

## Interim Exiting and Transitioning from Birth to Three

**Purpose:** This interim procedure authorizes supporting families with children who are eligible for Part B and who have a third birthday between May 1 and the start of the school year after the third birthday until the final edits to the full Exiting - Transition procedure are completed.

### Early Intervention Services Over 3 (EIS Over 3)

A family who is receiving Early Intervention Services (EIS) whose child meets all three criteria below will be able to choose to continue Part C Birth to Three EIS beyond “36 months” or their “third birthday” until the beginning of the school year following the child's third birthday.

This extension of Part C to children over age 3 applies only if the child is

- reaching age three on or after May 1 of each year through the start of their school year after the child's third birthday.
- enrolled in Birth to Three and receiving early intervention services, and
- eligible for preschool services under Section 619 of the IDEA.

Programs must provide families with a copy of the Parent Rights brochure and “CT EIS Over 3 Notification” no later than the timely transition conference or as soon as possible if the timeline before the transition conference has passed. All the requirements for transition planning are the same for Part C and Part B. Once the child has been determined to be eligible for Part B and the IEP has been developed, the family will be able to choose how they would like to proceed.

Families cannot re-enter the Birth to Three System once they exit after the child has reached age 3. It is important to review the CT EIS Over 3 Notification Form with families including the information about Extended School Year (ESY). If the child is not eligible for ESY, the services from the school will not start until the implementation date on the child's IEP. This means that if a parent does not elect to continue in Birth to Three, they will not receive supports from Birth to Three or services from their school over the summer. For all families with children who qualify for EIS Over 3, regardless of the choice made, the program must have the parent review and sign Form 5-5, CT EIS Over 3 Consent before the child reaches age 3.

### *EIS Over 3 and Late Referrals*

Through a Memorandum of Understanding between the lead agency and the State Department of Education, children who

- a) qualify for EIS Over 3 based on their birth date,
- b) are referred to Part C between 97 and 46 days before their third birthday, and
- c) are determined to be eligible for Part C,

will be considered to be eligible for Part B on an interim basis until the LEA completes its eligibility determination. If the child is determined to be eligible for Part B, the family will be given the choices on Form 5-5. If the child is not eligible for Part B, the family will exit Part C the day after the family receives written prior notice from the LEA that the child is not eligible for Part B. For families with children who are not eligible for Part B, if the family exercises their rights as identified in *Procedural Safeguards in Special Education* regarding the eligibility determination, Part C services will continue during the pendency of proceedings for that determination of the results.

### EIS Over 3 Data Collection

The Birth to Three Data System includes a new option for children who reach age 3. Programs are to select “Part B eligible, continued in Part C” for children who received any EIS on or after the child's third birthday. The exit date must be the day the family chooses to exit after 3 if it is before the first day of the school year, the day before the first day of the school year day, or the day before the implementation date on the IEP if it is after the first day of the school year.