



NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE
EARLY INTERVENTION PROGRAM

Table for Transition Standards

Transitions

1. The families of children who are 30 months or older when referred to EIP (dually age-eligible) are given full information about their options.
2. The Service Coordinator (SC) begins the transition process with the family in a thorough and timely manner.
3. The SC ensures that parents are given full information about the consent to notify CPSE of eligibility.
4. The SC prepares for a transition conference, including appropriate parties.
5. Transition Plan is in place for children leaving EIP for any reason before the age of three (not CPSE).



1. The families of children who are 30 months or older when referred to EIP (dually age-eligible) are given full information about their options.

New York State Law and Regulations

10 NYCRR69-4.20 (b) (3, 4), (d)

(b) At least 120 days prior to the child's potential eligibility for services under the Education Law, Section 4410, the early intervention official shall provide written notification to the Committee on Preschool Special Education (CPSE) of the local school district in which an eligible child resides of the potential transition of the child.

(3) The service coordinator shall review information concerning the transition procedure with the parent and obtain parental consent for the transfer of appropriate evaluations, assessments, Individualized Family Service Plans, and other pertinent records.

(4) With parent consent, the early intervention official shall convene a transition conference with the parent, service coordinator, and the chairperson of the CPSE or designee, at least 90 days prior to the child's eligibility for services under Education Law, section 4410, or no later than 90 days before the child's third birthday, whichever is first to review program options and if appropriate, establish a transition plan.

(d) With parental consent, the early intervention official shall notify the committee on preschool special education of those children potentially eligible for transition to the Preschool Special Education Program but whose parents have selected to continue with early intervention services for the specified period of eligibility for the Early Intervention Program.

New York State Memoranda

The Transition of Children from the New York State Department of Health Early Intervention Program to the State Education Department Preschool Special Education Program or Other Early Childhood Services

Children Referred to the EIP when Age-Eligible for Preschool Special Education – Pg 12

It is strongly recommended that primary referral sources and parents of children age two and a half or older, who may have a developmental delay or disability and are not in the EIP, contact their school district CPSE to begin the CPSE process.



NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE
EARLY INTERVENTION PROGRAM

If a child is referred to the EIP when s/he is age-eligible for services under Section 4410 of the Education Law and has a disability or developmental delay that may impact on his/her education, the EIO may recommend to the parent that s/he refer the child directly to the CPSE rather than continue with the referral to the EIP. However, if a parent chooses to continue with the child's referral to the EIP, the EIO must designate an initial service coordinator and the service coordinator must assist the parent in the receipt of a multidisciplinary evaluation consistent with EIP requirements. The multidisciplinary evaluation must be completed and an IFSP must be developed within forty-five calendar days of the child's referral. The initial service coordinator must also explain to the parent that to ensure the child continues to receive services when s/he turns three – either through the EIP or preschool special education - the child must also be referred to the CPSE and be determined eligible for services under Section 4410 of the Education Law by her/his third birthday. If the child is found eligible for services under Section 4410 of the Education Law by the child's third birthday, the parent then has the option to transition his/her child to preschool special education programs and services, or the child may remain in the EIP until s/he ages out of EIP.

The parent must also be informed that if a child meets the eligibility criteria for the EIP but is not determined to be eligible for services under Section 4410 of the Education Law, the child's eligibility for EIP services will end at the child's third birthday. The last date that services can be delivered under the child's IFSP under these circumstances is **the day before the child's third birthday**.

New York City Policy and Procedure Manual as Amended

Dual Eligible Policy, 10-B



2. The Service Coordinator (SC) begins the transition process with the family in a thorough and timely manner.

Federal Law and Regulation

34 CFR 303.23 (b) (7)

Section 303.23 Service coordination (case management).

(b) Specific service coordination activities. Service coordination activities include--

(7) Facilitating the development of a transition plan to preschool services, if appropriate.

New York State Law and Regulations

10 NYCRR 69-4.20 (b) (3)

(b) At least 120 days prior to the child's potential eligibility for services under the Education Law, Section 4410, the early intervention official shall provide written notification to the Committee on Preschool Special Education (CPSE) of the local school district in which an eligible child resides of the potential transition of the child.

