

INTERAGENCY AGREEMENT

PART C

OF THE

INDIVIDUALS WITH DISABILITIES

EDUCATION ACT

BETWEEN

REDWOOD COAST REGIONAL CENTER

AND

HUMBOLDT-DEL NORTE

SPECIAL EDUCATION LOCAL PLAN AREA

January, 2014

I. PURPOSE

The purpose of this agreement is to describe selected policies and procedures of the Redwood Coast Regional Center and the Humboldt-Del Norte Special Education Local Plan Area relating to the implementation of Part C of the Individuals with Disabilities Education Act (hereinafter referred to as "Part C") and its implementing regulations. Specifically, this agreement will define the referral, evaluation/assessment process, IFSP development and service coordination responsibilities and procedures, maintenance of effort and service funding responsibilities, and a dispute resolution process.

II. PARTIES

The parties to this agreement are the Redwood Coast Regional Center (hereinafter referred to as "RCRC") and the Humboldt-Del Norte Special Education Local Plan Area, who contracts with the Humboldt County Office of Education and Del Norte County Office of Education as the two Local Education Agencies (hereinafter referred to as the LEAs).

III. TARGET POPULATION

This agreement applies to activities and services performed on behalf of infants and toddlers, birth through two years of age, and their families, who are eligible for early intervention services under Part C of the Individuals with Disabilities Education Act (IDEA), as defined in California statute, regulations and policies. The definition of the eligible population is found in Appendix A, which is attached to and made a part of this agreement.

IV. AUTHORITY

This agreement fulfills requirements of 20 United States Code (USC) Section 1471 et seq., and 34 (CFR), Section 303.523 and is based upon state policy and authority contained in the Welfare and Institutions Code Section 4500 et seq., the California Education Code, Part 30, and the approved state application submitted under the authority of 34 CFR, Sections 303.140 through 303.148 and 303.161 through 303.176.

V. SERVICE PROCEDURES

A. CHILD FIND

The Redwood Coast Regional Center and the LEAs shall conduct child find activities to locate all infants and toddlers who may be eligible for early intervention services.

Child find activities may include:

- RCRC will assign liaisons to the local hospitals with neonatal intensive care units;
- The Family Resource Center (FRC) will contact local parent organizations and support groups;
- RCRC and LEAs shall distribute early intervention brochures to Court Appointed Special Advocate (CASA), Foster Parent Association, child care provider associations, medical groups and all public agencies that serve families in the community;
- The Early Start brochure will inform referral sources of the eligibility criteria, types of early intervention services, contact persons and telephone numbers for RCRC and LEAs;
- RCRC and LEAs liaisons will present information about the Early Start Program to local professional groups and parent groups.
- RCRC and LEAs shall coordinate local child find activities with each other and other public agencies such as Child Welfare, Public Health, Early Head Start; and Early Hearing Detection and Intervention (EHDI).
- Primary referral sources include, but are not limited to hospitals, health care providers, parents, child care programs, LEAs and schools, public health facilities, and other social service agencies.

B. REFERRAL PROCESS

The following process will be applicable for children referred up to 45 calendar days before their third birthday:

1. If either agency receives a referral for an infant or toddler who is eligible for Part C, but does not meet the eligibility criteria for that agency, a referral will be made to the appropriate agency within two working days by phone or by FAX.
2. For an infant or toddler who appears eligible for services from both agencies, the written referral will be developed by the agency receiving the notification. Written or oral referrals may originate from parents, medical personnel, child welfare, and other community resources.
3. Each agency will have a single point of acceptance of referrals in each of the two counties year round:

Attention Early Start:

- RCRC Offices in Eureka and Crescent City
- Special Services at the Humboldt County Office of Education
- Special Services at the Del Norte County Office of Education

Referrals received for children less than 45 calendar days of their third birthday

may follow Part B referral procedures, at the discretion of RCRC and HCOE/DNCOE. As required, and with parental consent, RCRC and HCOE/DNCOE will make referral to the LEA or assist family in initiating contact with LEA by providing specific district contact numbers and information. See also Appendix D Transition Process brochure for contacts.

