

Transition FAQs

Q: During the transition process from Part C to Part B, what procedures should be utilized for children who are in need of the 3 year re-evaluation? Should Part C or Part B Notice/Consent and evaluation procedures be followed in this instance?

A: In this situation, the district would want to obtain a Notice/Consent for Part B evaluation. Below are examples of how to process this, dependent upon the “timing” of the 3 year evaluation and actual transition date:

1. If the child turns 3 in March and the 3 year evaluation is due by April 1st – and family had indicated they want the child to remain in EDN through August 31st, then the district will obtain Part B Notice/Consent for evaluation and will document in the MDT written report that the child remains eligible for EI services under Rule 52 and is eligible for Part B Special education services under Rule 51 (since B and C have the same eligibility criteria). This wording re: eligibility acknowledges that the child remains eligible to receive Part C/EDN services through August 31st and then will continue to be eligible for special education services upon transition.
2. If the child’s 3 year evaluation is due in late July or August (just prior to the August 31st transition date), then the district will again obtain Part B Notice/Consent for evaluation and will document in the MDT written report that the child is eligible for Part B Special education services under Rule 51. Since the timing of this is so close to the transition date, it is acceptable to just include Rule 51 eligibility criteria for special education services in the MDT report.

Q: Can an IEP be written for a child while they are still two years old, but would turn three before the IEP would begin on Sept. 1? For instance, if a child will have an IFSP review in June/July and turn three shortly after the review deadline, is it acceptable to develop the IEP at the same time?

A: It is acceptable, in this situation, to conduct both an IFSP meeting and an IEP meeting on the same date. Example: Child turns 3 on July 1st and the IFSP is due June 15th – family previously indicated in transition planning/conference that they want their child to remain in Part C services through August 31st. The June 15th meeting date may serve as both an IFSP meeting and the IEP meeting. However, the family must be provided 2 separate written notices prior to this meeting. One Notice will indicate that this will be an IFSP and (continued) Transition Conference/Planning meeting and will indicate the IFSP team members that will be present per Rule 52/480 NAC 3 requirements. The other Notice will indicate that this will serve as an IEP meeting and indicate the IEP team members that will be present per Rule 51 requirements. At the June 15th meeting, upon completion of updating/developing the IFSP, the IEP team can then draft the IEP document and note the start date as Sept. 1st.

Q: If a child will be three within 45 days of referral, does the PRT proceed with the IFSP process?

A: Best practice would be for the services coordination agency to accept the referral. The SC would meet with the family and thoroughly explain their options for Part B services at age 3 or having their child receive EI services and services coordination through August 31. Management of the referral would proceed according to the parents’ choice. If the parent chooses Part B services, a referral to the school district must be made by the SC, and the district would proceed within their regulatory timeframes for evaluation and IEP development. Part B services could not be provided, however, until the child turns 3.