

Indicator 12 Compliance

Transition from Early Intervention to Preschool Special Education

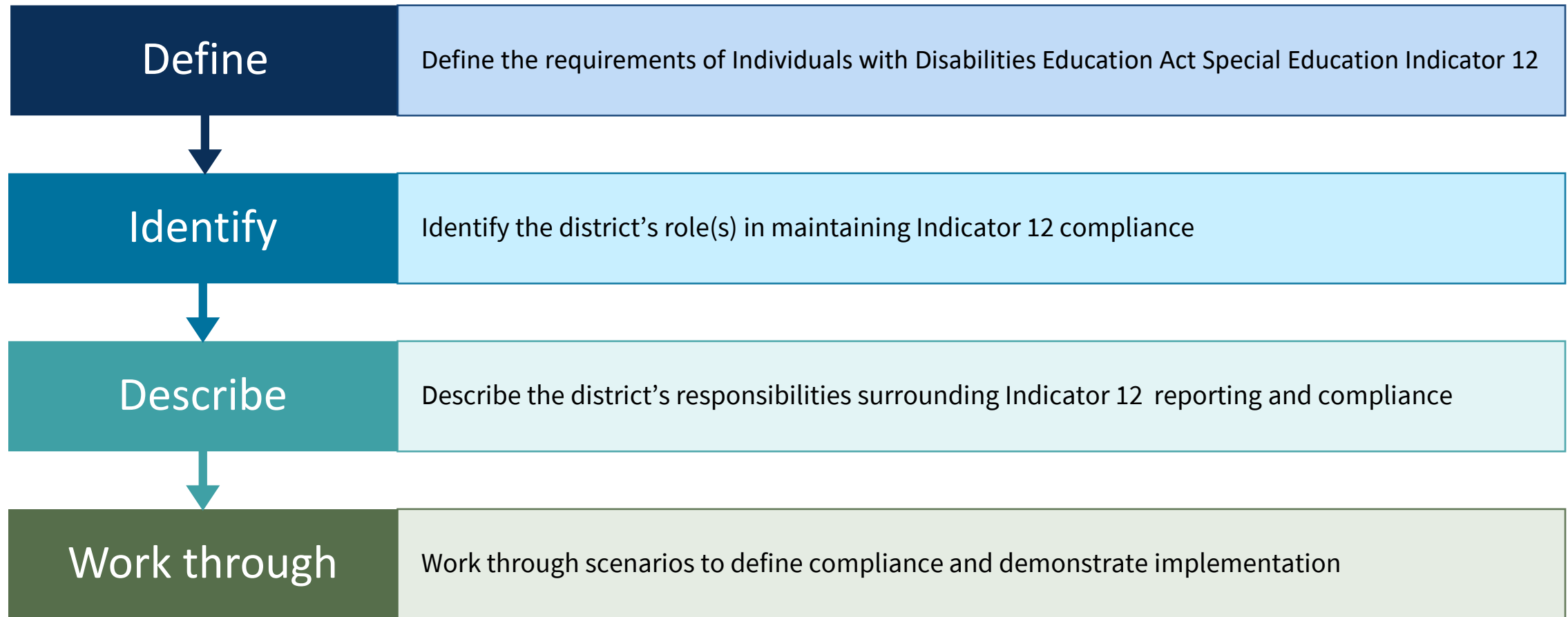
Revised August 2024



MIKE DEWINE
GOVERNOR OF OHIO



LEARNER OBJECTIVES



FEDERAL REQUIREMENTS



**SPECIAL
EDUCATION
INDICATORS**



**INDICATOR 12
COMPLIANCE
INDICATOR**



**REFLECTED ON
YEARLY
SPECIAL
EDUCATION
PROFILE**

WHY IS THIS IMPORTANT?

- Promote children's learning
- Detail service delivery options
- Create interagency agreements
- Maintain compliance

ROLE OF THE DISTRICT



**District is notified at least
90 calendar days
prior to
child's third birthday**



**If invited,
District must attend
and participate
in the TPC**



**May use the days
following the TPC to
confirm residency and
gather other
documentation**

The Preschool Transition from Part C to Part B Optional Form may be used to document the district's participation at the TPC and to track important dates.