If Part C eligibility is determined more than 45 days but less than 90 days before third birthday, RCRC and HCOE/DNCOE:

- will conduct the initial IFSP meeting as required
 - develop a transition plan
 - send notification/referral to the LEA as soon as possible after determining eligibility. See also Appendix C 90 day Notification of Referral Letter
4. Initial review and assignment of infants and toddlers who appear to be eligible for services from both agencies will be done at the Interagency Infant meetings, up to bi-monthly in Humboldt County, and monthly in Del Norte County, and by contact as needed between meetings. The purpose of this meeting is to coordinate and review referrals and services, and to monitor the implementation of Early Start services. At this time:
- a. Each agency representative discusses referrals with infant team members which includes a brief description of child and family needs.
 - b. Infant team determines whether an infant educator should be part of the initial home visit.

VI. INTAKE PROCEDURES FOR DUALY ELIGIBLE CHILDREN

- A. An initial evaluation is conducted with the family which is interagency and multidisciplinary. This evaluation is to determine the child's eligibility under Part C. The evaluation procedure is completed within 45 calendar days from the receipt of the written or oral referral. The evaluation procedure is as follows:
- 1. The RCRC service coordinator schedules the home visit with the family, ideally within 5 working days.
 - 2. RCRC service coordinator and, when appropriate, an LEA infant educator will make a joint home visit to discuss family concerns, priorities and needs and to determine with the parent(s) the type of evaluations which are to be done.
 - 3. Pertinent health records will be sent by qualified health professionals. The health records will include the current health status along with the infant and toddler's vision and hearing status. These records will be reviewed by

the Early Start assessment team and included in assessment report.

4. A formal evaluation is done by appropriate, qualified personnel to determine the child's initial eligibility, including determining the child's status in the following developmental areas:
 - Cognitive
 - Communication
 - Social or emotional
 - Adaptive
 - Physical and motor development
 - a. Scheduling of the evaluation is done at the infant team meetings or as needed in the interim.
 - b. Multidisciplinary evaluations are performed by appropriate specialist either in the family home or the specialist's office with the RCRC service coordinator and/or LEA infant educator present when possible. Payment for evaluations requested by RCRC and performed by vendors of RCRC shall be the responsibility of RCRC.
 - c. Within forty-five (45) calendar days from the receipt of the written or oral referral, the multidisciplinary evaluation information is presented and eligibility determination is made, with the participation of the parents invited. Copies of the report will be provided to the family and agencies. The initial Individual Family Service Plan (IFSP) meeting is held.
 - (1) In the event of exceptional circumstances (child or parent is unavailable due to exceptional circumstances, or parent has not provided consent despite documented repeated attempts) which make it impossible to complete the initial evaluation and assessment for eligibility within 45 days of receiving a referral, the service coordinator will document the exceptional circumstance and complete the activity as soon as possible after the documented circumstance no longer exists.
5. Assessment and evaluation procedures used by appropriate qualified personnel will be used to identify:
 - a. The child's unique strengths and needs;
 - b. The resources, priorities and concerns of the family, and the supports and services necessary to enhance the family's capacity to meet the developmental needs of their infant or toddler with a disability.

B. TIMELY EXCHANGE OF INFORMATION

RCRC and LEAs will use the interagency exchange of information form signed by the parent to exchange information within the first 45 calendar days of evaluation.

C. INDIVIDUAL FAMILY SERVICE PLAN

Both parties to this agreement will participate year round in the multi-agency IFSP meeting for any infant or toddler commonly served. The IFSP process includes:

