

Navigating Transition after Early Intervention Services: A Parent and Family Guide to Next Steps



Health & Human Services



NORTH DAKOTA
DEPARTMENT OF
PUBLIC INSTRUCTION



Table of Contents

Welcome Letter	1
What is Early Childhood Transition in North Dakota?	2
Important Terms	3
Transition Checklist	9
By the time my child is... ..	9
2 years, 4 months	9
2 years, 7 months	9
Between 2 years, 7 months and 2 years, 9 months	10
2 years, 9 months	10
3 years	11
Evaluation Protocol for Special Education Services	12
Evaluation Process with the LEA	12
Team Approach to the Evaluation Process.....	12
How Is My Child’s Evaluation Completed?	13
Questions to Ask During the Evaluation Process	13
What Happens Next?	14
The Individualized Education Program.....	14
IFSP and IEP: A Side-by-Side Comparison	14
Your Child’s Current Skills and Abilities	14
Goals & Outcomes	14
Family Input.....	15
Services & Supports	15
Where Services Are Provided.....	15
Progress Monitoring & Review	15
Coordination & Case Management.....	15
Parent Consent & Involvement	16
What Happens Next?	16
Understanding the Least Restrictive Environment (LRE)	16
How is Placement Decided?	16
What Could LRE Look Like for Children with Disabilities?	17
Where Should Services Be Provided?	17
Extended School Year Services (ESY).....	17

Summer Transition Meetings	17
Important Names and Contact Information	18
What Do I Want for My Child at Age Three?.....	19
Things I Want You to Know About _____	20
Options for My Child After Three Years of Age	21
Early Childhood Special Education Services (Part B-619 of IDEA).....	21
Re-Determination for Developmental Disabilities Case Management	21
Parent-to-Parent and Family Support	22
Community Transition Options and Resources to Consider	23
IDEA Part C Dispute Resolution Process.....	25
IDEA Part B Dispute Resolution Process.....	25
NOTICE OF NON-DISCRIMINATION	26
NORTH DAKOTA DEPARTMENT OF HEALTH AND HUMAN SERVICES	26
<i>Civil Rights</i> Complaint Form SFN 143 (387kb pdf)	27
Appendix A.....	29

Welcome Letter

Dear Families,

Welcome to the Parent and Family Guide to Early Childhood Transition. This guide is intended to be a parent resource that explains the early childhood transition process. You will learn about what transition means, the potential transition options for your child after he or she turns three years of age, what happens at your child's transition meetings and more. This guide is intended to provide an outline of the transition activities, timelines, and recommended practices as you walk through the process of exiting early intervention services.

Change is a part of life and "transition" means changing from one place, stage of life, or relationship to another. Your child will go through many transitions but this stage of life can be a big step for families as they explore the options ahead. Our North Dakota early childhood professionals are highly skilled experts in the transition process.

We encourage you to ask questions, share concerns, and seek support when needed throughout your child's transition out of early intervention services. We are grateful for the team of North Dakota early childhood professionals and family members that created the information in this guidebook to help your family through the transition process. We wish you success and joy in your journey.

Best wishes,

Part C

Developmental Disabilities Division

State of North Dakota Health and Human Services

Part B/619 Early Childhood Section

State of North Dakota Health and Human Services & North Dakota Department of Public Instruction, Office of Specially Designed Services

What is Early Childhood Transition in North Dakota?

- Your child's life will be marked by several significant transitions. Transitioning out of early intervention is the process of changing programs, services, supports and personnel when your child turns three years old. Your family will have many decisions to make regarding your child's future. Federal and State laws and policies exist to ensure children receive a smooth transition from early intervention services.
- At every Individualized Family Service Plan (IFSP) meeting, you will talk about any transition questions or concerns. Feel free to reach out to your early interventionist or service coordinator (Developmental Disabilities Case Manager) as well.
- Transition to early childhood special education or community supports must happen by the child's third birthday. Planning steps at IFSP meetings before the child turns two, at 2 years and 7 months, and at 2 years and 9 months should prepare for the development of an Individualized Education Program (IEP) to support the child's special education needs at age three, if eligible.
- In North Dakota, early intervention covers children ages birth through age three who are eligible under Part C of the Individuals with Disabilities Education Act (IDEA). Part C focuses on helping your family meet the developmental needs of your child. This is provided in your child's natural environments and their services are defined in the Individual Family Service Plan (IFSP). Part C is under North Dakota Health and Human Services.
- From age three until your child enters kindergarten, they may be eligible for Special Education services under Part B, Section 619, of IDEA. Eligibility for Part B is different than eligibility for Part C. Part C teams create an IFSP, while Part B teams create an IEP which contains goals, objectives, and services that will address your child's needs. Part B, Section 619 services and eligibility guidelines are administered jointly with the North Dakota Department of Public Instruction (NDDPI). The NDDPI website contains information for families about special education services.
- While your child may qualify for an Individualized Education Program (IEP) through your local school district, they may not meet the eligibility criteria for other services, such as ongoing developmental disability case management. To ensure a smooth transition for your child and family, it is essential to engage in proactive planning,

including exploring and identifying community resources that can provide support in the event of ineligibility for specific services.

In this guidebook, service coordinator is the term used in place of developmental disability program manager.

Important Terms

Many terms have different meanings across states and programs. The following, to the maximum degree possible, follow federal definitions. You will find these terms throughout this guide. Click any word that is underlined throughout the guide, and it will take you to the definition on this page.