TRANSITION PLANNING CONFERENCE TIMELINE



Early Intervention conducts initial evaluation & holds Individual Family Service Plan meeting



Transition notification sent to district = invitation to TPC



Determining Preschool Special Education is shared between Part C and Part B



Individualized Education Program **MUST** be developed and implemented on or before third birthday

Interagency Agreements

TRANSITION PLANNING CONFERENCE TIMELINE



**CENTRAL INTAKE
REFERS FAMILY TO
THEIR DISTRICT OF
RESIDENCE**



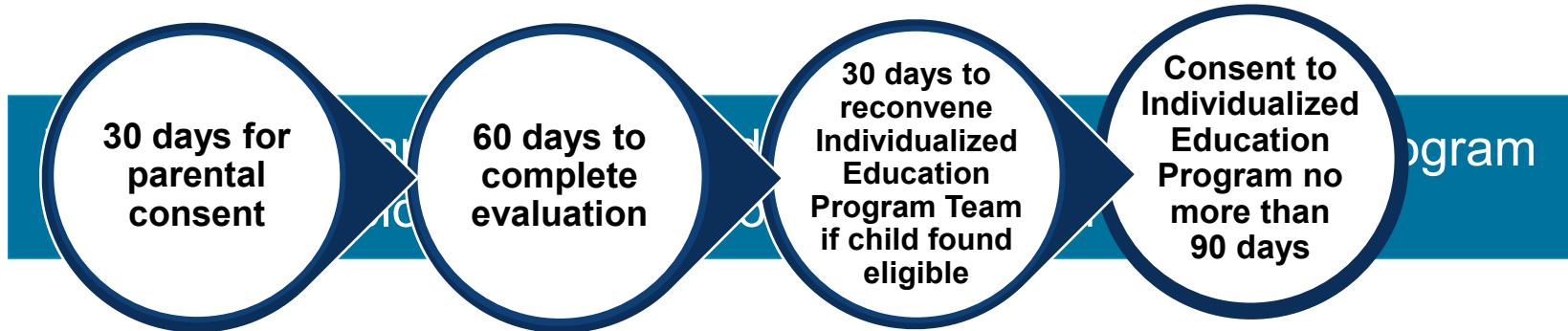
**DISTRICT HAS
60 DAYS TO COMPLETE
AN EVALUATION ONCE
PARENT CONSENT IS
RECEIVED**



**TREATED AS
PARENT REFERRAL
AND FOLLOW
MANDATED TIMELINES**



**IEP IS NOT REQUIRED
TO BE DEVELOPED AND
IMPLEMENTED ON OR
BEFORE THIRD
BIRTHDAY**



Knowledge Check

Jason's parents have been noticing some developmental concerns and decide to contact Early Intervention for a referral. Jason is referred to Early Intervention on *March 16, 2020*. Jason's third birthday will occur on *May 15, 2020*.

Hint: There are 60 days from EI referral to Jason's third birthday

Knowledge Check

Who must conduct the initial evaluation?

Part C

When must district be notified?

As soon as possible

Individualized Education Program before third birthday?

Yes

LOCAL EDUCATION AGENCY REPORTING RESPONSIBILITIES

 District of Residence reports events to EMIS

 Preschool Transition Conference triggers Indicator 12 calculation

 Contact EMIS Coordinator for reporting questions

PART C REFERRAL DATE

Part C referral date will be the earliest of the following:

If TPC or first notification more than 150 days before 3rd birthday

Part C Referral Date is 150 days before third birthday

If first notification from Part C is within 150 days before third birthday

Part C Referral Date is date of first notification from Part C

If TPC is within 150 days before third birthday

Part C Referral Date is date of the TPC

LOCAL EDUCATION AGENCY REPORTING RESPONSIBILITIES

Initial Evaluation Team Report confirms disability

Initial Individualized Education Program developed and implemented on or before third birthday

Implemented means that the Individualized Education Program has been signed **AND** all identified services begin on or before the child's third birthday!



All dates reported should depict what is truly taking place and when it is taking place.