1. Individual Family Service Plan Meeting
 - a. The meeting to develop the IFSP must be held within 45 calendar days of the referral.
 - b. The IFSP meetings must be convenient and accessible for the family. RCRC shall arrange for an interpreter when necessary to assure that the family is able to fully participate.
 - c. The IFSP team must include involvement of parent and two or more individuals from separate disciplines or professions, one of whom must be the service coordinator. The following individuals should be involved in the process:
 - Parent(s)
 - Other family members, if the parent requests and it is feasible
 - Service coordinator
 - LEA infant educator, if involved in initial evaluation
 - Vendors directly involved in the evaluation either in person, by phone or report
 - Service providers like Early Head Start
 - d. Every IFSP shall include three areas:
 - Early Intervention Services under Part C Entitlement
 - Other Services under the Lanterman Entitlement
 - Non-required services
2. Contents of IFSP
 - a. Summary of evaluation in the five required areas
 - b. Summary of family information—concerns, priorities and resources with agreement from the parents
 - c. Planned Early Intervention Measurable Outcomes
 - d. Planned Early Intervention Services based on peer-reviewed research to the extent practicable
 - (1) Length, frequency, intensity, initiation date and duration
 - (2) Natural environments in which service will be provided
 - (3) Location where services will be provided
 - (4) Name of service provider

- e. Name of service coordinator
- f. When appropriate, transition steps from Part C
- g. A copy of the IFSP will be provided to family and appropriate service providers as soon as possible upon completion of the meeting.

D. TRANSITION PLANNING PROCEDURE

1. LEAs shall provide special education and related services to eligible children at age three. Pursuant to the requirements contained in Title 34 Code of Federal Regulations, Section 303.344, each LEA shall participate in the transition planning for toddlers served under the Early Intervention Services Act, Government Code Sections 95000-95030, who may be eligible for preschool programs under Part B of the Individuals with Disabilities Education Act, Title 20 United States Code Sections 1400-1420, before the toddler is two years nine months, or at the discretion of all parties up to nine months before the child turns three to ensure that an IEP has been developed and is implemented by the toddler's third birthday. An LEA representative will participate in the transition planning IFSP meeting for children who are anticipated to be eligible for special education and related services under Part B. Currently, all Early Start children are considered potentially eligible for Part B, per 34 CFR 5303, 209 (b).
2. For toddlers who may be eligible for preschool services from the LEA under Part B of the Individuals with Disabilities Education Act, Title 20 United States Code Sections 1400-1420, the transition steps necessary for movement into services under Part B or other appropriate program, written at the IFSP meeting before the toddler is two years nine months, or, at the discretion of all parties, up to nine months before the toddler's third birthday, shall include all of the following:
 - a. With parental consent, the transmission of information about the toddler beyond name, birthdate, and parent contact information, to the LEA, including evaluation and assessment information and copies of IFSPs that have been developed and implemented;
 - b. Identifying needed assessments to determine regional center and special education eligibility and determining the regional center or LEA responsible and timelines for completing the needed assessments;
 - c. Statements of the steps necessary to ensure that the referral to an LEA is received by the LEA in a timely manner to ensure that assessments required under the provisions of Part B of the Individuals with Disabilities Education Act are completed and an IEP is implemented by the toddler's third birthday;
 - d. A notification/referral for evaluation and assessment for services

under Part B of the Individuals with Disabilities Education Act, Title 20 United States Code Sections 1400-1420, no later than 90 days before the toddler is 3 years of age or before the LEAs' break in school services if the toddler will become three years of age during a break in school services. The transition IFSP shall contain steps necessary to satisfy the referral and IEP development requirements contained in Education Code Sections 56321 and 56344; See also Appendix C (90 day Notification of Referral letter).

- e. Identification of the people responsible for convening an IEP and final IFSP meeting and the person responsible for convening an IPP meeting, if necessary, for a toddler by age three to:
 - (1) Review the progress toward meeting the early intervention services outcomes identified in the IFSP;
 - (2) Determine the eligibility for special education and develop the IEP; and,
 - (3) Develop an IPP if the toddler is also eligible for services under the Lanterman Developmental Disabilities Services Act as required in Welfare and Institutions Code Section 4646. See also Appendix D (Transition Process brochure).
3. If a toddler is older than two years and six months on the date of the initial IFSP, the IFSP shall include steps to ensure transition to Special Education Services under Part B of the Individuals with Disabilities Education Act or other services that may be appropriate. See Section V (B) for referral process for children referred less than 45 days before their birthday.
4. For a child served in Early Start who was referred to an LEA less than 90 days before the child's third birthday, the LEA is responsible to:
 - ensure that an initial evaluation under Part B is completed
 - develop the IEP by the child's third birthday if the child is determined eligible under Part B, even if the 60-day timeline for conduction an initial evaluation expires after the child's third birthday.
5. For age 3 birthdays falling during the summer breaks and other non-instructional days, RCRC/HCOE/DNCOE will work together with LEA staff to plan transition conferences and make referrals for children with summer birthdays prior to the date when the LEA begins an extended program break. When that is not possible, LEA personnel are required to be available to conduct initial evaluations to determine Part B eligibility and to hold initial IEP meetings during breaks as necessary to meet state and federal timelines.
6. For children who turn age three during the summer months and are determined eligible for Part B services, extended school year (ESY) services must be considered. If the IEP team determines that the child needs ESY services, the service is designated on the initial IEP and provided by the LEA.

