

# **PROGRAM CHANGES FOR CHILDREN CURRENTLY RECEIVING SPECIAL EDUCATION SERVICES IN EARLY INTERVENTION DAY TREATMENT CENTERS**

ADE – SEU

2019



# OBJECTIVES

- DISCUSS TIMELINE FOR TRANSFERRING RESPONSIBILITY FOR PROVIDING SPECIAL EDUCATION SERVICES TO LOCAL EDUCATION AGENCIES (LEAS)
- OUTLINE RESPONSIBILITIES FOR LEAS AND EARLY INTERVENTION DAY TREATMENT (EIDT) CENTERS
- SHARE RESOURCES AVAILABLE TO SUPPORT LEAS AND EIDTS
- FACILITATE ONGOING COMMUNICATION AND COLLABORATION BETWEEN LEAS AND EIDTS
- ADDRESS QUESTIONS

# JANUARY 22, 2019 LETTER TO LOCAL EDUCATION AGENCIES

THE PURPOSE OF THIS LETTER IS TO INFORM YOU THAT, AS OF JULY 1, 2019, THE DEPARTMENT OF HUMAN SERVICES (DHS), DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES (DDS), WILL NO LONGER BE ACCEPTING FEDERAL TITLE VI-B FUNDS FOR THE PROVISION OF SPECIAL EDUCATION SERVICES TO IDEA-ELIGIBLE PRESCHOOL AGE CHILDREN. THIS CHANGE WILL RESULT IN THE RESPONSIBILITY FOR THE PROVISION OF A FREE APPROPRIATE PUBLIC EDUCATION (FAPE) TRANSFERRING TO THE LOCAL EDUCATION AGENCY (LEA) IN WHICH THE CHILD RESIDES. EARLY INTERVENTION DAY TREATMENT (EIDT) FACILITIES WILL NO LONGER HAVE THE OPTION OF PARTICIPATING IN PART B AS AN LEA, AND THE EIDT PROVIDER MANUAL (SECTION II) WHICH OUTLINES A FACILITY'S ABILITY TO ELECT TO PROVIDE OR NOT PROVIDE SPECIAL EDUCATION SERVICES TO ALL CHILDREN AGED THREE (3) UNTIL ENTRY INTO KINDERGARTEN WILL NO LONGER BE APPLICABLE.

# TRANSFER OF SPECIAL EDUCATION SERVICES TO LEAS

## Prior to July 2018

**CHMS** - Child Health Management Services (clinic services for children intended to provide full medical multidiscipline diagnosis, evaluation, and treatment of developmental delays in Medicaid recipients).

CHMS - Responsible to refer to LEA.  
LEA provides special education services.

**DDTCS** - Developmental Day Treatment Clinic Services (a nonprofit community program that is licensed to provide center-based community services by the Division of Developmental Disabilities Services).

DDTCS - Responsible for the provision of special education services.



# TRANSFER OF SPECIAL EDUCATION SERVICES TO LEAS, CONTINUED

**July 2018**

EIDT - Early Intervention Day Treatment (CHMS and DDTCS merged to provide early intervention to children.)

**Formerly known as CHMS**

CHMS - Responsible to refer to LEA.  
LEA provides special education services.

**Formerly known as DDTCS**

No changes in obligation to provide special education services.

# TRANSFER OF SPECIAL EDUCATION SERVICES TO LEAS, CONTINUED

**July 2019**

The Department of Human Services, Division of Developmental Disabilities Services, no longer accepts federal Title VI-B funds for the provision of special education services.