INDIVIDUALIZED EDUCATION PROGRAM DATES

IEP Individualized Education Program DISTRICT: _____

THIS IEP WILL BE IMPLEMENTED DURING THE REGULAR SCHOOL TERM UNLESS NOTED IN SECTION 4 EXTENDED SCHOOL YEAR SERVICES

CHILD'S INFORMATION


NAME: _____ ID NUMBER: _____
STREET: _____ GENDER: _____ GRADE: _____
CITY: _____ STATE: OH ZIP: _____
DATE OF BIRTH: _____

DISTRICT OF RESIDENCE: _____ COUNTY OF RESIDENCE: _____ DISTRICT OF SERVICE: _____

Is the child in Preschool? YES NO
Will the child be 14 years old before the end of this IEP? YES NO
Is the child younger than 14 years of age but has transition and postsecondary goal information? YES NO
Is the child a ward of the state? YES NO
IEP by 3rd birthday? (If transitioning from Part C services) YES NO

PARENT/GUARDIAN INFORMATION Add Parent


MEETING INFORMATION

MEETING DATE: _____ 

MEETING TYPE:


- INITIAL IEP
- ANNUAL REVIEW
- REVIEW OTHER THAN ANNUAL REVIEW
- AMENDMENT
- OTHER _____

IEP TIME LINES

ETR COMPLETION DATE: _____ 

NEXT ETR DUE DATE: _____

IEP EFFECTIVE DATES

START: _____ 

END: _____

NEXT IEP REVIEW: _____

CALCULATION USED TO DETERMINE COMPLIANCE

Calculation
 # of children found eligible for Part B who have an IEP developed and implemented by their third birthdays
 ÷
 Total # of children found eligible for Part B

Step	Description	Data
A	Total # of children from Part C who are eligible for Part B services	18
B	IIEPs Late	
C = A - B	IIEPs On Time	17
D = C / A	Percent Compliant	(17/18) = 94.44 %



NONCOMPLIANCE REASON CODES

UNEXCUSED REASONS

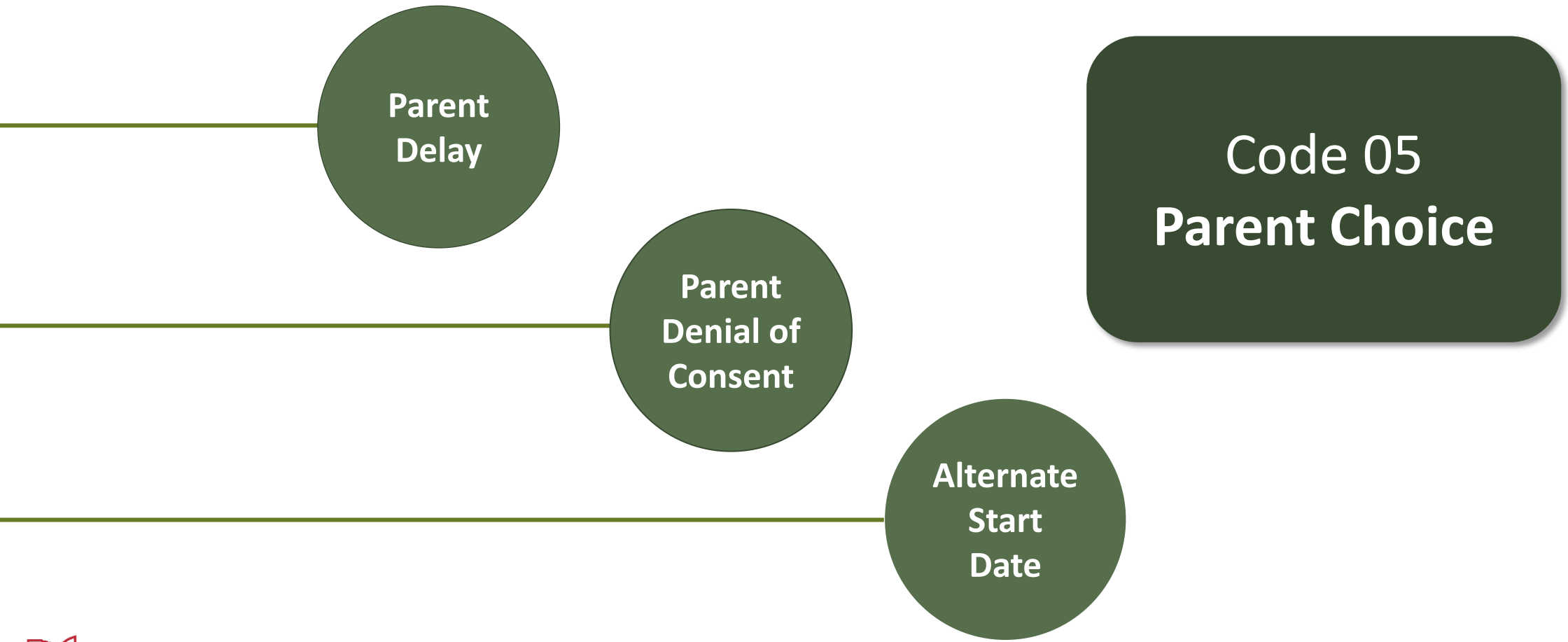
- **** Not Applicable
- 01** No Identified Reason
Includes weather related delays
- 02** Staff Not Available
Summer Months
- 03** Staff Not Available
School Year
- 04** Scheduling conflicts with family

