

SECTION VI

LOCAL PLAN FOR EARLY EDUCATION

[EC 56429, 56205 (b) (3); GC 95000-95303]

- A. **GUIDING PRINCIPLE FOR EARLY EDUCATION SERVICES:** The Tulare County SELPA is guided by and embraces the philosophy that early intervention is a positive influence on the infant and parent(s) which maximizes the potential of that child. The importance of parent involvement in infant growth and development is supported. It is important that parents are provided training and support to work with their child.

Tulare County SELPA believes that the families of young children with disabilities should receive direct services as soon as possible after diagnosis. This service is optimally provided through thoughtful interagency collaboration [Public Law 99-457] with a commitment to provide a family-focused intervention which is sensitive to both child needs and family priorities. Families share decision making and are equal partners in the Individual Family Service Plan (IFSP) process. Other agencies have made a commitment to work collaboratively with TCOE to provide and plan services to families through mutual sharing with the permission of participating families.

Tulare County SELPA and the Central Valley Regional Center (CVRC) have entered into agreement to comply with Part C and California Early Start regulations and policies. Programs and services included within the IFSP will be implemented by the responsible agency. The continuum of services and programs available to infants and their families may include as appropriate, but not limited to the following services:

- Coordinated child find and outreach and coordinated referral process
- Collaborative referral, enrollment, and service delivery system through Interagency Agreements
- Multidisciplinary Evaluation and Assessment
- Infant Instructional programs including home-based in the natural environment
- Family/parent involvement activities including parent support and training
- Collaborative staff development among agencies providing related early start services including health, education and social welfare programs
- Designated Instructional Services (i.e. speech, physical therapy, occupational therapy, vision, hearing, mobility, and other special services)
- Respite services

1. **Program Enrollment Processes and Interagency Agreements:**

The Tulare County SELPA shall provide early intervention services to infants who meet solely low incidence eligibility criteria or are dually eligible under CVRC criteria provided the LEA does not exceed its 1980-81 State mandate or its 1992-93 level of State funding. The SELPA will contract with CVRC to provide services beyond the services for children with solely low incidence disabilities as per contract of the memorandum of understanding. Efforts to assure appropriate coordination of all child find and enrollment activities are made between the participating agencies.

 - a. **Child Find:** Early intervention outreach, child find, and coordination of early start services are acquired through the partnership and interagency collaboration between agencies including the Central Valley Regional Center (CVRC), SELPA, Early Start Coordinating Council (ESCC), Family Resource Center (FRC), Tulare County Health and Human Services Organization High Risk Infant Team (HRIT), and more. Each agency supports and offers a collaborative process of child find efforts and resources. TCOE SELPA provides direct public service announcements, early start informational brochures, full-color posters, public information articles and presentations are offered within the county. Outreach activities include focused strategies addressing differences in ethnicity, culture, language and socio-economic factors.
 - b. **Referral Procedures [GC Sec. 95022]:** Through the Interagency Agreement between Tulare County SELPA and Central Valley Regional Center (CVRC), the referral procedures required under Part C has been delineated in accordance with agency mandate to the collaboration process of the Tulare County Health and Human Services High Risk Infant Team (HRIT). The HRIT acts as a single point of entry for Early Start infants and toddlers. The CVRC and SELPA agree to use the High Risk Infant Team referral form and/or the High Risk Infant Assessment form as a common interagency initial screening and inquiry document. A parent or legal representative must give consent prior to the exchange of information between agencies. The agency that receives the referral will notify the other appropriate agencies as needed. A copy of the referral form will be faxed and/or mailed to the second agency within 24 hours or by the next business day. The party to be notified of the referral at CVRC is the Intake Coordinator (or designee). The party to be notified for SELPA is the designated Program Manager of Special Education Office of the County

Superintendent of Schools (or designee). CVRC agrees to notify the SELPA when a referral of an infant or toddler with a solely visual, hearing or orthopedic impairment is received. The 45-day timeline begins on the day the written referral is received by CVRC or SELPA. Both CVRC and SELPA agree to begin the referral process when contacted by a parent or legal representative of an infant or toddler.

