

**Part C to Part B  
Late Referral Transition Policy and Procedures**

*From Children's Integrated Services/Early Intervention  
To Early Childhood Special Education at age 3*



In compliance with federal IDEA Part C §303.209(b)(ii)(iii) Regulations and Vermont Special Education Rules 2360.5.8 (June 1, 2013), the AOE and AHS jointly developed the following late referral transition policy and procedures to implement when children are referred to Children's Integrated Services/Early Intervention (CIS/EI) within 90 days of their 3<sup>rd</sup> birthday.

**If a child is referred to CIS/EI fewer than 45 days of their third birthday:**

- CIS/EI is not required to conduct an evaluation, assessment or initial One Plan meeting for CIS/EI but must consider eligibility for other CIS support services.
- If a child may be potentially eligible for Part B/Essential Early Education (EEE) services, the regional CIS/EI, with parental consent, shall make a direct referral to the LEA where the child resides.

**If a child is determined eligible for CIS/EI services more than 45 days but less than 90 days before that child's third birthday:**

- The regional CIS/EI must provide transition notification as soon as possible to the LEA a where the child resides and that the child may be 'potentially eligible' (child demonstrates a 25% delay in one or more developmental areas) for Part B/EEE services at age three. CIS/EI must also notify Part C state office.
- The Part C state office will provide written notification as soon as possible to the SEA for all children determined eligible for early intervention services and who may be 'potentially eligible' for Part B services at age three.

**Best Practice Guidance:**

If a child is referred more than 45 days but less than 90 days before their third birthday, parental rights will be provided and family will be fully informed about the following Part C *and* Part B options that may address their child and family needs:

The family\* may:

- 1) Proceed with CIS/EI initial evaluation, and if eligible for Part C services as well as 'potentially eligible' for Part B services, convene a One Plan (IFSP)/Transition meeting and begin early intervention services **or**,
- 2) Proceed with Early Intervention services due to immediacy of needs and significant concerns about child's mental and/or medical condition. Develop an 'interim' One Plan (IFSP) and begin early intervention service as warranted. Team will discuss appropriateness of conducting Part C and/or Part B initial evaluation and eligibility determination **or**,
- 3) Proceed with referral to LEA. LEA must act on referral within **15 calendar days**. An education support team (EST) or other school based team will gather, process and review child's potential

eligibility for Part B services information and concerns e.g., reason for referral, developmental concerns, screenings, health records, etc. If warranted, the LEA will proceed with initial Part B special education evaluation. If child is determined eligible under Part B/EEE criteria, the LEA will convene an Individual Education Plan (IEP) meeting within 30 days of eligibility determination.

\*Due to limited time, a family may choose a direct referral to the school rather than pursuing an Early Intervention evaluation. There will be no requirement for a transition meeting and the school will identify the parent as the primary referral source.

**If a child is determined eligible for CIS/EI services more than 90 days before their third birthday:**

- The service coordinator will immediately inform the LEA and the Part C State office (informs the SEA) of a child who may be '*potentially eligible*' for Part B/EEE and proceed with Early Intervention Services.
- Transition requirements do not change but teams may choose to hold the One Plan Meeting and Transition meeting at the same time depending on individual cases and parental choice.