2 year, 7 month meeting- A meeting that takes place when your child reaches 2 years, 7 months of age. Participants include you, the school program (LEA) representative(s), early intervention, and your service coordinator. The purpose of this meeting is to begin to share information about the needs of your child and to formalize the next steps that will be necessary to complete prior to determining eligibility for early childhood special education services. If you have opted out, this meeting will still take place with your early interventionist and service coordinator.

2 year, 9 month meeting- A meeting will be held when your child reaches this age to discuss your child's eligibility for early childhood special education services and re-determination for developmental disabilities program management. This meeting is held to meet the LEA responsibility for completing the initial evaluation within 60 calendar days after parents provide consent for evaluation. If you decide to Opt Out, you will still have this meeting but discuss your child's final transition plan out of early intervention services and DD Case Management.

Case Manager (Special Education Services): Local school policies and procedures identify the case manager who arranges and convenes IEP meetings, maintains contact with parents, gathers information from team members, and prepares and distributes the finalized document. Typically, a special education provider is assigned case management responsibility. However, other people may fulfill that role including building administrators, counselors, general education personnel, or related services.

Child Find: A component of IDEA that requires the State to have policies and procedures to ensure that all children with disabilities residing in the State who need special education and related services are identified, located, and evaluated.

Civil Rights: The legal protections that ensure all individuals, including parents, have equal access to opportunities, services, and protections without discrimination.

Developmental Disability (DD): A substantially limiting physical or mental impairment that affects basic life activities such as hearing, seeing, speaking, walking, caring for oneself, learning, or working.

Due Process: The legal principle that guarantees fair procedures and protections before the government can deprive an individual of life, liberty, or property.

Early Childhood Special Education (ECSE): Individualized services to eligible 3–5-year-old children with an identified disability according to North Dakota guidelines. Children receiving services through the program have been identified as meeting criteria in one or more areas of disability. You can learn about the disability categories on the North Dakota Department of Public Instruction ([NDDPI](#)) website under the Special Education section. A Parent Guide to Special Education can also be found on the [NDDPI](#) website.

Early Intervention (EI): A collection of services provided by public and private agencies and designed by law to support eligible children and families in enhancing a child's potential for growth and development from birth to age 3. In North Dakota, early intervention includes Developmental Disabilities Program Management and Infant Development.

Extended School Year (ESY): The delivery of special education and related services provided during the summer vacation or other periods when school is not in session. The purpose of ESY services is to assist a child with a disability in maintaining skills that allow continued placement in the least restrictive environment. The IEP team must consider the need for the Extended School Year annually and must describe those services specifically with goals and objectives. Not all children who qualify for an IEP require an extended school year. Extended school year services must be individually determined by the IEP team.

Free and Appropriate Public Education (FAPE): An Individualized Education Program that is designed to meet the child's unique needs and from which the child receives educational benefit. The special education services must be at no cost to the family.

Head Start: A federal program started in 1965 aimed at providing a comprehensive preschool program for children ages three to five from low-income families. Planned

activities are designed to address individual needs and to help children attain their potential in growth and mental and physical development before starting school. Ten percent of enrollment is required for children with disabilities.

<http://www.acf.hhs.gov/programs/ohs/>

Health Insurance Portability Accountability Act (HIPAA): Federal law that outlines the confidentiality and protection of medical records.

<http://www.hhs.gov/ocr/privacy/hipaa/understanding/index.html>

High Risk: Means a child who has a diagnosed physical or mental condition and has a high probability of becoming developmentally delayed or who, based on informed clinical opinion and documented by evaluation data, has a high probability of becoming developmentally delayed.

Individuals with Disabilities Education Improvement Act (IDEA, 2004): The federal law that provides the legal authority for early intervention and special education services for children birth to age 21. Part B outlines services for children ages 3 to 21. Part C outlines services for children birth to age 3. <http://idea.ed.gov/>

Individualized Education Program (IEP): The IEP is the result of a process that is essential to ensure that individuals with disabilities have appropriate educational planning to accommodate a child's unique instructional needs, and that these needs are met in an appropriate learning environment. It is required by the Individuals with Disabilities Education Improvement Act (IDEA) for all children eligible for special education and related services.

IEP Team: The IEP team is made up of the child's parents/legal guardian, special education teacher, a general education teacher, and a representative of the LEA. Other team members may include related service providers, professionals who evaluated the child and others with knowledge or special expertise regarding the child. The members of the team develop the initial IEP and meet annually or as requested by parents to review progress and make necessary changes to the plan.

Individual Family Service Plan (IFSP): The written document that defines the early intervention services provided to the child (age birth to 3) and family. The program is designed to meet the needs of the child and the family and is based on family-identified priorities.

Joint Prior Notice: An invitation and notice of your child's scheduled transition planning meeting.

Least Restrictive Environment (LRE): The educational setting that allows children with disabilities to learn alongside their peers without disabilities to the greatest extent possible while meeting their individual needs. In North Dakota, placement decisions can look different depending on the availability of community program options for children ages 3-5.

Local Education Agency (LEA): A public school district operating in accordance with statutes, regulations, and policies of the State of North Dakota.

Local Education Agency (LEA) Notification: A document that is sent to your local education agency/local school district by the time your child is 2 years 6 months, unless you choose to opt out.