(3) The service coordinator shall review information concerning the transition procedure with the parent and obtain parental consent for the transfer of appropriate evaluations, assessments, Individualized Family Service Plans, and other pertinent records.

New York State Memoranda

The Transition of Children from the New York State Department of Health Early Intervention Program to the State Education Department Preschool Special Education Program or Other Early Childhood Services

pp. 8-9

IV. TRANSITION PROCEDURES TRANSITION PLANNING FOR ALL CHILDREN

A transition plan must be developed for all children exiting the EIP, whether the child will be transitioning to programs and services under Section 4410 of the Education Law or to other early childhood services and supports. It is very important to begin planning for transition as early as possible to ensure a successful transition for the child and



**NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE
EARLY INTERVENTION PROGRAM**

family. It is also important for parents, service coordinators, providers, and public officials to work together to:

- review the progress made by the child and family, and consider whether any services may be needed when the child exits the EIP;
- determine whether a referral is appropriate for preschool special education programs and services;
- determine whether the child and family may need services from other programs under the auspices of the NYSDOH, or services administered by other state or local agencies such as the Office of Mental Retardation and Developmental Disabilities (service coordination services, respite, etc), Office of Mental Health (children's mental health services), Office of Children and Family Services (child care services), etc.;
- ensure a transition plan is in place within required timelines to ensure continuity of services, as appropriate, for the child and family, and with parent consent, to incorporate the transition plan into the IFSP;• develop a transition plan for the child and family, that includes steps to help the child adjust to and function in a new setting; and, procedures to prepare program staff or individual qualified personnel who will be providing services to the child to facilitate a smooth transition; and,
- identify community resources needed by and available to assist the child and family.

If a child has made such significant progress in the EIP that the child and family do not require any type of continuing services, the IFSP should include the steps that will be taken to discharge the child and family from the EIP.

**TRANSITION PLANNING FOR CHILDREN FOR WHOM A REFERRAL
TO PROGRAMS UNDER SECTION 4410 OF THE EDUCATION LAW IS
NOT THOUGHT TO BE APPROPRIATE**

Transition planning for children for whom a referral to preschool special education programs and services is not thought to be appropriate should begin at the IFSP meeting within six months prior to the child's third birthday, or earlier, if local procedures require that transition planning for these children begin at an earlier time. The transition plan must include steps to ensure the transition is completed by the time the child exits the EIP before his/her third birthday (when the child is no longer age eligible for the EIP). The last date for services under the IFSP must be the day before the child's third birthday.

The service coordinator is responsible for assisting the parent in identifying, locating, and accessing other early childhood and supportive services that may be needed by the child and family. The service coordinator may refer the family to the Early Childhood Direction Center (ECDC) or to the Child Care Resource and Referral Program (CCRR), which may assist the family in accessing child care services. Lists of the ECDCs and CCRRs are included in Appendix B and Appendix C.



New York City Policy and Procedures Manual as Amended

Policy for Leaving EIP, p. 1

Transition Policy, pp. 1, 2

Developing a Transition Plan for Children who leave the Early Intervention Program before Three Years of Age, p. 1

Transition Out of Early Intervention (EI), pp. 1, 2



NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE
EARLY INTERVENTION PROGRAM

3. The SC ensures that parents are given full information about the consent to notify CPSE of eligibility.

New York State Law and Regulations

10 NYCRR69-4.20 (b) (3, 4)

(b) At least 120 days prior to the child's potential eligibility for services under the Education Law, Section 4410, the early intervention official shall provide written notification to the Committee on Preschool Special Education (CPSE) of the local school district in which an eligible child resides of the potential transition of the child.

(3) The service coordinator shall review information concerning the transition procedure with the parent and obtain parental consent for the transfer of appropriate evaluations, assessments, Individualized Family Service Plans, and other pertinent records.

(4) With parent consent, the early intervention official shall convene a transition conference with the parent, service coordinator, and the chairperson of the CPSE or designee, at least 90 days prior to the child's eligibility for services under Education Law, Section 4410, or no later than 90 days before the child's third birthday, whichever is first to review program options and if appropriate, establish a transition plan.

