



# **Technical Assistance for State Performance Plan (SPP) Indicator 12**

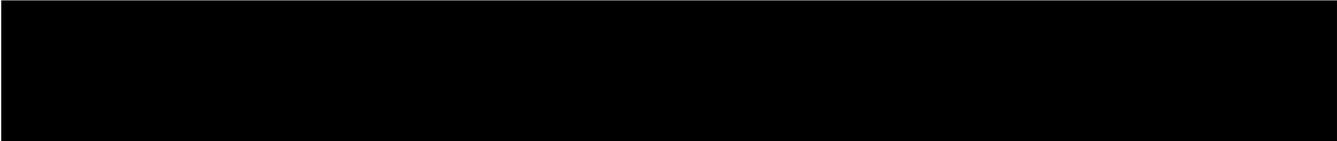
Early Childhood Transition

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Office of Special Education and  
Office of Early Childhood Development and Family Education





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This document is organized into four sections and an appendix. The first section discusses key concepts for improving district procedures and practices for Early Childhood Transition. The second section provides probe questions that district personnel should consider when analyzing district procedures and practices. The third section provides an overview of the requirements for the *Individuals with Disabilities Education Act* (IDEA) Part B Indicator 12 data collection. The fourth section lists resources related to Indicator 12. Finally, the appendix contains the pertinent state and federal regulations related to Early Childhood Transition.

For questions about Early Childhood Transition requirements related to the IDEA, contact Lisa Wasacz, Office of Great Start at [wasaczl@michigan.gov](mailto:wasaczl@michigan.gov).

## Part I: Key Concepts for Early Childhood Transition

### General

- The State Performance Plan (SPP) is a required element of the *Individuals with Disabilities Education Act* (IDEA) 2004. States must provide data and six-year improvement plans for specific performance indicators. Early Childhood Transition is one of these indicators.
- The IDEA requires that eligible children with established disabilities or developmental delays transition from Part C of the IDEA (known in Michigan as *Early On*®) to Part B, Section 619 services [known in Michigan as early childhood special education (ECSE) services] no later than their third birthday. The Individualized Education Program (IEP), which completes this transition, must occur by the child's third birthday.
- Indicator 12 is a compliance indicator, and therefore has a 100 percent compliance target. Any percentage less than 100 percent is considered noncompliance for the local district responsible for completing the transition IEP. In 2013-2014, Michigan had a 97.26 percent compliance rate.
- Potentially eligible children for Indicator 12, starting in July 2014, are those children who are receiving Part C services and Michigan Special Education programs or services and are referred to Part B in the *Early On* Component of the Michigan Student Data System (MSDS). The local district responsible for completing the early childhood transition IEP must enter the IEP date, eligibility, and the reason for not completing the IEP by the child's third birthday, if needed (or the IEP cancellation date and reason).
- If a child is not being served by *Early On*, is approaching his or her third birthday, and is referred for special education services for the first time, he or she will not be included in the Indicator 12 count. The child will be included in the Indicator 11 (Child Find) count.
- Reasons for a "late" IEP vary. The following are reasons which do not result in noncompliance:

#### **Late Referral to Part C**

If a child is referred to Part C (*Early On*) less than 90 days before his or her third birthday, the IEP does not count in Indicator 12. The referral date to Part C must be entered into the data collection system.

#### **Parent Refusal**

If a child is referred to Part B, but parent refusal or delay in providing consent Causes delays in evaluation or initial services, the IEP does not result in noncompliance.

- All other reasons for a late IEP result in a finding of noncompliance, per the Office of Special Education Programs (OSEP) regulations. However, reasons must be documented in the MSDS.
- Both *Early On* and the local district have responsibilities for providing information and resources throughout the transition process. Collaboration between *Early On* and local district personnel is essential for completing the Early Childhood Transition IEP in a timely manner.
- For those children exiting *Early On* who are potentially eligible for ECSE services, a transition plan must be completed and shared at a transition conference. The plan may be developed and the meeting held as early as nine months prior to the child's third birthday but must occur at least 90 days before the child's third birthday.

## **Part I: Key Concepts for Early Childhood Transition *continued***

- The transition conference must include current providers, the family, and representatives of the local district and lead agency. If all evaluations have been completed by the multidisciplinary team, the IEP team meeting may occur at the same time as the transition conference. Otherwise, the IEP team meeting may be held at a later time, but no later than the child's third birthday.
- While transition planning during *Early On* is not tracked for Indicator 12, it does correlate with compliance on Indicator 12. That is, the transition planning and transition conferences set the stage for having the Early Childhood Transition IEPs completed by the time children turn three.
- The local district is responsible for determination of eligibility for Part B of the IDEA services. A team of qualified Part B professionals and the parents of the child make this determination together. As noted previously, the IEP meeting may occur at the same time as the transition conference, or the two may occur at separate times.
- Whether or not the child is eligible for services, an IEP must be developed and implemented by the child's third birthday in order to ensure continuity of services, if applicable, and the local district's compliance on Indicator 12.
- After the IEP has been completed and services determined, the IEP must be developed and implemented by the child's third birthday. It should be noted that if a child turns three during the summer months and is found eligible to receive services, the IEP Team must determine when services begin. The IEP team must ensure that an IEP is developed before recessing for the summer months. It is up to the IEP team to determine if the child waits until the following fall to receive services or if the child needs services immediately.