Mediation: A voluntary and confidential process in which a neutral third party helps disputing parties reach a mutually agreeable resolution.

Natural Environment: The natural or everyday settings for the child (i.e. home, childcare, parks, etc.).

Non-Categorical Delay (NCD): An eligibility option that may be used when a disability is not clearly identified, but delays are evident when going through the transition process with your LEA. This option may be used for ages three through nine.

North Dakota Department of Health and Human Services (NDDHHS): This agency manages a variety of programs and is responsible for Developmental Disability Services which include Autism Waiver services, Developmental Disabilities provider licensing, Developmental Disability Waiver services, Family Support, and Infant Development services. <https://www.hhs.nd.gov/>

North Dakota Department of Public Instruction (NDDPI): This state agency enforces state statutes and federal regulations related to the establishment and maintenance of public schools and related programs. <https://www.nd.gov/dpi/>

Office of Special Education Programs (OSEP): OSEP is an office in the US Department of Education responsible for the implementation of early intervention and

special services as defined by the Individual's with Disabilities Education Act (IDEA). This office focuses on improving results for infants, toddlers, children and youth with disabilities ages birth through 21 by providing leadership and financial support to assist states and local districts.

Opt Out (Not moving forward with ECSE): The right to opt out of having the LEA informed that your child will be turning 3 years of age.

Part B/619: A federal grant program that provides supplementary grants to states for early childhood programs for children with disabilities ages 3–5. The program's goal is to ensure that all preschool-aged children with disabilities receive free appropriate special education and related services in their least restrictive environment.

Part C of IDEA: The Program for Infants and Toddlers with Disabilities is a federal grant program that IDEA assists states in operating a comprehensive statewide program of early intervention services for infants and toddlers ages birth–2 with disabilities and their families.

Prior Written Notice of Special Education Act: Prior Written Notice requires the school to send written explanations of any proposed changes in your child's educational plan. Prior Written Notice also requires the school to send a written notice if the school denies a parent request.

Procedural Safeguards: Legal protections under IDEA that ensure the rights of children with disabilities and their families are upheld in the special education process.

Related Services: Transportation and such developmental, corrective, and other supportive services determined by an IEP team as required to assist a student with a disability to benefit from special education. Such services could include speech-language pathology; audiology services; interpreting services; psychological services; physical and occupational therapy; recreation, including therapeutic recreation; early identification and assessment of disabilities in children; counseling services, including rehabilitation counseling; orientation and mobility services; and medical services for diagnostic or evaluation purposes. The term also includes school health services and school nurse services; social work services in schools; and parent counseling and training.

Screening: The process of looking at a child's development to find out if there are any areas of concern. It is used to recommend children for more in-depth evaluation.

Section 504 of the Rehabilitation Act: A federal law that protects the civil rights of individuals with disabilities. This law is closely intertwined with IDEA. Children with

disabilities who are not eligible for special education may qualify for accommodation under Section 504.

<https://www.hhs.gov/civil-rights/for-individuals/disability/section-504-rehabilitation-act-of-1973/index.html>

Service Coordination (Developmental Disabilities Program Management): This document refers to Developmental Disabilities Program Managers as Service Coordinators. The purpose of Service Coordination is to provide information, referral, and support to eligible individuals so they can access needed services and achieve agreed upon, identified outcomes. DD Program Management provides a connection between individuals with disabilities and the system of public-funded and generic services, and supports and promotes services that meet reasonable standards of quality that lead to outcomes for individuals. The service coordinator has primary responsibility to facilitate the integrated delivery of all services and supports the individual is receiving.

Special Education: Specially designed instruction, at no cost to the parents, to meet the unique needs of a student with a disability.

Special Education Unit: In North Dakota, each public school district is connected to a Special Education Unit that provides oversight of special education services. Each unit has a designated Special Education Director. A current list of each director can be found on the NDDPI website under Special Education.

State Education Agency (SEA): The ND Department of Public Instruction or other agency responsible for the State supervision of public elementary and secondary schools.
<https://www.nd.gov/dpi/>

Transition: The movement from one service, location, or program to another. Young children with disabilities may transition at age 3 from early intervention to early childhood special education services. Children may transition at age 5 from early childhood special education services to a public school or kindergarten program.

Transition Checklist

Use this checklist to help guide you through the transition process. Please note that not all items may be relevant to you and your child as you transition out of early intervention.

By the time my child is...

2 years, 4 months

- ☐ I have received my Parent Guide.
- ☐ I have discussed with my early interventionist and service coordinator the options for transition after the age of 3, including early childhood special education, community options, etc.
- ☐ My service coordinator discussed eligibility re-determination of Developmental Disabilities Program Management and provided me with my rights and procedural safeguards. (Between 2 years, 4 months and 2 years, 9 months)

2 years, 6 months

- ☐ Myself, my child, my early interventionist and service coordinator continue to discuss community options for my child after they turn 3 and have set up visits.
- ☐ My early interventionist and service coordinator have shared the opt out form and informed me that we have 10 days to decide if we want to opt out.
- ☐ My child's 2 year, 7 month Transition Planning Conference will be scheduled.
- ☐ I have received a Joint Prior Written Notice from my early interventionist.
- ☐ My service coordinator discussed eligibility re-determination of Developmental Disabilities Program Management and provided me with my rights and procedural safeguards. (Between 2 years, 4 months and 2 years, 9 months)

2 years, 7 months

- ☐ Myself, my child, my early interventionist and service coordinator continue to discuss community options for my child after they turn 3 and have set up visits.
- ☐ A transition plan in my child's IFSP has been developed with services and steps.
- ☐ 2 year, 7 month Transition Planning Conference is held to (this meeting will be held whether you opt out of school services or not):
 - Review your rights,
 - Discuss eligibility criteria and requirements for special education services,
 - Review your child's current assessments and IFSP,
 - Update your child's IFSP goals, and
 - Determine the need for additional assessments or information about your child and schedule assessment time with the school if necessary.

