to make or questions that they want to ask to ensure concerns are not forgotten • Share information about their child that new service providers should know prior to working with the child

Table D2 2 years 6 months: Child Find Notification to PSU*

CDSA	PSU Representative	Parent(s)
• Send child find notification** to PSU including child's name, date of birth, parent contact information, home, language, and service coordinator name (note: if a child is determined eligible and enrolls in Part C after age 2 years 6 months, CDSA must send child find notification as soon as possible)	• Part B 30-day third-party notification timeline begins • Enter the notification information in PowerSchool and ECATS accordingly • Track due dates and notification disposition using the PreK Child Find and Transition Calculator	

Table D3 2 years 6 months to 2 years 7 months: Initial Part B Notification and Referral Process*

EISC	PSU Representative	Parent(s)
• In addition to Child Find Notification, share any relevant information for which written parental consent was received • As applicable and possible, consider scheduling the TPC (see below) to align with the Part B referral meeting	• Contact the family to provide Parent Rights & Responsibilities in Special Education: NC Notice of Procedural Safeguards (English Spanish), discuss transition options, and plan next steps in the referral process • Discuss continuum of alternative placements for the Part B program and shares local program information • Provide written response to the child find notification to the parents within 30 days of notification to include either an explanation of reasons the PSU will not pursue the concerns or a date for a meeting in which the PSU and parent will review existing data and determine whether a referral for consideration of eligibility for special education is necessary. Such a meeting must be held within a reasonable time. Note: the 90-timeline begins upon receipt of written request from parent which may occur prior to the meeting • Schedule Part B meeting, which may coincide with TPC (see below) ○ Invite the EISC, with parental consent ○ Review existing information ○ If appropriate, complete a written referral (90-day timeline begins) ○ Determine if additional eligibility evaluations are needed ○ Obtain informed parent consent for evaluations and begin scheduling ○ Schedule eligibility determination (and IEP development) meeting(s) ○ Provide procedural safeguards and prior written notice	• Review Parent Rights & Responsibilities in Special Education: NC Notice of Procedural Safeguards (English Spanish) • With the PSU, determine whether or not to proceed with a Part B referral • If proceeding with a Part B referral, provide written consent for the CDSA to share IFSP, current evaluations, and any other relevant information for Part B eligibility determination and evaluation planning

Table D4 2 years 6 months to 2 years 8 months: Invitation to Transition Planning Conference*

EISC	PSU Representative	Parent(s)
• As applicable and possible, consider scheduling the TPC to align with the Part B referral meeting • With family, further discuss transition options after child exits the Part C program • Schedule TPC and send invitation (prior written notice) to parents and PSU, with parental consent, and at the parents' discretion any other person who might help support and develop the transition plan, at least 10 days prior to the TPC	• Maintain shared TPC scheduling plan and process with CDSA • If written parental consent is provided, share Child Find Notification written response with EISC	• Provide written consent for PSU representative and any other person of support to attend TPC, if desired • Continue to share any changes they want to make or questions that they want to ask • Continue to share information about their child that new service providers should know prior to working with the child

Table D5 2 years 6 months to 2 years 9 months: Transition Planning Conference (TPC)

EISC	PSU Representative	Parent(s)
• Facilitate meeting • Continue to ensure parents have information about all relevant transition options • Continue to collaboratively develop the IFSP Transition Plan • If the parent declines inviting the PSU, document this information on the transition plan page of the IFSP and inform the PSU of the decision	• Compare IFSP and IEP to support transition planning • Collaboratively develop the IFSP Transition Plan • If parent declines PSU participation, document this decision in ECATS	• Continue to collaboratively develop the IFSP Transition Plan

Table D6 Late Referrals to Part C (eligibility determined less than 90 days before a child's 3rd birthday)