If the IEP team determines that ESY services are not needed or the parent declines the service, the date of initiation of services may be the beginning of the school year.

7. The Humboldt and Del Norte Counties Offices of Education will work in conjunction with RCRC to insure a smooth transition for Part C speech children who turn three and may qualify for Part B speech/language services. If the LEA speech pathologist is not available for timely transition assessment and there is no MediCal insurance funding available for Part C speech therapist to bill for the transition of toddlers to Part B services, HCOE/DNCOE will fund the necessary hours for this to occur.

NOTE: Authority cited: Sections 95009 and 95028, Government Code.
Reference: Section 1436(d)(8), Title 20 United States Code; Sections 303.343, 303.344(h), 303.148, 303.322, 303.340, 303.342, and 303.346 Title 34 Code of Federal Regulations; Sections 56321, 56343 and 56344, CA Education Code.

E. SERVICE COORDINATION PROCEDURES

Each agency may be called upon to assure the role of IFSP service coordinator. It is agreed that the agency that conducts the initial intake with the family assigns an interim service coordinator until the IFSP service coordinator is identified, in collaboration with the family, at the IFSP meeting.

1. The interim service coordinator will be responsible for ensuring that all the initial evaluation, eligibility and services are completed within the 45 calendar day timeline. At the time of the IFSP, the family along with the team will determine who will be the ongoing service coordinator. This may be a shared responsibility between the RCRC service coordinator and the infant educator.
2. The service coordinator shall be responsible for necessary services to assure that the IFSP is implemented, including
 - a. A periodic review every 6 months, or more frequently if warranted or requested by the parent(s). The review may be done by telephone or in person.
 - b. An IFSP meeting at least annually to evaluate the IFSP for the child and family. This must be a face-to-face meeting.

F. PROVISION OF SERVICES

1. Services must be provided by appropriately qualified personnel. In most cases, RCRC shall use specialists who are currently vendored.
2. Parents may elect to receive some services and refuse others.

3. LEA shall provide services per Education Code 4.4 and SB 1085:
 - a. Early intervention services for solely low incidence under Part C, (34 CFR 303.12)
 - b. LEAs will provide an infant educator for dually eligible infants and toddlers, up to funded capacity. LEAs will provide direct services during the school year calendar and for a total of 200 days.
 - c. LEAs will cross-refer to RCRC when delays other than those associated with solely low incidence conditions are present.
 - d. LEA infant educator will complete developmental assessment in all five domains as part of Annual Review of IFSP. IFSP team will determine together the appropriate developmental assessment plan when Annual Review of IFSP and Transition Plan coincide.
4. RCRC may purchase an early intervention service that is not the legal responsibility of another agency.
5. Services include supports and services necessary to enhance the family's capacity to meet the developmental needs of the child.
6. No agency or multidisciplinary team shall presume or determine services for another agency.
7. RCRC shall ensure the provision of services during periods of school vacations when services are required on the IFSP.

G. TRANSFERS

Infants and toddlers who move into the County with a current California IFSP will have the IFSP implemented to the extent possible within existing resources, with a periodic review of the IFSP planned within 30 days, pursuant to the requirements of Welfare and Institutions Code Section 4643.5 pertaining to transfers between regional centers, Education Code Section 56325 pertaining to transfers between LEAs, and Title 17 Section 52111(d) pertaining to transfers between LEAs and regional centers.