- ☐ My service coordinator discussed eligibility re-determination of Developmental Disabilities Program Management and provided me with my rights and procedural safeguards. (Between 2 years, 4 months and 2 years, 9 months)

Between 2 years, 7 months and 2 years, 9 months

- ☐ Myself, my child, my early interventionist, and service coordinator continue to discuss community options for my child after they turn three and have set up visits.
- ☐ My local school district has scheduled my child's assessment date and time.
- ☐ I have signed a consent form with my local school district to begin the evaluation process.
- ☐ My child's local school district evaluation has been completed.
- ☐ My child's team has begun to implement their outcomes from the transition plan in the IFSP.
- ☐ My child's next transition meeting, the 2-year 9-month Transition Planning Conference will be scheduled by my local school district.
- ☐ I have received a Joint Prior Written Notice from my local school district.
- ☐ My service coordinator discussed eligibility re-determination of Developmental Disabilities Program Management and provided me with my rights and procedural safeguards. (Between 2 years, 4 months and 2 years, 9 months)

2 years, 9 months

- ☐ Re-determination for potential eligibility for continued developmental disabilities services will have been completed by my service coordinator and discussed with the transition team.
- ☐ 2-year 9-month Transition Planning Conference is held to:
 - Share DD program management results with you and your transition team.
 - Determine eligibility for special education services through your local school district.
 - Update the transition plan in your child's IFSP, including documenting the steps and services for your child.
- ☐ If my child is determined eligible for special education services through my local school district, an Individualized Education Program (IEP) meeting is held or scheduled within 30 days from the eligibility meeting.
 - If I want my child's early interventionist, service coordinator, or any other service provider present, I will need to verbally consent.
 - At the IEP meeting the team will:
 - Review my parental rights,
 - Develop the initial IEP, and
 - I will sign to accept or decline consent for initial placement in special education services.

- ☐ If my child is not determined eligible for special education services through my local school district, revisit other community options with my child's service coordinator and early interventionist.

3 years

- ☐ If my child is determined to be eligible, they will receive special education services through my local school district.
- ☐ If opted out or not eligible, they will follow their plan outlined in the IFSP which could include other community supports and services.

Evaluation Protocol for Special Education Services

Evaluation Process with the LEA

If you opt in to go through the transition process, your child must be evaluated to determine if they qualify for early childhood special education. Eligibility for early intervention does not automatically carry over and having a specific diagnosis does not guarantee services.

The school district (LEA) is responsible for completing the evaluation but parents and early intervention staff are important partners in the process. The team will review existing information, including assessments, parent input, and the child's current IFSP to see if more information is needed. If so, they will work together to complete any additional evaluations. In some instances, your early intervention staff may supplement LEA staff with further evaluation information.

The plan might include a need to complete an assessment(s) or an observation(s) in the following areas of a child's development:

- Hearing and vision; health and medical history; developmental history; cognition; expressive and receptive language; gross motor; fine motor; self-help; social emotional and behavioral; assistive technology; environmental influences; and other specific assessments if necessary.

The NDDPI Office of Specially Designed Services provides a guide with the evaluation process: Parent Guide to Special Education

Team Approach to the Evaluation Process

In addition to family members and early intervention staff, a team of professionals—such as a special education teacher, speech therapist, occupational therapist, or physical therapist—will work together to plan the evaluation. This team will review what is already known about your child and decide if more information is needed to create a clear and meaningful evaluation plan.

The school district (LEA) is responsible for completing a full evaluation to determine if your child qualifies for special education services. Sometimes, this is done **as a team effort** with early intervention staff.

There are different ways to conduct the evaluation:

- **Joint Assessment** – Early intervention and school staff both complete assessments.

- **Interdisciplinary Assessment** – Each professional uses their own tools and expertise, but they work together to make decisions.
- **Arena (Transdisciplinary) Assessment** – The whole team observes the child in different activities to understand their strengths and needs.

The evaluation approach is chosen based on what will give the most complete picture of your child's abilities and needs. The team will work together to gather and review all information to help determine the right support for your child.

How Is My Child's Evaluation Completed?

The evaluation process gathers important information about your child's development. This may include:

- **Observing your child** with parents, teachers, or other children
- **Reviewing records** from early intervention or medical providers
- **Individual evaluations** with a teacher or specialist
- **A team evaluation** where multiple professionals assess your child together
- **A parent checklist** to share your observations and concerns
- **A medical evaluation**, if needed
- **Screening results** from previous assessments

Questions to Ask During the Evaluation Process

1. What tests or activities will be done, and why?
2. What does the team hope to learn about my child?
3. What will I learn about my child?
4. How long will the evaluation take?
5. Where will it happen?
6. How can I support my child during the process?
7. Who will be involved in the evaluation?
8. How will the team collect and use the information?