EISC	PSU Representative	Parent(s)
• Share and review Early Childhood Transition in North Carolina • Review Part C parental rights and responsibilities • Explain the general transition process and ensure that families gain an understanding of the different service delivery systems and their options in a relevant and meaningful way • Begin IFSP transition plan and outcomes as part of initial IFSP development • Explain PSU notification and referral process including that a PSU representative will contact the parents, explain the program and parental rights/safeguards and discuss options. • Consider the need and appropriateness of obtaining written parental consent to share additional relevant information (e.g., current evaluations and IFSP) with PSU • The TPC is not required • With parental consent, attend the eligibility determination and IEP development meeting(s)	• Contact the family to provide Parent Rights & Responsibilities in Special Education: NC Notice of Procedural Safeguards (English Spanish), discuss transition options, and plan next steps in the referral process • Discuss continuum of alternative placements for the Part B program and shares local program information • Provide written response to the child find notification to the parents within 30 days of notification to include either an explanation of reasons the PSU will not pursue the concerns or a date for a meeting in which the PSU and parent will review existing data and determine whether a referral for consideration of eligibility for special education is necessary. Such a meeting must be held within a reasonable time. Note: the 90-day timeline begins upon receipt of written request from parent which may occur prior to the meeting • Schedule Part B meeting, which may coincide with TPC (see below) ◦ Invite the EISC, with parental consent ◦ Review existing information ◦ If appropriate, complete a written referral (90-day timeline begins) ◦ Determine if additional eligibility evaluations are needed ◦ Obtain informed parent consent for evaluations and begin scheduling ◦ Schedule eligibility determination (and IEP development) meeting(s) ◦ Provide procedural safeguards and prior written notice • PSUs are encouraged to make every effort to complete the evaluation, determine eligibility, and develop and implement an IEP by the child's 3rd birthday or as soon as possible after the 3rd birthday. • If the child is not eligible, discuss possible community resources and explain the process for contacting the PSU if there are future concerns.	• Review Early Childhood Transition in North Carolina • Review Parent Rights & Responsibilities in Special Education: NC Notice of Procedural Safeguards (English Spanish) • If applicable, provide written consent, share additional relevant information (e.g., current evaluations and IFSP) with PSU • Begin thinking about transition options at age three • Share any changes they want to make or questions that they want to ask to ensure concerns are not forgotten • Share information about their child that new service providers should know prior to working with the child • Attend and participate in the eligibility determination and IEP development meeting(s) • Invite any additional support persons to the meeting(s) • If eligible, provide written consent (or reject) for the IEP

Table D7 Late Part C Referrals: 45 days or less before the 3rd Birthday

CDSA	PSU Representative	Parent(s)
- The CDSA does not conduct evaluations or determine Part C eligibility. - A CDSA staff member assists the family in contacting the PSU and facilitates initiating the Part B referral process. - An EISC is not invited to the IEP Team meeting since the child was not served by the CDSA.	- Contact the family to provide <i>Parent Rights & Responsibilities in Special Education: NC Notice of Procedural Safeguards</i> (English Spanish), discuss transition options, and plan next steps in the referral process - Discuss continuum of alternative placements for the Part B program and shares local program information - Provide written response to the child find notification to the parents within 30 days of notification to include either an explanation of reasons the PSU will not pursue the concerns or a date for a meeting in which the PSU and parent will review existing data and determine whether a referral for consideration of eligibility for special education is necessary. Such a meeting must be held within a reasonable time. <i>Note: the 90-timeline begins upon receipt of written request from parent which may occur prior to the meeting</i> - Schedule Part B meeting (see below) - Review existing information - If appropriate, complete a written referral (90-day timeline begins) - Determine if additional eligibility evaluations are needed - Obtain informed parent consent for evaluations and begin scheduling - Schedule eligibility determination (and IEP development) meeting(s) Provide procedural safeguards and prior written notice - If the child is not eligible, discuss possible community resources and explain the process for contacting the PSU if there are future concerns	- Review <i>Parent Rights & Responsibilities in Special Education: NC Notice of Procedural Safeguards</i> (English Spanish) - Begin thinking about transition options at age three - Share information about their child that new service providers should know prior to working with the child - Attend and participate in the eligibility determination and IEP development meeting(s) - Invite any additional support persons to the meeting(s) - If eligible, provide written consent (or reject) for the IEP

Part B Evaluation, Eligibility Determination and Placement

If the parents elect to proceed with the Part B referral, and a disability is suspected, the IEP Team must meet to determine whether the eligibility determination will require further evaluation. The IEP Team must review existing data and information presented by the family, which may include information obtained from outside evaluators and service providers. In addition, the progress on the goals and outcomes from the IFSP will be reviewed.