EXCUSED REASONS

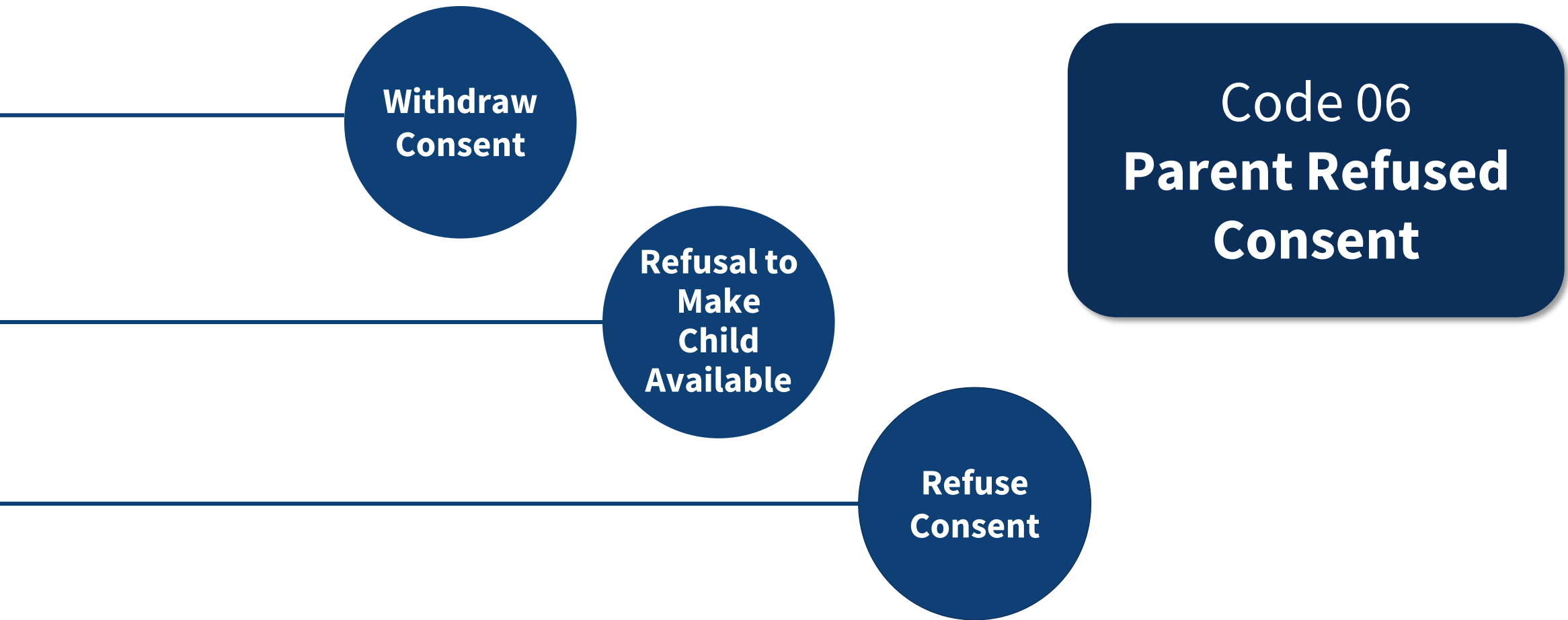
- 05** Parental Choice
- 06** Parent Refused Consent
(OR repeatedly didn't show up at scheduled meeting)
- 07** Child's Health
- 09** District in compliance with due process timelines, but incorrect/missing data reported in EMIS in a prior reporting period

Remember: always report true and accurate depictions of events - what is *actually* happening!