What Happens Next?

Evaluation appointments will be scheduled at times and locations that work for your family. To help your child do their best, make sure they are well-rested and have eaten before the appointment.

During the process, you'll have the chance to ask questions and share important information about your child's daily routines, strengths, and areas where they may need support.

This is also a great time to start exploring different early childhood settings and services your child might receive after turning 3. Early intervention and school staff can help set up visits and guide you through the next steps.

The Individualized Education Program

The Individuals with Disabilities Education Act (IDEA) has established the Individual Family Service Plan (IFSP) as the structure for planning child and family outcomes and services for infants and toddlers with disabilities. Under the same IDEA, the Individualized Education Program (IEP) provides the structure for planning and implementing goals and services for children with disabilities starting with services at the age of 3.

When your child receives early intervention (Part C) they will have an IFSP written. If your child qualifies for special education services (Part B), they will have an IEP written. These plans outline the support your child will receive.

The chart on the next few pages shows a side-by-side comparison of an IFSP vs. IEP.

IFSP and IEP: A Side-by-Side Comparison

Your Child's Current Skills and Abilities

IFSP	IEP
Describes your child's current development in areas such as physical, cognitive, communication, social/emotional, and adaptive skills.	Includes how your child's disability affects their learning and participation in school activities in the same areas of development.

Goals & Outcomes

IFSP	IEP

Focuses on developmental goals for your child and family, with activities to help achieve them.	Sets measurable, annual, academic and functional goals to support learning and participation in school.
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Family Input

IFSP	IEP
Consider your family's priorities, strengths, and concerns in your child's development.	Requires the <u>IEP team</u> to consider parents' input about their child's needs and progress.

Services & Supports

IFSP	IEP
Details <u>early intervention</u> services your child and family will receive.	Lists special education services, supports, and accommodations for school success.

Where Services Are Provided

IFSP	IEP
Services are often in <u>natural environments</u> like home or daycare, with justification if otherwise.	Placement must be in the <u>Least Restrictive Environment (LRE)</u> , meaning as much time as possible with typically developing peers.

Progress Monitoring & Review

IFSP	IEP
Reviewed regularly to adjust goals and services as needed.	Progress toward goals is tracked, and parents receive regular updates.

Coordination & Case Management

IFSP	IEP
Managed by a <u>service coordinator</u> to help with referrals and services.	Overseen by a special education <u>case manager</u> , with additional community support if needed.

Parent Consent & Involvement

IFSP	IEP
Parents must provide written consent before services start.	Parents sign to acknowledge participation in the meeting. Written consent is required for initial services.

Both plans are designed to support your child's development and learning. Your involvement is key in shaping these services to best meet your child's need

What Happens Next?

Preparing for transition can involve visiting new settings, meeting new people, completing enrollment information, and talking about the transition with the child. Riding the bus might be a new challenge to practice, or learning the names of new service providers might help the child get ready. Early intervention services will continue, at your discretion, until your child turns 3.

Understanding the Least Restrictive Environment (LRE)

When a child qualifies for early childhood special education services, the IEP team decides where those services will take place. By law, children must receive services in the **Least Restrictive Environment (LRE)** meaning they should learn and play alongside children without disabilities to the maximum extent possible.

How is Placement Decided?

- A child's disability should **not** determine where services are provided.
- The IEP team considers the child's strengths, needs, and current abilities to decide the best learning environment.
- Not every child who qualifies for an IEP receives the same amount or types of services in the same location. Decisions about services and placement are made by a team based on data, family input, and considerations of local programming options such as Head Start, early childhood special education programs, childcare, drop-in services or home and community settings.

What Could LRE Look Like for Children with Disabilities?

- The IEP team should consider a continuum of placement options where the child can access their special education services.
- The child may need extra support, such as:
 - Special training for teachers,
 - Changes to the classroom setup, and/or
 - Special materials or tools to help them learn.

Where Should Services Be Provided?

Unless the IEP team determines otherwise, the services should be:

- As close to home as possible,
- In the same setting the child would attend if they didn't have a disability, and
- Based on what works best for the child's needs.

The goal is to help children learn in an inclusive environment while providing the right support to help them succeed.

Extended School Year Services (ESY)

- If a child with a disability turns three during the summer, they do not automatically receive services over the summer. However, if the IEP team determines that Extended School Year services (special education and related services provided when school is not in session) are necessary for the child to maintain their current skill level, the school district (LEA) must provide them.
- If ESY is **not needed**, services will begin at the **start of the new school year**.
- For more details, visit **ND DPI Office, Office of Specially Designed Services** at <https://www.nd.gov/dpi/>.

Summer Transition Meetings

- Your team will need to work closely when your child's transition planning meetings occur in the summer or shortly before the end of the school year.
- Your EI provider and LEA will have procedures in place to ensure that the necessary transition planning meetings are met according to the timelines described for meetings at age 2 years 7 months, 2 years 9 months, and the development of the IEP (if your child qualifies).

Important Names and Contact Information

You might wish to keep a list of important contacts on your child's transition team here:

[illegible]

What Do I Want for My Child at Age Three?

As you and your child prepare to transition from early intervention services, it is time to think about where your child will be at 3. Each community in North Dakota offers different options for children aged 3 through 5. Begin to explore the transition options in your community. Feel free to reach out to your early interventionist or Developmental Disabilities Program Manager to assist with options in your community.