NOTE: Authority cited: Welfare & Institutions Code Section 4643.5, CA Education Code Section 56325, and Title 17 Section 52111.

H. DEFINITION OF A PARENT/EDUCATIONAL RIGHTS

1. Parent means a natural or adoptive parent (such as a grandparent or step-parent which whom the child lives, a guardian or a person who is legally responsible for the child's welfare). If a child is a dependent (supervised by a Health and Human Services Department) of the juvenile court, and the parent or guardian is unable or not available to make educational decisions for the child, the court may limit educational rights of the parent and appoint a

responsible adult such as the child's foster parent, court-appointed special advocate (CASA) or a relative caregiver to make educational decisions required of parents under State law. WIC 361 A responsible adult cannot have a conflict of interest or be employed by an agency involved in the education or care of the child. WIC 7579.5, 20USC 415 (b)(2)(A)

2. If, after limiting parental rights, the court is unable to locate a responsible adult for an infant or toddler who has been referred to or is currently receiving Early Start services, the juvenile court shall then refer the child to the Humboldt County Office of Education (HCOE) or the Del Norte County Office of Education (DNCOE) to appoint a surrogate parent. WIC 361(a), GC 7579.5(a)(I)(A)
3. The LEA shall assign an individual to act as a surrogate parent if:
 - a. No parent can be identified
 - b. The infant or toddler is a dependent of the juvenile court and the parental rights of the parent have been limited by the court or relinquished; or,
 - c. The parent cannot be located, after reasonable efforts by the regional center or LEA. CA Ed. Code sec. 52175
4. The HCOE and the DNCOE must appoint a surrogate parent within 30 days of making a determination that the infant or toddler needs a surrogate. 20 USC 1415 (b)(2)(A)(i)
5. State law requires the Local Education Agency (LEA) to appoint relative caregivers, foster parents, CASAs, if available, as a child's educational surrogate. If none is available, the LEA can select the surrogate of its choice, as long as that person does not have a conflict of interest. GC 7579.5
6. A responsible adult appointed by the juvenile court to make educational decisions as well as a surrogate parent may represent an infant or toddler in all matters related to:
 - a. The evaluation and assessment of the infant or toddler;
 - b. Development and implementation of the infant's or toddler's IFSP including annual evaluation, assessments and periodic reviews;
 - c. The ongoing provision of early intervention services to the infant or toddler;
 - d. Requesting mediation or due process hearings; and,
 - e. Any other early intervention service established under Part C of the Individuals with Disabilities Education Act, Title 20 United States Code Sections 1431-1445.

7. A court appointed responsible adult or surrogate parent may not provide consent for medical services for which consent by a parent or legal guardian is required.

8. There are some circumstances in which an infant or toddler's parent or guardian chooses to appoint someone to act as their child's educational representative. The parent or the guardian along with the educational representative must sign the Educational Representative Form provided by the HCOE or DNCOE agreeing to the assignment. The parent or guardian's educational representative can make all Early Start service decisions as listed above in number 5 a – e. The parent or guardian can revoke the educational representative assignment at any time.

I. PROCEDURAL SAFEGUARDS

Both parties must abide by the Procedural Safeguards as outlined in the Federal and State law.

VII. FINANCIAL RESPONSIBILITY

A. PAYOR OF LAST RESORT

1. Definition — “Payor of last resort” means the regional center or local education agency (LEA) that is ultimately responsible to arrange, provide, or pay for appropriate early intervention services, as defined in 34 CFR, Section 303.12, as listed on an Individualized Family Service Plan (IFSP) as required service, after all other providers or payors have been considered and eliminated because their legal responsibilities have been fulfilled under state or federal law.
2. RCRC — RCRC will be the payor of last resort after all other public and private sources for payment have been reviewed to determine if a referral shall be made by the service coordinator and/or the parent. Referrals may include, but not be limited to California Children Services, Medi-Cal, or private insurance providers that may have responsibility for payment. This review shall not delay the provision of early intervention services specified on the IFSP and shall begin as soon as possible, but no later than 45 days after signed IFSP. The family's private insurance or health care service plan is required to be accessed first to pay for therapy services specified in the IFSP, other than for evaluation and assessment (TBL Section 1: Government Code Section 95004). Early Intervention services specified on the IFSP shall be given as soon as possible. This includes infants who may be eligible for both regional center and special education services. It will not include infants with solely visual, hearing, or severe orthopedic impairments, or any combination thereof,