## **Part II: Probe Questions for Early Childhood Transition**

### ***Questions Related to Reported Data***

1. What are the primary reasons listed for late IEPs?
2. What is the average number of days for late IEP development?
3. Review the Part C APR for the State—do you see any patterns of noncompliance related to Early Childhood Transition?
4. Review your ISD's Part C Indicator 8 data—do you see any patterns of noncompliance related to Early Childhood Transition?

### ***Questions Related to Child Find Services***

1. What is the link between your district's *Early On* and special education system (both program personnel and data personnel) in delivering these services?
  - a. Is there a clear understanding that *Early On* can make a special education referral?
  - b. Who is responsible (district or ISD) for the initial referral?
  - c. Who is responsible (district or ISD) for the provision of service to children from birth to age 3?
  - d. How consistent is the hand-off between *Early On* services and special education services for children/students in your district?
  - e. What processes are in place to ensure that children who are *Early On* eligible—and who are later referred for special education evaluation—continue to receive *Early On* services while the evaluation is under way?
  - f. Do *Early On* staff attend each child/student's initial IEP to help ensure continuity of services?
2. How does your district maintain awareness of children from birth to age 3 who are being served by another entity (e.g., the ISD)?
3. What are your district's systems for keeping track of birthdates, IEP dates, IFSP dates, transition plans, and links to other service providers?
4. Do all of the staff serving children from birth to age 3 understand the requirements for transition between *Early On* and special education?
5. Are there written procedures to help train staff in the requirements for transition between *Early On* and special education? Are there policies that evaluate or monitor the use of those procedures?

## **Part III: Data Collection for Early Childhood Transition**

Indicator 12 is a compliance indicator and therefore, has a 100 percent compliance target. Any percentage less than 100 percent is considered noncompliance for the local district responsible for completing the IEP. In 2014-2015 (FFY 2014), Michigan had a 63.82 percent compliance rate.

Part C establishes the state policy regarding which children are "potentially eligible under Part B" per OSEP requirements. Part B is responsible for holding the IEP by the child's third birthday for those potentially eligible children. Children included in Indicator 12 are any children (as proposed by the *Early On* State Plan, Sec. 303.209) who are both:

- Enrolled and turn three between July 1, 2014-June 30, 2015.
- In Part C and Michigan Special Education and are referred to Part B in the *Early On* Transition Component of the Michigan Student Data System (MSDS).

The local district responsible for completing the IEP must enter the IEP date (in the Special Education Component), eligibility, and reason for not completing the IEP by the child's third birthday, if needed (or the IEP cancellation date and reason) in the MSDS.

The resident district will be accountable for the data in the Continuous Improvement & Monitoring System (CIMS), the APR district level public reporting, and local determinations.

If a child is not being served by *Early On*, is approaching his or her third birthday, and is referred for special education services for the first time, the child will not be included in the Indicator 12 count.

### **How are Indicator 12 data collected?**

Data are submitted by the local districts into the Michigan Student Data System (MSDS) in the Initial IEP Component and the Special Education Component.

### **When are Indicator 12 data collected?**

Three times per year (fall, spring, and end-of-year). Data can also be submitted in the Student Record Maintenance (SRM).

For the 2014-2015 MSDS Collection Details Manual, go to:

[http://www.michigan.gov/cepi/0,4546,7-113-986\\_50502-326874--,00.html](http://www.michigan.gov/cepi/0,4546,7-113-986_50502-326874--,00.html)

For the 2014-2015 MSDS Collection Component Matrix, go to:

[https://www.michigan.gov/cepi/0,4546,7-113-986\\_50502\\_53643-325649--,00.html](https://www.michigan.gov/cepi/0,4546,7-113-986_50502_53643-325649--,00.html)

### **Part III: Data Collection for Early Childhood Transition *continued***

#### **Notification/Referral**

Indicator 12 includes all children who are receiving both Early *On*® and Michigan Special Education programs and services during the 2014-2015 school year and turn three years of age. It is mandated that all children receiving special education services be entered into the MSDS in the Special Education Component.

#### **Part C Transition Characteristic**

<b>Code</b>	<b>Description</b>
50	IEP held on or before the child's third birthday.
53	IEP held after the child's third birthday: Parent did not make child available.
54	IEP held after the child's third birthday: Time line began in previous district.*
55	IEP held after the child's third birthday: Personnel not available for evaluation.*
56	IEP held after the child's third birthday: Personnel not available for IEP.*
57	IEP held after the child's third birthday: External reports not available.*
61	IEP held after the child's third birthday: Late Notification from Part C to Part B LEA.*

\*Are counted as untimely and will result in a finding against the district.