POSSIBLE REASONS FOR LATE INDIVIDUALIZED EDUCATION PROGRAM



POSSIBLE REASONS FOR LATE INDIVIDUALIZED EDUCATION PROGRAM



POSSIBLE REASONS FOR LATE INDIVIDUALIZED EDUCATION PROGRAM

Illness
or
Hospitalization

Code 07
Child's Health

COMMON MISTAKES

Noncompliance Code 04

District reason for late Individualized Education Program

Noncompliance Code 05

Family responsible for late Individualized Education Program

Data Reporting Errors

Review/revise policies and procedures & train staff

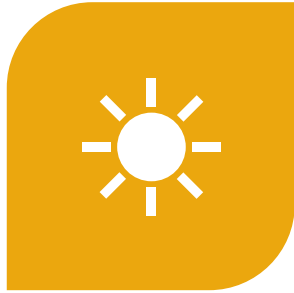
Confusion Between Part C and Part B Responsibilities

Review/revision of Interagency Agreements (IAA)

Contact EMIS Coordinator for reporting questions



THIRD BIRTHDAYS DURING BREAKS



SUMMER



LEAP YEAR



WEEKENDS



**SCHEDULED
BREAKS**

- Must consider extended school year services
- Planning ahead to ensure compliance
 - If Individualized Education Program is late, a noncompliance code and PR-01 must be documented



SCENARIO 1

IEP Meeting Date	Last Day of School In This Year	Extended School Year Provided	Third Birthday	First Day of School	Date Services Begin	Non-Compliance Code Entered	Indicator 12 Finding?
May 1	May 28	No	June 1	August 1	August 1	Yes - 05 Parental Choice The family, as part of the team, decided to wait and start services when school began and a PR-01 was issued detailing the decision.	NO This scenario would be compliant.

IEP= Individualized Education Program



SCENARIO 2

IEP Meeting Date	Last Day of School This Year	Extended School Year Provided	Third Birthday	First Day of School	Date Services Begin	Non-Compliance Code Entered	Indicator 12 Finding?
May 1	May 28	No	June 1	August 1	August 1	None	YES

IEP= Individualized Education Program



SCENARIO 3

IEP Meeting Date	Last Day of School This Year	Extended School Year Provided	Third Birthday	First Day of School	Date Services Begin	Non-Compliance Code Entered	Indicator 12 Finding?
May 1	May 28	Yes	June 1	August 1	June 1	N/A	NO This scenario would be compliant.

IEP= Individualized Education Program



SCENARIO 4

IEP Meeting Date	Last Day of School This Year	Extended School Year Provided	Third Birthday	First Day of School	Date Services Begin	Non-Compliance Code Entered	Indicator 12 Finding?
May 1	May 28	Disputed	June 1	August 1	The family would like services to begin on June 1 (<i>child's third birthday</i>) and did not sign the IEP due to the disagreement.	No	This situation would involve Dispute Resolution, a case where the family and the district disagree.

IEP= Individualized Education Program

SCENARIO 5

IEP Meeting Date	Extended School Year Provided	Third Birthday	First Day of School	Date Services Begin	Non-Compliance Code Entered	Indicator 12 Finding?
March 25	No	March 29 (Sunday)	N/A	March 26	N/A	NO

IEP= Individualized Education Program

SCENARIO 6

IEP Meeting Date	Extended School Year Provided	Third Birthday	First Day of School	Date Services Begin	Non-Compliance Code Entered	Indicator 12 Finding?
December 21	N/A	December 24 (Over a holiday break)	N/A	January 2	None and no PR-01 documented	YES

IEP= Individualized Education Program



SCENARIO 7

IEP Meeting Date	Extended School Year Provided	Third Birthday	First Day of School	Date Services Begin	Non-Compliance Code Entered	Indicator 12 finding?
October 14	N/A	October 16	N/A	October 20	Yes - 03 Staff not available/ school year PR-01 documented to state the SLP was out sick until the 20	YES