- c. **Surrogate Parents:** CVRC and SELPA agree to collaborate in the recruiting, training, and appointing of surrogate parents (volunteers). Both agencies also agree to maintain a common list of jointly-recruited surrogate parents. With volunteers' consent, SELPA will share with CVRC names of surrogate parents from existing list.

A surrogate parent will be appointed by CVRC and/or SELPA when no parent can be identified; or after reasonable effort the whereabouts of a parent cannot be discovered; or the infant/toddler is a ward of the State. A surrogate parent may represent a child in all matters related to the evaluation and assessment of a child, the development and implementation of the child's IFSP and periodic reviews, and the ongoing provision of early intervention services.

- d. **Early Start Coordinating Council (ESCC) [Formerly known as the Local Education Agency Council]:** ESCC consists of parents and agency professionals from Tulare County working to promote coordination of child find services, available countywide services, identification, referral and transition for infants and toddlers. The Early Start Coordinating Council facilitates the integrated service delivery system, acts as a coalition of providers; supports prevention efforts; facilitates successful transitions from early intervention services; and informs elected officials and administrators regarding the needs and resources within the early intervention system. The Chairperson is a SELPA appointee.

- e. **Family Resources Center (FRC)** is a parent staffed, community based organization providing early and ongoing support, information and education to families of children with special needs, the professionals who serve them and the community in which they reside. The FRC is formed out of the mutual need for support and information among families of children with special needs or who are at-risk. The SELPA publishes *The Family Notebook* which includes information on agencies, services, developmental milestones, transition planning process and more. It is

available at no cost to families of infants and toddlers with disabilities.

B. PROCEDURAL SAFEGUARDS (Sec. 52160)

Eligible infants will be enrolled for services under the Individual Family Service Plan (IFSP) according to procedural safeguards and due process.

Prior to the initial evaluation and assessment to determine eligibility, and annually thereafter, written notice shall be given to the parent, which shall include:

1. The personally identifiable information maintained by the regional center or LEA
2. The types of information used in the evaluation, assessment and IFSP development, and
3. The methods that the regional centers and LEAs use to protect the confidentiality of personally identifiable information including:
 - a. The sources from whom personally identifiable information is gathered
 - b. The uses to be made of the personally identifiable information
 - c. The policies and procedures regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information as required in Title 34 Code of Federal Regulations, Section 300.572 through 300.573, and
 - d. The rights of parents and infants and toddlers regarding access to information, including the rights accorded to families in these regulations and the rights under the Family Education Rights and Privacy Act of 1974, Title 20, United States Code, Section 1232 (g) and implementing regulations Title 34 code of Federal Regulations, Section 99.

C. PROCEDURES FOR DETERMINING ELIGIBILITY: Qualified personnel of the LEA or Regional Center shall make the determination of eligibility for an infant or toddler with the participation of the multidisciplinary team including the parent. The LEA or Regional Center shall ensure that written notice is provided and written parental consent to evaluate and assess is obtained within the 45 day timeline. The initial evaluation and assessment must be completed within the 45 day timeline and address the following developmental areas: level of physical and motor development including, vision, hearing, and health status; communication development; cognitive development; social and/or emotional development; and adaptive development.

1. Eligibility under Part C concerns infants and toddlers from birth to 3 years of age who meet one or more of the following criteria:
 - a. 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. Developmental delays include 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 special education personnel who are a part of a multi-disciplinary team which includes the parents.

- b. Infants and toddlers with established risk conditions, who have conditions with conditions of known etiology or conditions with established harmful developmental consequences. The conditions shall be diagnosed by qualified personnel who are part of a multi-disciplinary team which includes 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.
- c. Infants and toddlers who are at high risk of having substantial developmental disability due to a combination of biomedical risk factors, the presence of which is diagnosed by qualified clinicians recognized by, or part of, a multidisciplinary team, including the parents.

