

Transition Alert

Improving the transition process for young children, their families and the professionals who work with them through an examination of factors that promote successful transitions between infant/toddler programs, preschool programs, and public school programs for young children with disabilities and their families.

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The Individuals with Disabilities Education Improvement Act of 2004 and Transition

IDEA [Title I, Part A, §601 (a)]

The Individuals with Disabilities Education Act of 2004 has been approved by both houses of Congress and signed into law by President George Bush on December 3, 2004. Many of the IDEA of 2004's concepts related to transition are familiar, such as the requirement that state interagency coordinating councils must develop plans for early childhood transition, the listing of components specified by law in for the IFSP transition plan for each child, and the mandated practice of a transition planning meeting at least 90 days (but perhaps as much as 9 months) prior to a child's transition from Part C early intervention services to Part B, Section 619 preschool services.

Several new emphases may require discussion within states. Additionally, a number of these changes may require rulemaking procedures by the U.S. Department of Education, the agency that administers the law. The following is an overview of the major changes:

Within the IDEA of 2004, there is a greater emphasis on flexibility to create seamless service systems.

- If the state policy provides for it, children with disabilities who are age 3 or older, who have participated in Part C services, and who are now eligible to receive services under Part B, may continue to participate in early intervention services, rather than enrolling in those provided under 619, until such children enter, or are eligible under state law to enter, kindergarten [Part C, §635 (c)(1)].
- The early intervention services for 3 and 4 year olds must then include an educational component that promotes school readiness and incorporates preliteracy, language, and numeracy skills. At each state's discretion, the families of these children may continue to receive service coordination or case management [Part C, §635 ©(2)(B)].
- Families of 3 and 4 year olds deciding whether their children will continue to receive services under part C or participate in preschool programs under Section 619 must receive annual written notification of their rights and responsibilities [Part C, §635 (c)(2) (A)], including their right to choose 619 or early intervention services [§635 (c)(2)(A)(i)] and an explanation of the differences between the services of Part C and Part B (ii), including the types of services and the locations at which the services will be provided,

the applicable procedural safeguards, and possible fees to be charged to families.

- If the state policy allows for this form of flexibility, families must choose between the two options prior to the child's third birthday. The IFSP will remain in force until a determination of eligibility for special education services occurs. If the statewide system includes a policy allowing parental choice on this matter, the state will be required to report annually to the Secretary of Education on the number and percentage of children with disabilities who are eligible for services under Section 619 but whose parents choose for their children to continue to receive early intervention services.

The new law aims to facilitate transitions by including the following guidelines:

- "The local educational agency will participate in transition planning conferences arranged by the designated lead agency..." [Part B, §612 (9)].
- "In the case of a child who was previously served under Part C, an invitation to the initial IEP meeting shall, at the request of the parent, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services" [Part C, §614 (a)(1)(D)].

Notably, in commenting on the latter provisions, the House and Senate Conference Committee wrote, *"The Conferees recognize that ensuring a smooth transition from the Part C system to the Preschool Program or to school is vital for a child's educational success. It is the Conferees' intent that during the initial IEP meeting for a child transferring from the Part C program the types of services the child received as part of the IFSP are discussed. The Conferees understand that services provided through the Part B program may differ in frequency, duration, and environment; however, the IEP Team should explain the changes in services in the initial IEP meeting. The Conferees do not intend that a state or district reduce any service a child would be otherwise eligible for under Part B"* (Congressional Record, November 17, 2004, p. H9945).

At least two places in the new law underscore the need for collaboration among agencies that may be involved in *horizontal* transitions, that is, in the movement of a child across locations during the same day or within the same week:

(a) The state will provide to the U.S. Department of Education a description of state efforts to promote collaboration among Early Head Start programs, early education and child care programs, and services under Part C [Part C, §637 (10)].

(b) An effective educational system should "promote transition services and coordinate state and local education, social, health, mental health, and other services, in addressing the full range of student needs, particularly the needs of children with disabilities who need significant levels of support to participate and learn in school and the community" [Part D, §650 (4)(c)].

The IDEA of 2004 also provides that “not more than” 15 states will “allow parents and school districts the opportunity for long-term planning by offering the option of developing a comprehensive multi-year IEP,

- not to exceed 3 years, that is designed to coincide with natural transition points for the child” [Part B, §614 (5)(A)(i)].
- “Natural transition points’ means those periods that are close in time to the transition of a child with a disability from preschool to elementary grades, from elementary grades to middle or junior high school grades..., but in no case a period longer than 3 years” [Part B, §614 (5)(A)(iii)].

Such a multi-year plan is to be optional for parents, who would have the opportunity for informed consent to such a document before the process ensues. The process would include measurable annual goals coinciding with the general education curriculum and the child’s natural transition points, annual review, team review at a natural transition point only, amendment if the child is not making progress on a goal, and the child’s entire team meeting annually at parent request. The Secretary of Education will report to the Congress in 2 years regarding a possible recommendation for broader implementation of this approach. This multi-year IEP is not specifically discussed in regard to young children.

Finally, the new law mentions the importance of transition frequently in a number of contexts; for example, coordinated planning for children, the role of family service coordinators, sources of support for transition costs, transmittal of records, interdisciplinary personnel training to conduct effective transitions, paraprofessional training, the duties of the state interagency coordinating council, technical assistance, dissemination of research findings, parent involvement, parent training and information, and competitive grants for research to improve transitions.

IDEA of 2004 definitely underscores the importance of effective transitions for positive child outcomes.

More information about the impact of IDEA 2004 on the transition process will be provided as it becomes available. Check the NECTC web site at:
<http://www.ihdi.uky.edu/nectc/>

or contact the project office at 859-257-2081 or toll free at 866-742-4015 if you need additional information or if you have suggestions for future Transition Alerts or products from NECTC.

The information contained in this Transition Alert does not necessarily reflect the position or policy of the Office of Special Education Programs and no official endorsement by the Department of Education should be inferred.



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Available Products

Several documents have been developed that may be of interest to professionals who work with young children with disabilities. These documents are available on the web site. Additional documents will be posted on a regular basis.

Project Information

Briefing Paper

An in-depth overview of the National Early Childhood Transition Center activities.

Orientation to NECTC

Information about the activities of NECTC in a PowerPoint format.

NECTC Brochure

A general overview of NECTC activities.

Resources

Current IDEA Regulations Related to Early Childhood Transition

Information on current IDEA regulations. New information on IDEA re-authorization and changes in transition regulations will be posted here when available.

Transition Stories

An on-line opportunity for professionals and parents to share information about transition practices and strategies that have been effective or ineffective. Two brochures are available for download or through the project office.

Transition Materials

The NECTC seeks your help in identifying transition strategies and practices that have been evaluated to determine their effectiveness. This includes

- Training materials and/or models for early childhood personnel developed at a local, state or national level
- Transition models
- State and/or local policy documents, support materials, and guides
- Research studies that address transition issues.
- A materials acquisition brochure is available on our website.

Coming Soon

Practice Briefs

Short papers that provide information on currently identified practices and strategies that support the transition process for children, families, programs, communities and states.

On-Line Database

An on-line, searchable database of transition resources and materials.

Bookmark this Site

For more specific information on the activities of the center, go to <http://www.ihdi.uky.edu/nectc/> or contact the project office at 859-257-2081 or toll free at 866-742-4015.