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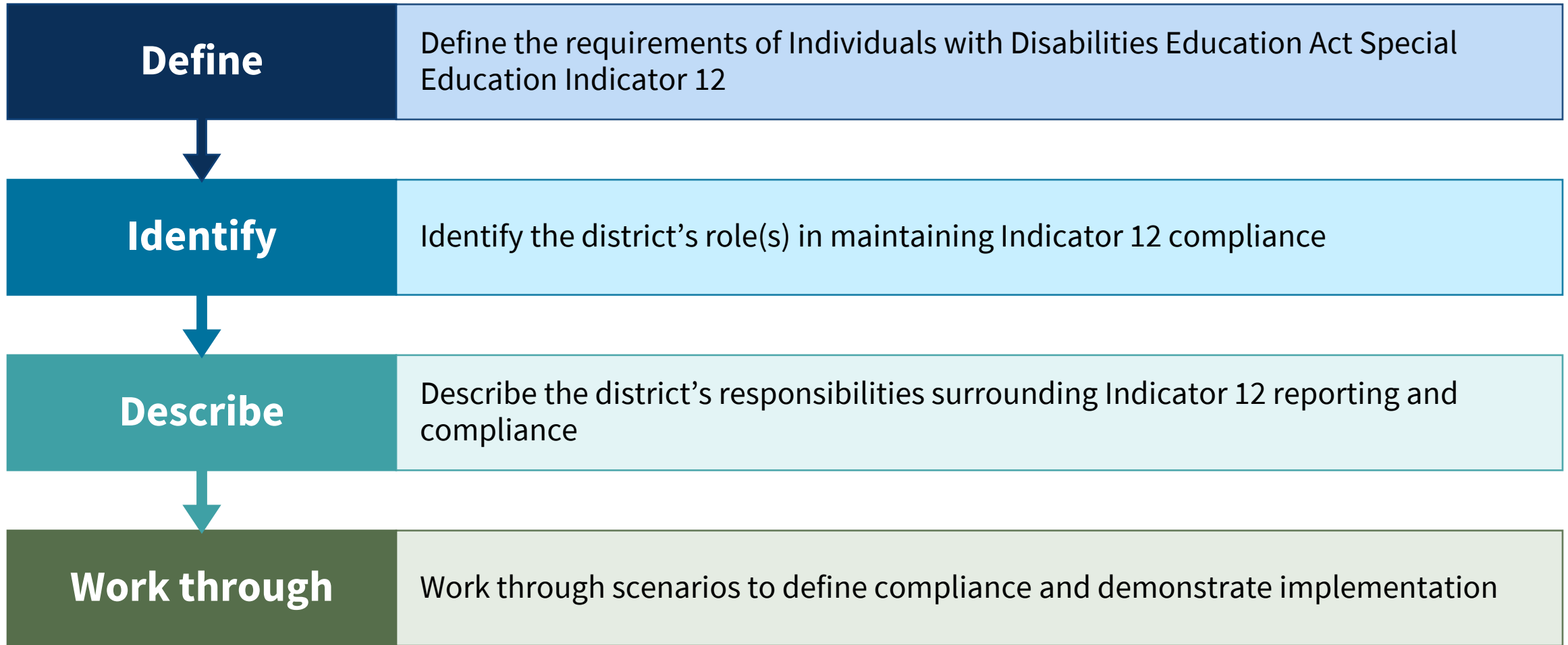
SCENARIO 8

IEP Meeting Date	Extended School Year Provided	Third Birthday	First Day of School	Date Services Begin	Non-Compliance Code Entered	Indicator 12 Finding?
May 27	No	June 8	August 17	August 17	Yes - 02 Staff not available during the summer months, but the PR-01 documented that the family wanted to wait until school began to start services	YES

IEP= Individualized Education Program



NOW YOU SHOULD BE ABLE TO:



ADDITIONAL RESOURCES AND INFORMATION

education.ohio.gov

Search keywords: *Preschool Special Education*

Contact your State Support Team

education.ohio.gov

Search keywords: *State Support Teams*



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