



Part C Proposed changes to the regulations can be found in the NPRM

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The Secretary of Education is proposing to make changes to the regulations for the Early Intervention Program for Infants and Toddlers with Disabilities. The proposed regulations will implement changes made to the Individuals with Disabilities Education Act by the Individuals with Disabilities Education Improvement Act of 2004. You may comment on these regulations by accessing Regulations.gov. Comments must be received by July 23, 2007.

The Vermont Parent Information Center has developed a survey in collaboration with the Interagency Coordinating Council (ICC) to ask parents' opinions about some of the critical changes to Part C regulations.

Won't you please take a few minutes to complete this on-line survey and submit it to VPIC by July 12th? Your comments are completely confidential. Comments will be summarized and presented to the ICC and included in VPIC's comments to the Secretary of Education, John Hagar. **Please note that the citation for each regulation is listed after the heading. You can read the complete regulation by downloading the documents listed above.**

Screening procedures (303.303)

Screening is a process used as part of the child find system under Part C. Currently, there is no regulation regarding screening procedures to determine whether a child may have a disability and qualify for Part C services.

In Vermont FITP will have to do all the screenings. Screenings conducted by others, such as health care offices or Early Head Start programs can't be used to determine a child's need for and assessment. As a result, the host agency will be required to conduct its own screening unless medical records and other information indicate a delay.

The proposed regulations add to the child find system that procedures to screen children referred to Part C, when appropriate, may be used in determining whether a child may have a disability. In addition, parental consent will be required before a screening can take place.

Should the proposed regulations add screening to the child find system with parental consent?

Yes

No

Don't know

Comments

Referral Procedures (Section 303.302)

Each state must have a child find system to identify infants and toddlers with disabilities who may be in need of FITP services.

Currently the law requires that a referral to evaluate a child for infant and toddler services occurs within two working days after the child has been identified.

The proposed changes to the law would require a referral to be made as soon as possible after a child is identified as having a disability.

Do you agree to the change requiring a referral for an FITP assessment or services to take place as soon as possible rather than within two working days?

Yes

No

Don't know

Comments

Evaluation and assessment of the child and family and assessment of service needs (303.320)

Each lead agency must ensure a timely, comprehensive, multidisciplinary evaluation of an infant or toddler suspected of having a disability that is referred for an evaluation or services.

Current regulations require a 45-day timeline from the time of referral to complete the child and family evaluation and to hold the first Individualized Family Service Plan (IFSP) meeting.

The proposed changes to this rule would require 45 days from the date that parents give their consent for an evaluation to complete the evaluation and hold the first IFSP meeting.

Should the proposed regulations add screening to the child find system with the consent of parents?

Yes

No

Don't know

Comments

Parental consent and ability to decline services (303.420)

The proposed regulations have added a provision that would permit but not require local education agencies to use the due process hearing system to challenge a parent's refusal to consent to an evaluation and assessment of their child for FITP services.

If parents do not consent to have their child evaluated to see if the child is eligible for FITP services, should the school district have the right to ask for a hearing to get permission to go ahead with the evaluation?

Yes No Don't know

Comments

Multidisciplinary (303.24)

Part C regulations currently define the term *multidisciplinary* as the involvement of professionals from either two or more disciplines or professions in evaluating and assessing a child and in providing services to that child.

The proposed regulations modify the current definition of *multidisciplinary* to mean
the involvement of two or more individuals from separate disciplines or professions or one individual who is qualified in more than one discipline or profession in evaluating and serving a child.

Do you agree with the change that one individual who is qualified in more than one discipline or profession should be able to evaluate and serve a child?

Yes

No

Don't know

Comments

Transition to preschool and other programs (303.209)

When a child transitions from Part C to preschool special education, FITP staff must notify the local education agency (school), with family approval, no later than 90 days and up to 6 months before the child turns three.

The proposed regulations have extended the timeline for notifying the school to no later than 90 days and up to 9 months before the child turns three. In addition, the FIT staff must provide the child's name, date of birth, and the parents' name(s), addresses, and phone numbers. States will have the option to "opt out" of this requirement and allow a parent to refuse to disclose personally identifiable information.

Do you agree with the timeline change for notifying a local education agency up to 9 months before a child turns three?

Yes

No

Don't know

Comments

Should Vermont "opt out" of the proposed regulation that requires parents to disclose personally identifiable information?

Yes

No

Don't know

Comments

Establishment of Council (303.600)

States must establish and Interagency Coordinating Council appointed by the Governor to oversee the Part C program. The proposed Part C regulations have added a provision that would prevent a parent member from being an employee of a public or private agency that provides early intervention services.

Should parent members of the ICC include parents who are employees of public or private agencies that provide early intervention services?

Yes

No

Don't know

Comments

Policies related to the use of insurance or public benefits for payment for services (303.520)

States may use a family's or child's public insurance to pay for FITP services. Regulations require states to obtain parental consent before billing Medicaid for FITP services.

Should FITP be required to get parental consent before billing Medicaid for FITP services, if billing Medicaid will not cost parents anything (for example, FITP would cover co-pays and there are no "caps" on Medicaid coverage)?

Yes No Don't know

Comments

Early intervention services (303.13)

Nutrition services, such as those that address a child's feeding skills or feeding problems, have been part of the early intervention services provided by Part C.

The proposed regulations have removed nutrition services as an early intervention service.

Should the proposed regulations retain nutrition services as one of the early intervention services a child and family can receive?

Yes No Don't know

Comments

Service coordination services (case management) (303.33)

Current law provides for one service coordinator whose responsibilities include coordinating all FITP services, serving as the single point of contact for families, and assisting families in obtaining early intervention services.

The proposed regulations remove the requirement for one service coordinator and state that a service coordinator will assist parents of infants and toddlers with disabilities to gain access to an coordinate the provision of early intervention services and other services identified in the IFSP.

Should the proposed regulations retain the provision that one service coordinator is responsible for coordinating and assisting families in obtaining early intervention services?

Yes

No

Don't know

Comments

State option to make services under this part available to children ages three and older (303.211)

Currently, FITP services end when a child turns three. The proposed regulations would allow a state to choose continuing FITP services to children beyond the ages of three who previously received early intervention services and who qualify for preschool special education services, until the child transitions to kindergarten or elementary school.

Parents would have the right to be notified about this option and to choose whether their child would continue in FITP or move to the preschools special education program under Part B of the Individuals with Disabilities Education Improvement Act.

Children who qualify for Part B services are entitled to a Free Appropriate Public Education (FAPE). If a parent chooses to have their child continue in FITP, the child does not have a right to a FAPE.

FAPE means special education and related services that must be provided through an Individualized Education Program (IEP) at no cost to parents for children who qualify.

Should Vermont explore the option to expand FITP services to children beyond the age of three?

Yes

No

Don't know

Comments