who meet the criteria in Sections 56026 and 56026.5 of the Education Code, and in subdivisions (a), (b), (d) or (e) of Section 3030, and Section 3031 of Title 5 of the California Code of Regulations. See Appendix B, which is attached to and made a part of this agreement.

3. RCRC/HCOE/DNCOE will continue to share the cost of printing and translating mutual Early Start Program forms, using the HCOE Communication Center.

B. MAINTENANCE OF EFFORT

Regional Centers are the designated payor of last resort for infants and toddlers jointly served by regional centers and local education agencies. The local education agencies shall provide special education and related services to infants and toddlers that meet both agencies' eligibility criteria provided the LEA does not exceed its 1980-81 mandate or its 1992-93 level of state funding, whichever is greater.

VIII. PROGRAM IMPLEMENTATION POLICIES

A. PROHIBITION AGAINST SHIFTING AND/OR DROPPING EXISTING CLIENTS

It is the intent of RCRC and the two LEAs that no infant and family that is currently enrolled in an early intervention program provided or funded by either agency will be required to transfer to another program because of the implementation of Part C. No infant and family that is currently enrolled in a program provided or funded by either agency will be dropped from that program due to the implementation of Part C.

B. PROHIBITION AGAINST DROPPING EXISTING CLIENTS

It is the intent of RCRC and LEA that no infant and family that is currently enrolled in a program provided or funded by either agency will be dropped from that program due to the implementation of Part C. Exits from existing programs will only be made due to the infant reaching age three, a change in the infant's need for the program, or at the request of the parent, pursuant to an IFSP.

IX. DISPUTE RESOLUTION

The following steps will be followed if a dispute arises between Humboldt-Del Norte County SELPA and RCRC as to:

- A. The eligibility of the infant;

- B. Which agency is responsible for the infant and family evaluation and assessment, service coordination, and the development and implementation of the IFSP; and
- C. Which agency is responsible for the provision/purchase of appropriate early intervention services.

Step 1: Every attempt should be made to resolve the dispute at the lowest possible administrative level starting with the supervisory level up to the agency director of RCRC and the SELPA Director.

Step 2: If resolution of the dispute is not achieved, the two parties may request assistance from any of the following:

1. Family Resource Center (FRC)
2. Department of Developmental Services (DDS)
3. California Department of Education (CDE)
4. Another LEA or FRC

Step 3: If resolution cannot be reached within 60 calendar days, the issue will be referred to DDS and CDE for state-level review and resolution

Step 4: The state-level review will be conducted jointly by DDS and CDE and a decision rendered in 60 calendar days of receipt of the dispute.

Step 5: If the dispute involves providing or paying for a service specified in the Individualized Family Service Plan (IFSP), the resolution process will follow California Welfare and Institutions Code Division 4.5 Chapter 5 Article 2.5 Interagency Dispute Resolution.

STATUS OF SERVICES DURING A DISPUTE

During the pendency of a dispute, a child must continue to receive the appropriate early intervention services currently being provided. If the dispute involves initial early intervention services, the child must receive all of the early intervention services identified and agreed to in the IFSP.

X. POSSIBLE ADDITIONAL COMPONENTS


A. JOINT TRAINING

Both agencies agree to participate in the joint training of staff regarding the implementation of Part C within the county. Staff will be informed of the contents of this agreement. Future joint trainings may be held if new procedures are developed or this agreement is substantially modified. Both agencies agree to notify the other part of any conferences or workshops pertinent to the implementation of Part C that they may be aware of.