Important Health Information About My Child:

How does my child learn best?

What support do I already have for my child after they turn three?

What support do we need after our child turns three?

What are my hopes and dreams for my child?

Things I Want You to Know About

Strengths

Challenges

Likes/Interests

Dislikes

Options for My Child After Three Years of Age

When your child turns 3, there are several options available for their continued support and growth. If you choose to go through the eligibility processes for any of the programs listed below, your early interventionist and service coordinator will be there to help you every step of the way. Additionally, there are community programs that your child could possibly transition to at age 3. Keep in mind that eligibility for these programs is based on specific qualifications and is not guaranteed.

To help you prepare, use the template below to explore and list other options that might be available for your child when they turn 3.

Early Childhood Special Education Services (Part B-619 of IDEA)

For children aged 3 through kindergarten, the North Dakota Department of Public Instruction in partnership with The Department of Health and Human Services, offers guidance and oversight of special education services through local school districts. If your child is eligible, they could qualify for:

- Early Childhood Special Education
- Other Related Services

Eligibility for these services is a team decision, based on specific criteria and assessments completed by skilled evaluators. Services may look different for each child, depending on their unique needs and the community programming options.

Re-Determination for Developmental Disabilities Case Management

If you want to continue receiving Developmental Disabilities Program Management after your child turns 3, your child will need to go through a re-determination of eligibility as the criteria for eligibility changes for anyone over age 3. The service coordinator (Developmental Disabilities Program Manager) will be able to provide information about the eligibility criteria. If you elect to go through a re-determination of eligibility, your child's service coordinator will provide you information about your child's continued eligibility and you will receive a decision letter by mail, which will include information on how to appeal if you disagree with the decision.

It's important to know that eligibility for Early Childhood Special Education (Part B) and service coordinator are separate. Your child might qualify for one and not the other. If further testing is needed, the service coordinator helps you arrange it. If you decide not to pursue ongoing service coordinator, your early intervention team will explain the

implications. Without DD Program Management, your child won't have access to the Medicaid income and asset disregard, which can help with financial assistance for healthcare. You can reapply for Medicaid, but if your income and assets are too high, you might have to pay more out of pocket. It's a good idea to talk to the Human Service Center Zone eligibility worker about other available healthcare programs.

If your child is found eligible for continued DD Program Management your child will continue to receive DD Program Management and any additional waiver services without interruption.

If your child is not found eligible for continued DD Program Management after age 3, any additional support or services through the Home and Community-Based Waiver will end when your child turns 3. Your child's IFSP team members will help identify and explore other community, educational, and waiver options that may be available to your child.

Parent-to-Parent and Family Support

You may need additional resources during and after your child's transition at age 3. You may benefit from information and emotional support from parents who have had similar experiences and can assist you after your child turns 3.

Experienced Parent- Funded through the state of North Dakota. North Dakota Early Intervention has a network of Experienced Parents who can be matched with you at any time. However, their assistance decreases after early intervention services end, so it's important to have an alternate support network when your child turns 3. Talk to your service coordinator to find the nearest early intervention agency with an experienced parent.

Family Voices of North Dakota – www.fvnd.org – Federally and state funded. Established by families for families providing information around supporting children with special health care needs in all areas of their lives. In addition, Family Voices provides the North Dakota Parent-to-Parent Program and assists in matching families with other families around similar issues, interests, and concerns.

Pathfinder Services of North Dakota – www.pathfinder-nd.org – Funded through the federal Department of Education to provide parents with information and support around accessing special education services for their child.

Please refer to the website/QR code listed for additional parent support groups in the state of North Dakota or talk to your service coordinator or early interventionist for a regional list.



<https://www.pathfinder-nd.org/resource-agency.php>

Community Transition Options and Resources to Consider

This may look different in each community across the state depending on local availability. Below are federally and state funded agencies. Please talk to your early interventionist and service coordinator for more specific regional options.

- Childcare Aware of ND
 - <https://apps.nd.gov/itd/recmgmt/rm/stFrm/eforms/Doc/sfn00143.pdf>
- Early Head Start/Head Start
 - <https://www.nd.gov/dpi/education-programs/early-childhood-education/head-start>
- First Link: State Resource Finder
 - <https://myfirstlink.org/>
- Local children's museums
- Local library programming
- Local play groups
- Local and state art programs
- North Dakota Vision Services
 - <https://www.ndvisionservices.com/>
- North Dakota State University (NDSU) Extension Agency Family Programs & Parenting Classes
 - <https://www.ndsu.edu/agriculture/extension/programs/parent-education>
- ParentsLead
 - Provides support, resources, tools, and tips to parents and caregivers, in all shapes and forms.
 - <https://parentslead.org>
- Parent support groups- **see QR code for Pathfinder Services of North Dakota**
- NDSU Extension Agency – Parent and family training and support.
- Private preschools
- School for the Deaf/Hard of Hearing
 - <https://ndsd.nd.gov>
- North Dakota State Park Programs, City and Park Recreation Programs
 - <https://www.parkrec.nd.gov/>

Options in Our Community for _____

Use this page to list programs/services in your community:

Local School District Name: _____

Address: _____

Telephone: _____

Director of Special Education or Local School Contact:

Local early childhood agency and/or community programs:

<u>Agency/Program Name</u>	<u>Contact Person</u>	<u>Address/Phone Number</u>
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IDEA Part C Dispute Resolution Process