2. **Procedures for Evaluation and Assessment for Services Planning [GC Sec. 95014, 95016]:**

The agencies will decide at the time the referral is shared as to which agency will complete the evaluation and assessment process with the family. That agency also will assign an interim service coordinator who is responsible for ensuring the completion of the initial Individualized Family Service Plan (IFSP) within the 45-day timeline. Students eligible for the early intervention services shall receive a multidisciplinary assessment which includes the family in the most natural environments to the maximum extent possible. Factors to consider in determining which agency will complete the evaluation and assessment are:

- The nature of the parents'/family's concerns and needs of child (i.e., medical, social, financial, developmental, etc.); and
- The agency that is more likely to play a prominent role with the child and family.

3. **Assessment Process:** The assessment will be initiated following written parental consent and conducted by qualified, trained personnel. The SELPA will secure assessments for infants or toddlers with solely a visual, hearing, or severe orthopedic impairment, or any combination thereof, and for dually-served infants or toddlers, to SELPA's funded program capacity. CVRC is

considered the payor of last resort and will secure assessments that may include the SELPA for infants or toddlers who may be eligible for early start services and/or regional center services. Family assessments shall be family-directed and voluntary on the part of the family.

A complete assessment is completed in the child's natural environment and includes:

- The infant's/toddler's unique strengths and needs and recommended outcomes and services to meet those needs
- The resources, priorities and concerns of the family and the recommended supports and services necessary to enhance the family's capacity to meet the developmental needs of their infant or toddler

Initial assessments shall be completed within the 45-day timeline and address the following developmental areas: level of physical development including vision, hearing, and health status; communication development; cognitive development; social and emotional development; and adaptive development.

D. INDIVIDUALIZED FAMILY SERVICE PLANS [Ref: GC Sec. 95020]: Each eligible infant shall have an Individualized Family Service Plan (IFSP) developed by the multidisciplinary team including the family and shall be in writing to address the following components:

- A statement of the infant or toddler's present levels of physical development including vision, hearing and health status, cognitive development, communication development, social and emotional development, and adaptive developments;
- With the concurrence of the family, a statement of the family's concerns, priorities, and resources related to meeting the special developmental needs of the eligible infant or toddler;
- A statement of the major outcomes expected to be achieved for the infant or toddler and family where services for the family are related to meeting the special developmental needs of the eligible infant or toddler;
- The criteria, procedures, and timelines used to determine the degree to which progress toward achieving the outcomes is being made and whether modifications or revisions are necessary;
- A statement of the specific early intervention services necessary to meet the unique needs of the infant or toddler as identified, including, but not limited to, the frequency, intensity, location, duration and method of delivering the services and ways of providing services in natural environments;
- A statement of the agency responsible for providing the identified services;

- The name of the service coordinator who shall be responsible for facilitating implementation of the plan and coordinating with other agencies and persons;
- The steps to be taken to ensure transition of the infant or toddler upon reaching three years of age to other appropriate services. These may include, as appropriate, special education or other services offered in natural environments.
- The projected dates for the initiation of services and the anticipated duration of those services.

The IFSP meeting will be conducted annually with a review every six months or more frequently if necessary. The IFSP meeting will be conducted in the family's native language. Interpreters will be provided as necessary.

E. PROVISION OF EARLY START SERVICES [Ref: EC, Part 30, Chapter 4.4; GC Sec. 95004]: Multidisciplinary team members shall be responsible for providing and coordinating early start services for one or more infants and their families, and shall serve as consultants to other team members in the delivery of related services. All services are offered in natural environments to the maximum extent possible

F. PARENTAL CHOICE OF SERVICES [Ref: E.C. Sec. 56426.5]: A continuum of program options will be made available to the family through the IFSP process. Families are respected as equal decision-makers for their child. *Services options* may include but are not limited to the following:

1. **Home-Based Services [Ref: E.C. Sec. 56426.1]:** Children and their families receive instructional and/or specialist services in their natural environments with conformity to the IFSP based on individual need. The Infant Program collaborates with other agencies to ensure adequate provision of home-based services related to the child's and families needs as identified in the IFSP.
2. **Family Involvement Activities [Ref: E.C. Sec. 56426.2]:** All families are invited to participate in weekly on-going activities along with a mutual support group of families. The various activities are in response to the families needs as identified on the IFSP. Participation by families in family involvement activities is voluntary. The Infant Program includes a commitment to a flexible, family focused program which emphasizes reinforcement of the positive aspects of the family relationship and a focus on the child's growth and development. Families share decision-making and are equals in the program planning process. The SELPA respects family diversity in structure, coping styles, values, culture, race and religion. families have access to on-going activities that may include meeting agency representatives for discussions; trainings in special

topics, creative and holiday activities; parent-child bonding classes, and specialist services (DIS) presentations. Families will have access to a parent liaison who provides the current community resources and current informational materials regarding specific disabilities or needs through the lending library. In addition, the FRC conducts support groups in collaboration with the SELPA. Instructional staff model activities for families to participate along with the entire family. Individualized suggestions are provided to each parent to implement with their child during the week.

3. **Related Services [Ref: E.C. Sec. 56426.3]:** Instructional services are delineated on the IFSP and provided either in a direct service mode or by consultation to parents of infants who meet the criteria for solely low incidence including visual, hearing, or orthopedic impairments or any combination thereof. Specialists serve as a multidisciplinary team member in the IFSP development process.
4. **Multidisciplinary Assessment and Services [Ref: E.C. Sec. 56426.7]:** Early Education services are provided by the SELPA, County Office of Education, or participating agencies through a multidisciplinary team. The team consists of professionals from various disciplines, agencies, and parents who shall share their expertise and services to provide appropriate services for infants and their families. Each team member shall be responsible for providing and coordinating early education services for one or more infants and their families, and shall serve as a consultant to other team members and as a provider of appropriate related services to other infants in the program. Any team member may serve as a service coordinator as identified in the infant's Individualized Family Service Plan.

Multidisciplinary teams may include, but need not be limited to, qualified persons from the following disciplines:

- (1) Early childhood special education;
- (2) Parent support;
- (3) Speech and language therapy;
- (4) Nursing, with a skill level not less than that of a registered nurse;
- (5) Social work, psychology, or mental health;
- (6) Occupational therapy;
- (7) Physical therapy;
- (8) Audiology;
- (9) Vision Services;
- (10) Mobility Services;
- (11) Hearing Services.

5. **Medically-Necessary Therapy:** Medically-necessary occupational therapy and physical therapy shall be provided to the infant with solely low-incidence needs when warranted by medical diagnosis and contained in the Individualized Family Service Plan.

6. **Service Coordination** [Ref: **GC Sec. 95018**]: Service coordination includes the activities carried out by a service coordinator to assist and enable an eligible infant/toddler and family to receive the rights, procedural safeguards, and services authorized. It must be provided under public supervision. The role of the service coordinator is to facilitate implementation of the IFSP and to coordinate services with other agencies and persons. Each eligible infant or toddler and family shall be provided a service coordinator responsible for facilitating the implementation of the Individualized Family Service Plan and for coordinating with other agencies and persons providing services to the family. The qualifications, responsibilities and functions of service coordinators shall be consistent with the statutes and regulations under Part C. The SELPA will provide service coordination for infants with solely low-incidence disabilities and will collaborate with CVRC regarding service coordination for dually-served infants.

7. **Respite Services:**

Alternative respite services are based on the individual needs of the families and documented on the Individual Family Service Plan (IFSP). The SELPA will be responsible agency for all children eligible under low incidence disabilities. CVRC is the responsible agency for those children dually served. The IFSP will give consideration to the following items whenever respite services may be needed:

 - Review purpose of respite services with family.
 - Identify the level of need through the multidisciplinary evaluation and assessment and include provisions when necessary as part of the IFSP.
 - Identify current respite resources the family is presently utilizing which may include extended family members, friends, day care providers, etc.
 - Identify type of respite care services based on individual needs of the family.
 - Identify the specific time frames by which the services are offered including initiation date, frequency, intensity, duration, location and method of service.