New York State Memorandum

**The Transition of Children from the New York State Department of Health Early Intervention Program to the State Education Department Preschool Special Education Program or Other Early Childhood Services
pp. 11-12**

Notice Requirements and Timeframes for the Transition Conference

Under Section 2548 of the PHL and Section 69-4.20(b) of EIP regulations, the EIO is required, with parental consent, to notify the school district in which a child resides of the child's potential eligibility for services under Section 4410 of the Education Law at least 120 days before the child is first eligible for these services. In addition, the EIO must, with parental consent, arrange for a transition conference among the EIO, service coordinator, parent, and the chair (or her/his designee) of the CPSE at least 90 days before the child is first eligible for services under Section 4410 of the Education Law, or the child's third birthday, whichever is first. If the child is already receiving, or may need additional services from another state agency (for example, if a child is in an Office of Mental Retardation and Developmental Disabilities (OMRDD) waiver program or may



NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE
EARLY INTERVENTION PROGRAM

be eligible for services under OMRDD) it may be appropriate to invite representatives of that agency, with the parent's consent.

EIOs must obtain parental consent for the notice to the CPSE of the child's potential eligibility for services under Section 4410 of the Education Law, convening of the transition conference, and referral to the school district in writing and ensure these consents and all actions related to transition are documented in the child's record. It is recommended that the EIO send the referral to the CPSE with a return receipt requested.

New York State Memoranda
The Transition of Children from the New York State Department of Health Early Intervention Program to the State Education Department Preschool Special Education Program or Other Early Childhood Services

pp. 8-9

IV. TRANSITION PROCEDURES
TRANSITION PLANNING FOR ALL CHILDREN

A transition plan must be developed for all children exiting the EIP, whether the child will be transitioning to programs and services under Section 4410 of the Education Law or to other early childhood services and supports. It is very important to begin planning for transition as early as possible to ensure a successful transition for the child and family. It is also important for parents, service coordinators, providers, and public officials to work together to:

- review the progress made by the child and family, and consider whether any services may be needed when the child exits the EIP;
- determine whether a referral is appropriate for preschool special education programs and services;
- determine whether the child and family may need services from other programs under the auspices of the NYSDOH, or services administered by other state or local agencies such as the Office of Mental Retardation and Developmental Disabilities (service coordination services, respite, etc), Office of Mental Health (children's mental health services), Office of Children and Family Services (child care services), etc.;
- ensure a transition plan is in place within required timelines to ensure continuity of services, as appropriate, for the child and family, and with parent consent, to incorporate the transition plan into the IFSP;• develop a transition plan for the child and family, that includes steps to help the child adjust to and function in a new setting; and, procedures to prepare program staff or individual qualified personnel who will be providing services to the child to facilitate a smooth transition; and,
- identify community resources needed by and available to assist the child and family.



NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE
EARLY INTERVENTION PROGRAM

If a child has made such significant progress in the EIP that the child and family do not require any type of continuing services, the IFSP should include the steps that will be taken to discharge the child and family from the EIP.

TRANSITION PLANNING FOR CHILDREN FOR WHOM A REFERRAL
TO PROGRAMS UNDER SECTION 4410 OF THE EDUCATION LAW IS
NOT THOUGHT TO BE APPROPRIATE

Transition planning for children for whom a referral to preschool special education programs and services is not thought to be appropriate should begin at the IFSP meeting within six months prior to the child's third birthday, or earlier, if local procedures require that transition planning for these children begin at an earlier time. The transition plan must include steps to ensure the transition is completed by the time the child exits the EIP before his/her third birthday (when the child is no longer age eligible for the EIP). The last date for services under the IFSP must be the day before the child's third birthday.

The service coordinator is responsible for assisting the parent in identifying, locating, and accessing other early childhood and supportive services that may be needed by the child and family. The service coordinator may refer the family to the Early Childhood Direction Center (ECDC) or to the Child Care Resource and Referral Program (CCRR), which may assist the family in accessing child care services. Lists of the ECDCs and CCRRs are included in Appendix B and Appendix C.