You may obtain dispute resolution forms as well as assistance in accessing any of the dispute resolution options, by contacting:

*North Dakota Health and Human Services
Developmental Disabilities, Part C State Office
1237 W. Divide Ave., Suite 1A
Bismarck, ND 58501-1208
Email: dhsddreq@nd.gov
Phone: 701.328.8930
Toll Free: 800.755.8529*

IDEA Part B Dispute Resolution Process

You may obtain dispute resolution forms as well as assistance in accessing any of the dispute resolution options, by contacting:

*Department of Public Instruction Office of Specially Designed Services
600 East Blvd. Ave. Dept. 201
Bismarck, ND
58505
Email: dpispecial@nd.gov
Phone: (701) 328-2277
Fax: (701) 328-4149*

NOTICE OF NON-DISCRIMINATION NORTH DAKOTA DEPARTMENT OF HEALTH AND HUMAN SERVICES

Discrimination means treating someone differently because of a particular characteristic such as race, color, sex, gender identity, sexual orientation, age, disability, or religion.

North Dakota Department of Health and Human Services (HHS) makes available all services and assistance without regard to race, color, sex, gender identity, sexual orientation, age, disability, national origin, religion, or status with respect to marriage or public assistance. For programs funded by the U.S. Department of Agriculture (USDA), HHS also makes services and assistance available without regard to political beliefs. These laws must be followed by persons who contract with or receive funds to provide services for HHS, including the state's eight regional Human Service Centers, the State Hospital, the Life Skills and Transition Center, and Human Service Zone offices.

The policies of HHS also require that:

You are given the chance to apply for assistance or services, or both.

The same eligibility standards apply to you as apply to others in similar situations.

In accordance with Federal law, the U.S. Department of Health and Human Services (US HHS) policy, and North Dakota state law, HHS is prohibited from discriminating on the basis of race, color, sex, including gender identity and sexual orientation, age, disability, national origin, religion, or status with respect to marriage or public assistance. In accordance with the USDA, HHS is also prohibited from discriminating against political beliefs or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by the USDA.

What do I do if someone has discriminated against me?

You may file a written complaint if you believe you have been discriminated against because of race, color, sex, including gender identity and sexual orientation, age, disability, national origin, religion, or status with respect to marriage or public assistance, in accordance with Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, the Age Discrimination Act, the Americans with Disabilities Act, and the North Dakota Human Rights Act, or if you believe you have been discriminated against because of your political beliefs, in violation of USDA policy.

Civil Rights Complaint Form SFN 143 (387kb pdf)



<https://apps.nd.gov/itd/recmgmt/rm/stFrm/eforms/Doc/sfn00143.pdf>

The Civil Rights Attorney and Civil Rights Officer work together to prevent and eliminate discrimination against individuals in the delivery of programs and services administered and supervised by HHS and to make all programs and activities accessible to people with disabilities.

Where do I file a complaint?

Persons who need accommodations or have questions related to discrimination and the delivery of human services may contact any of the following offices. Written complaints may be filed with your local Human Service Zone or any of the following:

Legal Division

*Department of Health and Human Services
600 E. Boulevard Ave, Dept 325
Bismarck, ND 58505-0250
Phone: (701) 328-2311 or 1-800-472-2622
TTY: 711
Fax: (701) 328-2173
Email: dhslau@nd.gov*

U.S. Department of Health & Human Services

*Office for Civil Rights, Region VIII
1961 Stout Street, Room 1185
Denver, CO 80294-3538
Phone: 1 (800) 368-1019
TTY: 1 (800) 537-7697
Fax: (202) 619-3818
Email: ocrcomplaint@hhs.gov*

Central Case Management Operations

U.S. Department of Health & Human Services

200 Independence Avenue SW
Room 509-F HHH Bldg.
Washington, DC 20201
Phone: 1 (800) 368-1019
TTY: 1 (800) 537-7697
Fax: 202-619-3437
Email: ocrcomplaint@hhs.gov

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue SW STOP 9410
Washington, DC 20250-9410
Phone: 1 (866) 632-9992
TTY: 1 (800) 877-8339
Fax: (202) 690-7442
Email: program.intake@usda.gov

State and local agencies are required to comply with the North Dakota Human Rights Laws that prohibit discrimination based on "status with respect to marriage or public assistance." Federal agencies are not required to investigate complaints based on the North Dakota Human Rights Laws.

Under USDA policy, discrimination is also prohibited on the basis of political beliefs.

When should I file a complaint?

The complaint must be filed within 180 days of the incident. Include in your complaint the nature of the discrimination, where and when it took place, who discriminated against you, and all other important facts. Remember to date the form and sign your name.

What happens when I file a complaint with the HHS Program Civil Rights Office?

The HHS Civil Rights Office will determine if the nature of the complaint is within its jurisdiction. If the complaint is within the jurisdiction of the agency, an investigation will be conducted, and you will know the outcome of the complaint within 60 business days of when it was filed. If the complaint is not within the jurisdiction of the agency, you will receive a letter. If you file your complaint with another agency, they will notify you according to their policies.

Appendix A

What is the difference between Part C Services and Part B/619 Services?