## **Part IV: Resources for Early Childhood Transition**

**Transition (Part C to Part B) district self-assessment for Early Childhood at [Self-Assessment for an Early Childhood Transition Infrastructure](#) from the National Early Childhood Technical Assistance Center.**

A self-assessment tool intended for use by local districts to identify areas that need work and reinforce areas of strength regarding early childhood transition processes.

**Transition Guide from the Michigan Department of Education (MDE) at [Transition Guide](#).**

Reviews the steps involved in transition, timelines, and other essential information on Indicator 12.

**Office of Special Education Programs (OSEP) Early Childhood Transition FAQs from the MDE website at [OSEP Early Childhood Transition FAQs](#).**

See pages 10-13 for guidance on children to be included, timelines, late referrals, and responsibilities.

**Continuous Improvement and Monitoring System (CIMS) documents and resources at [B-12 \(Early Childhood Transition\)](#).**

Provides additional information on the timelines and corrective action plans for this Indicator.

**State of Michigan Early Childhood Special Education Office provides helpful tips on Indicator 12 at [Transition \(Part C to Part B\)](#).**

Scroll down the page to find information on transition regulations, timelines, self-assessment, and more.

**National Early Childhood Technical Assistance Center at [Transition from Part C to Preschool](#).**

**For MSDS support, email CEPI customer support at [cepi@michigan.gov](mailto:cepi@michigan.gov) or contact the help desk at 517 335-0505 and a help ticket will be created for you.**

For email or phone, include your name, district code and district name, telephone number, email address, the CEPI application name, and specific question(s).

## **Appendix: Legal Foundations for Early Childhood Transition**

### **Applicable Individuals with Disabilities Education Act (IDEA) 34 CFR Regulations**

#### **§ 300.124 Transition of Children from the Part C Program to Preschool Programs.**

The State must have in effect policies and procedures to ensure that

(a) Children participating in early intervention programs assisted under Part C of the Act, and who will participate in preschool programs assisted under Part B of the Act, experience a smooth and effective transition in a manner consistent with section 637(a)(9) of the Act;

(b) By the third birthday of the child described in paragraph (a) of this section, an IEP or, if consistent with § 300.323(b) and section 636(d) of the Act, an IFSP, has been developed and is being implemented for the child consistent with § 300.101(b); and

(c) Each affected LEA will participate in a transition planning conferences arranged by the designated lead agency under section 635(a) (10) of the Act.

(Approved by the Office of Management and Budget under control number 1820-0030) [64 FR 12406, 12427, Mar. 12, 1999; 71 FR 46540, 46753, Aug. 14, 2006]

(20 U.S.C. 1412(a) (9))

[EFFECTIVE DATE NOTE: 71 FR 46540, 46753, Aug. 14, 2006, revised Part 300, effective Oct. 13, 2006.]

#### **§ 300.101 Free Appropriate Public Education (FAPE).**

(a) *General.* A free appropriate public education must be available to all children residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school, as provided for in § 300.530(d).

(b) *FAPE for children beginning at age 3.* (1) Each State must ensure that-

(i) the obligation to make FAPE available to each eligible child residing in the State begins no later than the child's third birthday; and

(ii) An IEP or an IFSP is in effect for the child by that date, in accordance with § 300.323(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.

(Approved by the Office of Management and Budget under control number 1820-0030)

[71 FR 46540, 46753, Aug. 14, 2006] (20

U.S.C. 1412(a) (1) (A))

[EFFECTIVE DATE NOTE: 71 FR 46540, 46753, Aug. 14, 2006, revised Part 300, effective Oct. 13, 2006.]

### **Applicable Michigan Administrative Rules for Special Education (MARSE) R 340.1754**

#### **Early childhood special education programs.**

##### *Rule 54.*

All of the following provisions are specific requirements for early childhood special education programs for young children with disabilities or developmental delay:

(a) An early childhood special education program with an approved early childhood special education teacher may be provided to young children with disabilities or developmental delay who are 2 ½ through 5 years of age based upon the child's individual needs as specified by the individualized education program team.

(b) The program shall be available for a minimum of 360 clock hours and 144 days of instruction. If a pre-school aged child with a disability is placed in a non-special education

## **Appendix: Legal Foundations for Early Childhood Transition *continued***

Program, then the individualized education program team shall consider the need for consultation by an early childhood special education teacher.

### **R 340.1755 Early childhood special education services.**

*Rule 55.*

All of the following provisions are specific requirements for early childhood special education services for young children with disabilities or developmental delay in family and community settings:

(a) Services shall be provided by an approved early childhood special education teacher or approved related services staff to young children birth through age 5 based upon the child's individual needs as specified by the individualized education program or the combined individualized education/family service plan, as appropriate.