From this information, the IEP Team can identify the focus of concern from the family and providers and identify the necessary assessments that need to be completed to consider eligibility for services. The IEP Team completes the written referral and issues prior written notice to the parents.

Evaluation Process

Evaluation is the process of finding out what a child knows and can do in relation to his or her optimum level of functioning and development. It is not a single measure or test. The process includes gathering information about the child from all available sources, then organizing and interpreting that information. The evaluation process must be culturally responsive and unbiased.

The Division for Early Childhood of the Council for Exceptional Children [Recommended Practices](#) includes the recommendation that, “Practitioners use a variety of methods, including observation and interviews, to gather assessment information from multiple sources, including the child’s family and other significant individuals in the child’s life.” (2014)

The eligibility evaluation will provide a comprehensive picture of the child, identify patterns of current functioning, and indicate area(s) of strengths and needs. The findings of the evaluation will assist the IEP Team in:

- determining if the child has a disability and is in need of specially designed instruction to meet the unique needs of the child,
- providing vital information regarding the educational needs of the child,
- and guiding decision making about appropriate educational programming for each child with a disability who is eligible for special education and related services.

The necessary evaluation components required for each disability category can be found in [NC Policies](#).

Eligibility Determination and IEP Development

Prior to the child turning three years of age, an IEP Team meeting will be scheduled to determine eligibility and develop an IEP if the child is eligible. In North Carolina, the eligibility determination and IEP development must take place within a 90-day timeline from the receipt of a written referral, and PSUs are encouraged to complete both steps during the same meeting. The PSU must schedule the meeting at a mutually agreed time and place and notify the parents of the meeting early enough to ensure they will have an opportunity to attend. The notice must indicate the purpose, time, and location of the meeting; who will be in attendance; and the parents’ right to invite other individuals who have knowledge or special expertise about their child (NC 1503-4.3 Parent Participation). The participation of the CDSA staff in the IEP development may occur with informed written consent from the parent and is encouraged to continue the coordinated planning effort on behalf of the child.

As part of the Part B program eligibility determination process, any applicable evaluation results will be reviewed and the child’s eligibility for preschool special education services will be decided. The

criteria for eligibility for services through the PSU are defined by federal law and *Policies*. (NC 1503-2.5 through 1503-2.7)

The PSU may adopt services and supports from the IFSP by documenting them in the IEP if the IFSP services and supports meet all IDEA and State Policy requirements, are appropriate for the school setting, and agreed to by the PSU and the child's parents (NC 1503-4.4). The IEP Team must consider the use of an IFSP if it meets all the criteria described in the law, including the natural environment statement; and an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills.

For children transitioning from the Part C program, the IEP must be developed and implemented by the third birthday; however, the PSU is not required to provide services when school is not in session (e.g., during the summer) unless the child is eligible for Extended School Year (ESY) services. The IEP Team must discuss ESY services during the development of the IEP and determine eligibility for ESY.

During the development of the IEP, the goals and services will be determined by the IEP Team. This determination leads to the decision pertaining to placement in the least restrictive environment (LRE) that is appropriate for the child as discussed in the following pages. The entire process must be completed before the 90-day timeline expires.

IEP Team Transition – NC 1503-4.2 (f) In the case of a child who was previously served under Part C, an invitation to the initial IEP meeting shall, at the request of the parent, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services.

Placement: The Least Restrictive Environment (LRE)

LRE means children with disabilities are educated with children who are nondisabled to the maximum extent appropriate for each child. After the child is determined eligible for preschool special education services by the IEP Team, they develop an IEP and consider the placement options for the services to be provided in the LRE.

The LRE continuum for preschool-aged children with disabilities includes the regular early childhood program, a separate setting classroom, the home, and the provider location. All settings allow children with disabilities to participate in appropriate activities and opportunities that support children achieving age-appropriate abilities and skills. The IEP Team must consider necessary modifications, accommodations, supplementary aids, services, and supports that may be needed for the child to advance toward attaining the annual goals, be involved in and progress in the preschool curriculum and participate with nondisabled children. Examples of supplementary aids and services may include training for the staff, changes in surroundings or equipment, or specially chosen materials to help the child learn in the new environment.