	Part C IDEA- Early Intervention Program	Part B/619 IDEA- <u>Early Childhood Special Education</u> Services
State Lead Agency	ND Department of Health and Human Services, Developmental Disabilities Unit, Part C Office	Joint Supervision between the ND Department of Public Instruction, Office of Specially Designed Services & <u>NDHHS</u> , Early Childhood Section
Local Lead Agency	Regional Human Service Centers, Infant Development	• <u>Local Education Agency (LEA)</u> i.e. Local Public School District
Ages of Children Served	• Children, ages birth through age two with disabilities.	• Children, ages three through twenty-one years with disabilities.
Eligibility Criteria	• Infant and toddler services are available for children who have a developmental delay or are at risk of one. • Young children who show signs of delay or have a high chance of developing one may receive support and services to help meet their needs. • “<u>High Risk</u>” means a child who has a diagnosed physical or mental condition and has a high probability of becoming developmentally delayed or who, based on informed clinical opinion and documented by evaluation data, has a high probability of becoming developmentally delayed. • “Developmentally delayed” is defined as performing 25 percent below age norms in two	• Based on results from the initial evaluation process, eligibility for <u>early childhood special education</u> services may be determined in the following categories: ○ Autism ○ Deaf-Blindness ○ Deaf or Hard of Hearing ○ Other Health Impairment ○ Orthopedic Impairment ○ Speech or Language Impairment ○ Visual Impairment (including blindness) ○ Traumatic Brain Injury ○ Intellectual Disability ○ Emotional Disability ○ Specific Learning Disability • For younger children in North Dakota, a “<u>Non-</u>

	or more of the following areas: ○ cognitive development ○ gross motor development ○ fine motor development ○ sensory processing ○ communication development (receptive or expressive) ○ social or emotional development ○ adaptive development • Or who is performing 50 percent below age norms in one of the following areas: ○ cognitive development ○ physical development (including vision and hearing) ○ communication development (including receptive and expressive) ○ social or emotional development ○ adaptive development	<u>Categorical Delay” (NCD)</u> eligibility option may be used when a disability is not clearly identified, but delays are evident. ○ This option may be used for ages 3 through 9. • Additional information is located at: <u>Special Education</u>
Individualized Plans	• <u>Individualized Family Service Plan (IFSP)</u>: The IFSP identifies outcomes and strategies to address family focused concerns, priorities, and resources. ○ Services are designed to be provided in <u>natural environments</u> and to support the child in their daily activities.	<u>Individualized Education Program (IEP)</u>: The IEP is based on the child’s present level of academic and functional performance. ○ Goals are developed to meet the educational and functional needs of the child. ○ <u>Related services</u> needed, adaptations, and modifications are identified and services in the <u>least restrictive environment</u> are determined. ○ The IEP must reflect information from many sources such as parent input, the child’s current IFSP, the child’s interests and abilities, and a comprehensive evaluation.
Family Involvement	• The IFSP outlines the <u>early intervention</u> services for the child and family based on the needs of both child and family.	• Parents or educational guardians are partners in making decisions. • The team must consider the information they provide

		regarding their child. The <u>IEP</u> is the program for the child's <u>special education</u> and <u>related services</u>.
Primary Contact	A Developmental Disabilities Program Manager (DDPM) from the regional Human Service Center will be assigned to coordinate services with the family.	A representative from the <u>Local Education Agency (LEA)</u> is the IEP <u>Case Manager</u>.
Coordination of Services	<u>Service coordination</u> is provided as a component of <u>early intervention</u> services and is also called Developmental Disabilities Program Management (DDPM) in North Dakota.	- IEP case management is provided by the <u>LEA</u> to ensure provisions of the <u>IEP</u> are coordinated as stated in the <u>IEP</u>. - Parents may need to be active in coordinating services between agencies and community programs. - Some students may continue to receive services through Developmental Disabilities Program Management through the ND Department of Health and Human Services.
Where Services Are Provided	Services are provided in "<u>natural environments</u>" e.g. in the home and community, in order to enhance the child's natural learning opportunities within daily routines and activities of the child and family.	<u>Special education</u> and <u>related services</u> are to be provided in the "<u>least restrictive environment</u>" (<u>LRE</u>) and to the extent appropriate with children who do not have disabilities. - These placement options may include <u>Head Start</u>, private community programs, early childhood programs, childcare and/or home services.
Costs for Services	A child's eligibility for DD Program Management services means some services may be provided without costs to the family.	- Federal law (<u>IDEA</u>) mandates the right for children with disabilities to a <u>free and appropriate public education</u> (FAPE) funded by the public school through a combination of federal, state, and local funding. <u>Special education</u> and <u>related services</u> are services that are determined through the <u>IEP</u> process by the child's <u>IEP team</u>.
<u>Transition</u>	<u>Early intervention</u> personnel are required to provide a <u>transition</u> conference as part of overall	<u>Local Education Agency (LEA)</u> personnel are required to participate in the Transition Planning Conference

	<u>transition</u> planning with families for children exiting from <u>early intervention</u> programs. • The schedules and timelines for each activity required in <u>transition</u> are provided in this guide. • <u>Transition</u> planning must address program options, child and family preparation, the transfer of records, and referrals that should be made for future services.	when they have been invited by the <u>early intervention</u> program for a child who may be eligible for special education and <u>related services</u>. • Their participation is prior to the actual <u>transition</u> and should support ongoing planning activities. • The <u>LEA</u> is required to provide assistance to assure the <u>transition</u> is a smooth process for the child and the family.
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