Staff will review options with families as necessary to best accommodate those needs whether family may choose personal respite provider or one selected by the SELPA/CVRC.

8. **Provision of Specialized Services to Infants and Toddlers with Low-Incidence Disabilities** [Ref: E.C. Sec. 56426.6, 56345(b)(7)]: Credentialed personnel with expertise in vision or hearing impairments are made available through the County Office of Education for consultation or direct services to infants with low-incidence disabilities. Specialized services are provided under the IFSP in the natural environments to maximum extent possible. Interagency cooperation maximizes a flexible collaboration to provide for specialized individual needs.
9. **Low Incidence Disability:** Eligible infants who meet the eligibility criteria for a solely low incidence disability will be enrolled for services through the documentation process of the Individual Family Service Plan (IFSP) according to mandated procedural safeguards and due process. A review of the IFSP for the child and the child's family will be conducted every six months or more frequently when needed. [17 CCR 52000 (b)(12)]
10. **Transition at Age Three** [Ref: GC Sec. 95020(c)(8); Title 34, CGR Sec. 303.344(h); E.C. Sec. 56426.9]: CVRC and SELPA agree that transition planning is an ongoing interagency process throughout the child's enrollment in early start. The child's transition from current programs and services into a new program(s) requires adjustments by the child and family and cooperation among the agencies that provide these programs. The written IFSP Transition Plan should include community program options, the necessary evaluations, assistance for families in evaluating and accessing programs/services, steps to make a smooth transition, and communication between team members to ensure that the child and family are well prepared for the transition.

As part of the IFSP, SELPA will develop and implement a Transition Plan for infants or toddlers with solely a visual, hearing, or severe orthopedic impairment, or any combination thereof and for dually-served infants.

The transition planning process will begin prior to age 3 and as early as up to 6 months in prior to the child's third birthday. Children who are eligible for special education and related services at age 3 under Part B shall have an IEP developed and implemented prior to the child's third birthday. [Part C, IDEA, (34

CFR), Part 303; Title 14, GC 95000; title 17, CCR 52000; Title 5, EC Part 30, Chapter 4.4; WI Code]

H. STAFF DEVELOPMENT: The SELPA collaborates with the various agencies to develop and conduct appropriate training and related activities for the community of early start providers, parents, and others. Staff training and development opportunities are shared among the agencies through the ESCC and the HRIT, CVRC and the SELPA on a regular basis to enhance interagency communications and awareness in the trends and issues in early intervention, health, and education. Those providing early start services are able to attend any of the sessions offered by the agencies in addition to the various in-service and out-service trainings applicable to their own professional growth.

I. LOCAL INTERAGENCY DISPUTE RESOLUTION [Ref: GC Sec. 95012; Title 34, CFR, Part 303.523, 303.524]: The SELPA and CVRC agree to work cooperatively to minimize interagency disputes and when such disputes occur, both agencies will seek a speedy resolution at the lowest possible administrative level.

1. A local interagency dispute resolution is included in the Interagency Agreement with CVRC. Local disputes that may occur between SELPA and CVRC are defined below:
 - a. The eligibility of an 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

Nothing in these dispute resolution procedures precludes a parent or agency from initiating due process or complaint procedures.

CVRC and SELPA agree to the principles and steps listed below to resolve disputes:

- (1) Request mediation/facilitation from the local interagency coordinating group;
- (2) Request technical assistance from Department of Developmental Services (DDS) and California Department of Education (CDE);
- (3) If resolution cannot be reached within 60 calendar days, the issue will be referred to DDS and CDE for a State-level review and resolution;
- (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 referral.

The SELPA will work together with the ESCC to develop and conduct in-service training activities for the community of early intervention providers and parents.

2. **Status of Service During a Dispute:** During the dispute process, 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.
3. **Assignment of Financial Responsibility:** During the dispute process, DDS will assign financial responsibility in accordance with the Budget Act (Section 12, Article 4 of the Constitution of the State of California) and consistent with the California Early Intervention Services Act.

J. INTERAGENCY AGREEMENT WITH REGIONAL CENTER

See **Appendix C** for interagency agreement.