In determining the educational placement of a child with a disability, including a preschool child with a disability, each PSU must ensure that –

(a) The placement decision—

- (1) Is made by the IEP Team, which includes the parents and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

- (2) Conforms to LRE requirements;
- (b) The child's placement on the continuum—
 - (1) Is determined at least annually; and
 - (2) Is based on the child's IEP;
- (c) Unless the IEP of a child with a disability requires some other arrangement—
 - (1) The child is educated in the school that he or she would attend if nondisabled; and
 - (2) If the child cannot be educated in the school he or she would attend if nondisabled, the child is educated as close to the child's home as possible;
- (d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and
- (e) A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.
(NC 1501-3.3)

Decisions are based on current data and objective information about the child. This decision is made by the full IEP team during a team meeting, after the IEP annual goals have been written, the level of services has been determined and the LRE continuum of alternative placements has been discussed.

Continuum of Alternative Placements: Placement and services must be individually determined based upon the IEP Team's consideration of the child's present levels of academic achievement and functional performance, abilities, and needs. Disability categories cannot be used to unilaterally make placement decisions.

Late Part C Referrals and Eligibility Determination

Smooth and effective transitions may be challenging when children are determined eligible for the Part C program less than 90 days before a child's third birthday. Gathering all the necessary information and conducting the evaluation and assessments should be viewed as a team effort to provide services in a timely fashion. When children are referred to the Part C program as they are approaching age three, there are different program and reporting requirements for the Part C and Part B programs depending on the age of the child.

Coordination between the Part C and Part B programs is critical to ensure that families gain an understanding of the different service delivery systems and their options in a thoughtful and meaningful way. In addition, coordination helps ensure that both programs can reach and maintain compliance with objectives in the State Performance Plan and Annual Performance Reports for transition (Indicator 8 for the Part C program and Indicator 12 for the Part B program).

The ECTA resources, [Federal IDEA Part C & Part B Transition Requirements for Late Referrals to IDEA](#) (2018) and [Federal IDEA Part C & Part B transition requirements for late referrals to IDEA Part C](#) (2018), offer specific information about the requirements of Part C and Part B programs when children are referred to and determined eligible for Part C late in the transition process.

Tables D1-7. Transition Roles and Responsibilities (above) outlines the specific expectations for CDSAs and PSUs when children are referred to and/or determined eligible for Part C services close to their third birthday.

Summer Birthdays and Extended School Year

Given the significance of early intervention during the first years of life, the IEP Team should carefully consider the impact of an interruption in services on the child's developmental progress when making the transition from the Part C program to the Part B program at age three. IEP Teams need to work together when a child's birthday occurs in the summer or shortly before the public school year ends. PSU and CDSA staff must plan to ensure that necessary meetings are held and if the child is eligible that the IEP is developed and implemented by the third birthday.

Eligible children with disabilities who turn three years old during summer months are not automatically entitled to receive special education and related services during the summer (NC 1501-1.1(b)). The PSU must provide services during the summer only if the IEP Team determines the child needs Extended School Year (ESY) services to receive a FAPE. If the child is not eligible for ESY services, the IEP services should begin on the first day of the regular school year calendar. The PSU will have met its IDEA responsibility for the transition process by meeting and developing the initial IEP prior to the third birthday.

NC 1501-1.1 (b)(2) If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP or IFSP will begin.

NC 1503-4.4 (c) Initial IEPs; provision of services. (1) Each public agency must ensure that within 90 days of receipt of the referral the initial evaluation will be conducted; eligibility determined; and for an eligible child, the IEP developed, and placement completed. (2) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the IEP.

What Happens When a Child is Not Eligible for the Preschool Part B Program?

Some children served by the Part C program and approaching their third birthday may not be referred to special education at the parent's request. Other children may have the referral process completed by the PSU but not meet the eligibility requirements for the Part B program. The CDSA staff must try to assist families in determining and arranging other options to meet the child's and family's needs through the development of a transition plan with steps and activities. Parents should be made aware of the community resources that are available in the area. Every community varies in what is available, but with some creativity and effort, opportunities can be found.

