Division of Special Education/Early Intervention Services

Early Childhood Transition from Part C to Part B of the Individuals with Disabilities Education Act (IDEA) State Performance Plan (SPP) Part B Indicators 11 and 12

In December 2009, the federal Office of Special Education Programs (OSEP) released the OSEP Early Childhood Transition FAQs: SPP/APR Indicators C-8 and B-12 document. The complete document may be accessed at http://spp-apr-calendar.rrfnetwork.org/explorer/view/id/798. The purpose of this Technical Assistance Bulletin from the Maryland State Department of Education is to clarify Maryland’s data collection procedures specific to federal Part B Indicator 11 and Indicator 12. This information impacts eligibility determination for children transitioning from Part C at age 3 to Part B or who continue early intervention services through an Extended Individualized Family Service Plan (IFSP).

Part B Eligibility Determination

Prior to receiving services under Part B of IDEA or services through an Extended IFSP, an Individualized Education Program (IEP) team must determine whether a child is a child with a disability or developmental delay who requires special education and related services, in accordance with Code of Maryland Regulations (COMAR) 13A.05.01.06B. This is referred to as the eligibility determination. To make this eligibility determination, the local school system or public agency is required to assess and evaluate the child within 60 calendar days of the parent’s consent to evaluate the child.

To conduct an evaluation, the local school system or public agency must first conduct an assessment. In accordance with COMAR 13A.05.01.03B(3), an assessment is the process of collecting data to be used by the IEP team to determine a student's need for special education and related services. Following an assessment, it is the responsibility of the child’s IEP team to conduct the evaluation. In accordance with COMAR 13A.05.01.03B(25), an evaluation is the process of an IEP team and other qualified professionals, as appropriate, meeting to review information from the child’s parent, existing data, results of assessment procedures used to determine whether a child has a disability, and the nature and extent of the special education and related services that the child needs.
Under Maryland’s Early Childhood Intervention and Education Service Model, the Part B eligibility
determination outcomes are:

1. Children who are determined **not eligible** for Part B preschool special education and related
   services; and
2. Children who are determined **eligible** for Part B preschool special education and related
   services and will receive early intervention services under an IFSP; and
3. Children who are determined **eligible** for Part B preschool special education and related
   services and will receive special education and related services under an IEP.

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**Data Collection**

**Indicator B-11: Child Find – Percent of children who were evaluated within 60 days of receiving
parental consent for initial evaluation for Part B eligibility.**

1. **Are children transitioning from Part C services at age 3 to Part B preschool special education and
   related services required to receive written parental consent for initial evaluation?**

   Yes. The date of this written parental consent is the beginning of the 60-day timeline to complete
   eligibility determination.

2. **Will children transitioning from Part C services at age 3 who are determined eligible for Part B
   preschool special education and related services and whose parents consent to continue early
   intervention services under an Extended IFSP be included in the total number reported for
   Indicator B-11?**

   Yes. The Maryland State Department of Education (MSDE) must report in the State Performance
   Plan (SPP)/Annual Performance Report (APR) Indicator B–11 for children transitioning from Part
   C at age 3 to Part B and receive early intervention services under an Extended IFSP. Indicator B–
   11 measures the percent of children who were evaluated within 60 days of receiving parental
   consent for an initial evaluation.
3. **Should children transitioning from Part C at age 3 who are determined eligible for Part B and receive special education and related services under an IEP be included in the total number reported for Indicator B-11?**

   Yes. MSDE must report in the State Performance Plan (SPP)/Annual Performance Report (APR) Indicator B–11 for children transitioning from Part C to Part B. Indicator B–11 measures the percent of children who were evaluated within 60 days of receiving parental consent for an initial evaluation.

4. **Should children transitioning from Part C at age 3 who are determined not eligible for Part B special education and related services be included in the total number reported for Indicator B-11?**

   Yes. Children who are determined not eligible for Part B are required to be included in the reporting for Indicator B-11.

   *(OSEP Early Childhood Transition FAQs; SPP/APR Indicators C-8 and B-12; 12/1/2009; p. 9 of 14)*

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**Indicator B-12: Early Childhood Transition – Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.**

5. **Should children transitioning from Part C at age 3 who are determined eligible for special education and related services and whose parents consent to continue early intervention services under an Extended IFSP be included in the total number reported for Indicator B-12?**

   No. The MSDE is not required to report in the SPP/APR Indicator B-12 the number of children who are transitioning from Part C at age 3 and receive early intervention services under an IFSP as part of the extended option.

6. **Should children transitioning from Part C at age 3 who are determined eligible for Part B and receive special education and related services under an IEP be included in the total number reported for Indicator B-12?**

   Yes. The MSDE is required to report in the SPP/APR Indicator B-12 the number children who are transitioning from Part C at age 3 and determined eligible for Part B and receive special education and related services under an IEP.

7. **Should children transitioning from Part C at age 3 who are determined not eligible for Part B special education and related services be included in the total number reported for Indicator B-12?**

   Yes. The MSDE is required to report in the SPP/APR Indicator B-12 the number children who are...
transitioning from Part C at age 3 and are determined not eligible for Part B special education and related services.

(OSEP Early Childhood Transition FAQs; SPP/APR Indicators C-8 and B-12; 12/1/2009; p. 9 of 14)

Note: MSDE is not required to report on the number of children referred by Part C at age 3 to Part B who do not go through the eligibility determination process (example, after child is referred by Part C to Part B, the family decides that they do not wish Part B to continue with the evaluation process to determine eligibility for preschool special education and related services).

As a result of the OSEP Early Childhood Transition FAQ document, MSDE is required to amend Maryland’s Statewide Policies and Procedures for Transition from Part C to Part B and other Community-Based Services, dated October 25, 2004. This document addresses policies specific to Part C Indicator 8 (Early Childhood Transition - Percent of all children exiting Part C who received timely transition planning to support the child’s transition to preschool and other appropriate community services by the third birthday), and the following sub-indicators:

- 8a. IFSPs with transition steps and services beginning at 24 months of age;
- 8b. Notification to Local Education Agencies (LEA), if children are potentially eligible for Part B; and
- 8c. Timely transition planning meetings held from 9 to 3 months prior to the child’s 3rd birthday.

Additional information will be provided in the near future.