P 27, Q. 19

19. Question: When should the transition planning process begin?

Answer: Because children are in the EIP for a short time, it is appropriate to begin transition planning as early as possible. For children potentially eligible for services under Section 4410 of the Education Law, transition planning must be initiated in accordance with requirements in PHL in this document. For children for whom a referral to the CPSE is not appropriate, a transition plan should be developed at the IFSP meeting within six months prior to the child's third birthday.

New York City Policy and Procedure Manual

Transition Out of Early Intervention, pp. 1, 2



4. The SC prepares for transition conference, including appropriate parties.

Federal Law and Regulation

34 CFR 303.148 (a, b)

Sec.303.148 Transition to preschool programs.

Each application must include a description of the policies and procedures to be used to ensure a smooth transition for children receiving early intervention services under this part to preschool or other appropriate services, including--

- (a) A description of how the families will be included in the transition plans;
 - (b) A description of how the lead agency under this part will--
 - (1) Notify the local educational agency for the area in which the child resides that the child will shortly reach the age of eligibility for preschool services under Part B of the Act, as determined in accordance with State law;
 - (2)(i) In the case of a child who may be eligible for preschool services under Part B of the Act, with the approval of the family of the child, convene a conference among the lead agency, the family, and the local educational agency at least 90 days, and at the discretion of the parties, up to 6 months, before the child is eligible for the preschool services, to discuss any services that the child may receive; or
 - (ii) In the case of a child who may not be eligible for preschool services under Part B of the Act, with the approval of the family, make reasonable efforts to convene a conference among the lead agency, the family, and providers of other appropriate services for children who are not eligible for preschool services under Part B, to discuss the appropriate services that the child may receive;
-

New York State Laws and Regulations

10 NYCRR69-4.20 (b) (4), (d)

(b) At least 120 days prior to the child's potential eligibility for services under the Education Law, Section 4410, the early intervention official shall provide written notification to the Committee on Preschool Special Education (CPSE) of the local school district in which an eligible child resides of the potential transition of the child.



NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE
EARLY INTERVENTION PROGRAM

((4) With parent consent, the early intervention official shall convene a transition conference with the parent, service coordinator, and the chairperson of the CPSE or designee, at least 90 days prior to the child's eligibility for services under Education Law, section 4410, or no later than 90 days before the child's third birthday, whichever is first to review program options and if appropriate, establish a transition plan.

(iii) The parent may decline a transition conference; provided, however, that the parent shall be informed that the child's eligibility for services under section 4410 of the Education Law must be determined by the child's third birthday to continue receiving early intervention services after the child's third birthday and that if a determination of eligibility for services under section 4410 of the Education Law has not been made by the CPSE prior to the child's third birthday, eligibility for early intervention services will end the day before the child's third birthday.

(a) Declination of a transition conference by the parent shall be documented in the child's record.

(b) The early intervention official shall explain to the parent that if the parent declines a transition conference, the parent may refer the child to the CPSE for determination of eligibility for Education Law, section 4410 services and shall provide information on how the parent may make such referral.

New York State Memoranda

The Transition of Children from the New York State Department of Health Early Intervention Program to the State Education Department Preschool Special Education Program or Other Early Childhood Services
pp. 11-12

Notice Requirements and Timeframes for the Transition Conference

Under Section 2548 of the PHL and Section 69-4.20(b) of EIP regulations, the EIO is required, with parental consent, to notify the school district in which a child resides of the child's potential eligibility for services under Section 4410 of the Education Law at least 120 days before the child is first eligible for these services. In addition, the EIO must, with parental consent, arrange for a transition conference among the EIO, service coordinator, parent, and the chair (or her/his designee) of the CPSE at least 90 days before the child is first eligible for services under Section 4410 of the Education Law, or the child's third birthday, whichever is first. If the child is already receiving, or may need additional services from another state agency (for example, if a child is in an Office of Mental Retardation and Developmental Disabilities (OMRDD) waiver program or may



NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE
EARLY INTERVENTION PROGRAM

be eligible for services under OMRDD) it may be appropriate to invite representatives of that agency, with the parent's consent.