CDSA staff may want to provide a list of local programs that are available in the community and share this information with families. Some suggestions include: Case Management for At-Risk Children (CMARC), the local Health Department, Head Start, NC PreK, and Title I preschool programs; private preschool programs; library activities for young children; summer recreation programs; and community classes, such as swimming or gymnastics.

If concerns arise, a child may be re-referred for consideration of Part B eligibility determination at any time.

20 USC 1437 §637. (9)(A)(ii)II) ...in the case of a child who may not be eligible for such preschool services, with the approval of the family, make reasonable efforts to convene a conference among the lead agency, the family, and providers of other appropriate services for children who are not eligible for preschool services under part B, to discuss the appropriate services that the child may receive.

Appendix I

IDEA Part C Federal Regulations

IDEA Part C Federal Regulations can be found here: <https://sites.ed.gov/idea/regs/c>.

Key regulations related to transition from Part C to Part B are:

- State Application and Assurances § 303.209
- Transition to preschool and other programs. § 303.209
- IFSP Content Including the Transition Plan § 303.209
- Functions of the Council – required duties. § 303.604
- Procedural Safeguards Confidentiality § 303.401

IDEA Part B Federal Regulations

IDEA Part B Federal Regulations can be found here: <https://sites.ed.gov/idea/regs/b>.

Key regulations related to transition to Part B are:

- Transition of children from the Part C program to preschool programs – 34 CFR § 300.124
- Initial evaluations – 34 CFR §300.301
- Initial IEP Team meeting for a child under Part C – Sec. 34 CFR §300.321(f)
- IEP or IFSP for children aged three through five – 34 CFR §300.323(b)
- When IEPs must be in effect – 34 CFR §300.323(a)
- When Initial IEPs must be in effect – 34 CFR § 300.323I
- Definition of individualized education program – 34 CFR § 300.320

Appendix III

Acronyms and Definitions of Terms

Acronym	Term	Definition
CAT Plan	Catchment Area Transition Plan	A Catchment Area Transition Plan outlines the agreed upon notification processes between each Children's Developmental Services Agency (CDSA) and its respective Local Education Agencies (PSUs) around notification timelines and process for transmission of the data. One primary contact person in each agency should be identified to send and receive this information.
CDSA	Children's Developmental Services Agency	The local lead agency in North Carolina for infants and toddlers with developmental delays and/or established conditions.
CMARC	Case Management for At-Risk Children	An early childhood program, provided by local health departments, that coordinates services with Medical Providers to ensure appropriate health and medical care, developmental and social supports for children at risk for, or diagnosed with, developmental disabilities, social or emotional problems, and chronic illnesses ages birth to five-years-old.
DHHS	Department of Health and Human Services	DHHS manages the delivery of health and human related services for all North Carolinians, especially our most vulnerable citizens – children, elderly, disabled and low-income families.
DPI	Department of Public Instruction	DPI is charged with implementing the state's public school laws for pre-kindergarten through 12th grade public schools at the direction of the State Board of Education and the Superintendent of Public Instruction.
EISC	Early Intervention Service Coordinator	The family's main contact in the North Carolina Infant-Toddler Program. The coordinator will work with you to find supports and services to meet your child and family's needs. Most families begin working with an Early Intervention Service Coordinator as soon as their child is referred to the Infant-Toddler Program. Federal and state laws require that children and families served by the Infant-Toddler Program have an Early Intervention Service Coordinator.
ESY	Extended School Year	The term extended school year services means special education and related services that— (1) Are provided to a child with a disability— (i) Beyond the normal school year of the public agency; (ii) In accordance with the child's IEP; and (iii) At no cost to the parents of the child; and (2) Meet the standards of the SEA.
FAPE	Free Appropriate Public Education	Special education and related services that are provided at public expense, under public supervision and directions, and without charge. Meets the standards of the State agency and according to IDEA, includes an appropriate preschool education and conforms with the IEP.
FERPA	Family Educational Rights and Privacy Act	The Family Educational Rights and Privacy Act is a federal law that protects the privacy of student education records. The law applies