XI. TERM OF AGREEMENT, REVIEW AND AMENDMENT

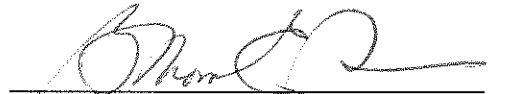
The term of this agreement is effective from January, 2014, and reviewed annually as needed by both parties. RCRC and LEA acknowledge and agree that, due to the complexity of the early intervention program and the potential for unforeseen issues to arise upon implementation, the contents of this agreement will require close monitoring and periodic updates. Amendments can be made with the mutual agreement of both parties at any time during the term of this agreement.

XII. APPROVALS



MARY K. BLOCK
Director of Client Services
Redwood Coast Regional Center

2-6-14
Date




GARRY T. EAGLES, Ph.D.
Superintendent
Humboldt County Office of Education

1-16-14
Date



MINDY FATTIG
SELPA Director
Humboldt County Office of Education

1-22-14
Date



DON OLSON
Superintendent
Del Norte County Office of Education

2-3-14
Date

APPENDIX A

Eligible Infants and Toddlers

California Government Code Division 14. California Early Intervention Services Act Chapter 4. Eligibility

95014. (a) The term "eligible infant or toddler" for the purposes of this title means infants and toddlers from birth through two years of age, for whom a need for early intervention services, as specified in the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1431 et seq.) and applicable regulations, is documented by means of assessment and evaluation as required in Sections 95016 and 95018 and who meet one of the following criteria:

(1) Infants and toddlers with a developmental delay in one or more of the following five areas: cognitive development; physical and motor development, including vision and hearing; communication development; social or emotional development; or adaptive development. Developmentally delayed infants and toddlers are those who are determined to have a significant difference between the expected level of development for their age and their current level of functioning. This determination shall be made by qualified personnel who are recognized by, or part of, a multidisciplinary team, including the parents. A significant difference is defined as a 33-percent delay in one developmental area before 24 months of age, or, at 24 months of age or older, either a delay of 50 percent in one developmental area or a 33-percent delay in two or more developmental areas. The age for use in determination of eligibility for the Early Intervention Program shall be the age of the infant or toddler on the date of the initial referral to the Early Intervention Program.

(2) Infants and toddlers with established risk conditions, who are infants and toddlers with conditions of known etiology or conditions with established harmful developmental consequences. The conditions shall be diagnosed by a qualified personnel recognized by, or part of, a multidisciplinary team, including the parents. The condition shall be certified as having a high probability of leading to developmental delay if the delay is not evident at the time of diagnosis.

APPENDIX B

PAYOR OF LAST RESORT – RESPONSIBLE TO ENSURE THE PROVISION OF APPROPRIATE EARLY INTERVENTION SERVICE

<u>CATEGORY 1</u> Developmental Delays	<u>PAYOR OF LAST RESORT</u>
Cognitive Development	DDS – Regional Centers
Physical & Motor Development	DDS – Regional Centers
Orthopedically Impaired Severe*	CDE – LEAs
Vision*	CDE – LEAs
Hearing*	CDE – LEAs
Communication Development	DDS – Regional Centers
Social or Emotional Development	DDS – Regional Centers
Adaptive Development	DDS – Regional Centers
<u>CATEGORY 2</u> Established Risk	DDS – Regional Centers

*Who meet education's eligibility criteria and do not meet regional center's eligibility criteria.

Appendix C
**Notification of Referral from Humboldt/Del Norte Early Start to
Local Education Area (LEA)**

Date:

To: District of Residence
Contact:
Address:

From:

(Service Coordinator/Infant/Toddler Teacher)

Address:

Phone: Ext.

Re: Notification of Referral from Early Start Program (Birth to Age 3 Years) to Local Education Area (LEA) for Part B Services (Age 3 Years and Older)

All Early Start children are "potentially eligible" for special education and related services at age three.

34 CFR § 303.209 (b)

No later than 90 days before the child's third birthday, Early Start must notify the child's district of residence of all children "potentially eligible" for part B services.

Client Information:

Child's name:

DOB:

Parent Name:

Address:

City:

Phone:

cc: Coordinator Pre-K Special Education (Humboldt)
Special Education Director (Del Norte)

Appendix D

Transition Process Brochure