EIOs must obtain parental consent for the notice to the CPSE of the child's potential eligibility for services under Section 4410 of the Education Law, convening of the transition conference, and referral to the school district in writing and ensure these consents and all actions related to transition are documented in the child's record. It is recommended that the EIO send the referral to the CPSE with a return receipt requested.

p. 14

Procedures to Refer the Child to the Committee on Preschool Special Education

A referral to CPSE is a written statement asking the school district to evaluate the child to determine if he or she needs special education services. Various people can make a referral to the CPSE including the parent, a doctor, a judicial officer, a designated person in a public agency or someone from an Early Childhood Direction Center, an approved preschool program or the EIP. Once the referral has been made, parental consent is required for the child to be evaluated.

If a determination is made at the transition conference to refer the child to the CPSE, and the parent consents to the referral, the EIO must refer the child in writing to the chairperson of the CPSE in the school district in which the child resides. If the parent does not participate in the transition conference, the EIO is still responsible for referring the child to the CPSE, with parental consent, if the EIO believes the child is potentially eligible for services under Section 4410 of the Education Law. The referral must specify the extent to which the child has received EIP services prior to the referral.

New York City Policy and Procedure Manual As Amended

Transition Policy 10-B



5. Transition Plan is in place for children leaving EIP for any reason before the age of three (not CPSE).

New York State Memoranda
The Transition of Children from the New York State Department of Health Early Intervention Program to the State Education Department Preschool Special Education Program or Other Early Childhood Services
pp. 8-9

IV. TRANSITION PROCEDURES
TRANSITION PLANNING FOR ALL CHILDREN

A transition plan must be developed for all children exiting the EIP, whether the child will be transitioning to programs and services under Section 4410 of the Education Law or to other early childhood services and supports. It is very important to begin planning for transition as early as possible to ensure a successful transition for the child and family. It is also important for parents, service coordinators, providers, and public officials to work together to:

- review the progress made by the child and family, and consider whether any services may be needed when the child exits the EIP;
- determine whether a referral is appropriate for preschool special education programs and services;
- determine whether the child and family may need services from other programs under the auspices of the NYSDOH, or services administered by other state or local agencies such as the Office of Mental Retardation and Developmental Disabilities (service coordination services, respite, etc), Office of Mental Health (children's mental health services), Office of Children and Family Services (child care services), etc.;
- ensure a transition plan is in place within required timelines to ensure continuity of services, as appropriate, for the child and family, and with parent consent, to incorporate the transition plan into the IFSP;
- develop a transition plan for the child and family, that includes steps to help the child adjust to and function in a new setting; and, procedures to prepare program staff or individual qualified personnel who will be providing services to the child to facilitate a smooth transition; and,
- identify community resources needed by and available to assist the child and family.

If a child has made such significant progress in the EIP that the child and family do not require any type of continuing services, the IFSP should include the steps that will be taken to discharge the child and family from the EIP.



NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE
EARLY INTERVENTION PROGRAM

TRANSITION PLANNING FOR CHILDREN FOR WHOM A REFERRAL
TO PROGRAMS UNDER SECTION 4410 OF THE EDUCATION LAW IS
NOT THOUGHT TO BE APPROPRIATE

Transition planning for children for whom a referral to preschool special education programs and services is not thought to be appropriate should begin at the IFSP meeting within six months prior to the child's third birthday, or earlier, if local procedures require that transition planning for these children begin at an earlier time. The transition plan must include steps to ensure the transition is completed by the time the child exits the EIP before his/her third birthday (when the child is no longer age eligible for the EIP). The last date for services under the IFSP must be the day before the child's third birthday.

The service coordinator is responsible for assisting the parent in identifying, locating, and accessing other early childhood and supportive services that may be needed by the child and family. The service coordinator may refer the family to the Early Childhood Direction Center (ECDC) or to the Child Care Resource and Referral Program (CCR), which may assist the family in accessing child care services. Lists of the ECDCs and CCRs are included in Appendix B and Appendix C.

New York Policy and Procedure Manual as Amended

Developing a Transition Plan for Children who leave the Early Intervention Program before Three Years of Age, Policy 10-C