		to all schools that receive funds under an applicable program of the U.S. Department of Education.
IDEA	Individuals with Disabilities Education Act of 2004	The federal special education law which includes children from birth through 21 years of age with disabilities.
IEP	Individualized Education Program	Educational program that contains a written statement for a child age 3 through 21 with a disability that is developed, reviewed, and revised in accordance with the regulations and through which the child receives a FAPE.
IFSP	Individualized Family Service Plan	Educational plan that contains a written statement for a child ages birth through 2 with a disability that is developed, reviewed, and revised in accordance with the regulations and is utilized by the Infant-Toddler Program.
LEA	Local Educational Agency	Local school system. In North Carolina, public charter schools and state-operated programs are considered local educational agencies. In Part B, this term is used interchangeably with PSU.
LRE	Least Restrictive Environment	The IEP Team must consider educating a child with a disability in the least restrictive environment that is appropriate for that child.
Part B	Section of IDEA that regulates educational services to children with disabilities ages 3 through 21	The part of the Individuals with Disabilities Education Improvement Act that is the special education law for children ages 3 through 21.
Part C	Section of IDEA that regulates educational services to children with disabilities ages birth to 36 months	The part of the Individuals with Disabilities Education Improvement Act that is the special education law for children ages birth through 2 years of age.
Policies	NC Policies Governing Services for Children with Disabilities	IDEA Part B State Policies
PSU	Public School Unit	In Part B, this term is used interchangeably with LEA.
SEA	State Educational Agency	The SEA in North Carolina is the Department of Public Instruction.
TPC	Transition Planning Conference	With the approval of the family the CDSA convenes a conference with the family, and the PSU at least 90 days before the child's third birthday to discuss any services the child may receive from the PSU and may include other community programs offering services to young children.
TPM	Transition Planning Meeting	The TPM is the initial conversation with the family to discuss transition. The CDSA must ensure that the family is provided with their rights regarding transition and a transition plan must be developed with the family as part of their child's IFSP. This plan includes the individual steps to support transition to the PSU or other appropriate community programs. The TPM is to occur between ages 2 years, 3 months and 2 years, 5 months. This plan may be updated throughout the transition process.

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Document URLs in order of appearance

Individuals with Disabilities Education Act of 2004 (IDEA):

<https://sites.ed.gov/idea/>

North Carolina Policies Governing Services for Children with Disabilities (NC Policies)

<https://www.dpi.nc.gov/districts-schools/classroom-resources/exceptional-children/federal-regulations-state-policies>

Early Childhood Transitions in North Carolina: A Parent's Guide to the Infant-Toddler and Preschool Programs

<https://www.dpi.nc.gov/districts-schools/classroom-resources/exceptional-children/parent-resources>

IDEA Part B Federal Regulations

<https://sites.ed.gov/idea/statuteregulations/#regulations>

North Carolina Infant-Toddler Program (NC ITP) website

<https://www.ncdhhs.gov/itp-beearly>

PreK Child Find and Transition Calculator

<https://www.dpi.nc.gov/districts-schools/classroom-resources/exceptional-children/every-child-accountability-tracking-system-ecats/reporting>

Parent Rights & Responsibilities in Special Education: NC Notice of Procedural Safeguards
English

<https://www.dpi.nc.gov/parent-rights-handbook/download?attachment>

Spanish

<https://www.dpi.nc.gov/parent-rights-handbook-spanish/download?attachment>

Early Childhood Transition in North Carolina

<https://www.ncdhhs.gov/divisions/child-and-family-well-being/north-carolina-infant-toddler-program-nc-itp/families#MovingBeyondtheNCITP-4459>

DEC Recommended Practices

<https://www.dec-sped.org/dec-recommended-practices>

Federal IDEA Part C & Part B Transition Requirements for Late Referrals to IDEA

https://fpg.unc.edu/sites/fpg.unc.edu/files/resource-files/Timeline_for_late_referral.pdf

Federal IDEA Part C & Part B transition requirements for late referrals to IDEA Part C

https://ectacenter.org/~pdfs/topics/transition/Timeline_for_late_referral_accessible_version_2018-09-17.pdf