**EIDT -  
Responsible to  
refer to LEA. LEA  
provides special  
education  
services.**

# JANUARY 22, 2019 LETTER TO LOCAL EDUCATION AGENCIES, CONTINUED

SCHOOL DISTRICTS THAT OPERATE THEIR OWN EARLY CHILDHOOD SPECIAL EDUCATION PROGRAMS, AND EDUCATIONAL SERVICE COOPERATIVES THAT OPERATE EARLY CHILDHOOD SPECIAL EDUCATION PROGRAMS ON BEHALF OF SCHOOL DISTRICTS, MUST WORK WITH EIDT CENTERS WITHIN THEIR ATTENDANCE AREAS TO ENSURE A SEAMLESS TRANSFER OF SERVICES FOR IDEA-ELIGIBLE CHILDREN WHOSE FAMILIES ELECT TO CONTINUE SPECIAL EDUCATION SERVICES PROVIDED THROUGH THE INDIVIDUALIZED EDUCATION PROGRAM (IEP). LEA PERSONNEL MUST HOLD CONFERENCES WITH PARENT(S)/GUARDIAN(S) OF ELIGIBLE PRESCHOOL CHILDREN PRIOR TO JULY 1, 2019, TO REVIEW/REVISE THE CURRENT IEP, PROVIDE A COPY OF "YOUR RIGHTS UNDER THE IDEA", AND INFORM THEM:

- OF THEIR CHILD'S RIGHT TO FAPE UNDER THE IDEA AT NO COST TO THEM
- OF ALL PROCEDURAL SAFEGUARDS AND RIGHTS AVAILABLE TO PARENT(S)/GUARDIAN(S) AND THEIR CHILD UNDER PART B OF THE IDEA
- THAT THEIR CHILD'S RIGHTS UNDER IDEA INCLUDE TRANSITIONING TO KINDERGARTEN WITH AN IEP, IF THE CHILD IS ELIGIBLE FOR SERVICES
- OF ALL AVAILABLE OPTIONS FOR RECEIVING SPECIAL EDUCATION SERVICES THROUGH THE DISTRICT OR COOPERATIVE
- THAT ANY DECISION TO DECLINE SPECIAL EDUCATION SERVICES FROM THE LEA WILL RESULT IN A REVOCATION OF ALL SPECIAL EDUCATION SERVICES IN WHICH CASE THE PARENT MUST SUBMIT A REVOCATION OF CONSENT FORM
- THAT THE PARENT(S)/GUARDIAN(S) HAVE THE RIGHT TO MAKE A NEW REFERRAL AT ANY TIME

# WHAT DO WE NEED TO DO BETWEEN NOW AND JULY 1, 2019?

- TRANSFER OF RECORDS FROM THE EARLY INTERVENTION DAY TREATMENT (EIDT) CENTER TO THE LOCAL EDUCATION AGENCY (LEA) SHOULD BE TIMELY, NO LATER THEN MARCH 1, 2019.
  - IEPS
  - EVALUATIONS
  - PROGRESS NOTES
  - DEMOGRAPHIC INFORMATION



# WHAT DO WE NEED TO DO BETWEEN NOW AND JULY 1, 2019?

KINDERGARTEN TRANSITION CONFERENCES SHOULD BE HELD THE SAME WAY THEY HAVE BEEN HELD IN THE PAST.

- EDIT CENTERS WILL SCHEDULE CONFERENCES WITH LEAS INVOLVED.
- LEAS CAN DISCUSS EXTENDED SCHOOL YEAR WITH THE IEP TEAM AT THE TIME OF THE CONFERENCE.

# JANUARY 22, 2019 LETTER TO LOCAL EDUCATION AGENCIES, CONTINUED

- SCHOOL DISTRICTS THAT OPERATE THEIR OWN PRESCHOOL PROGRAMS WILL HAVE THE OPTION OF SERVING IDEA-ELIGIBLE CHILDREN CURRENTLY RECEIVING SPECIAL EDUCATION SERVICES AT THE EIDT CENTER OR SERVING CHILDREN AT THEIR OWN LOCAL PRESCHOOL PROGRAMS. LEAS MAY ENTER INTO AGREEMENTS WITH EIDT CENTERS TO SHARE IN THE RESPONSIBILITY OF THE PROVISION OF SPECIAL EDUCATION SERVICES THROUGH A FORMAL AGREEMENT, SUCH AS A MEMORANDUM OF UNDERSTANDING (MOU), THAT OUTLINES THE SERVICES AND FUNDING TO BE PROVIDED BY EACH PARTY. HOWEVER, THE LEA WOULD REMAIN RESPONSIBLE FOR ENSURING A FREE APPROPRIATE PUBLIC EDUCATION FOR ELIGIBLE CHILDREN, INCLUDING DEVELOPING AND IMPLEMENTING THE IEP, AND COLLABORATION WOULD BE REQUIRED BETWEEN THE PARTIES TO ENSURE SERVICES WERE PROVIDED AS OUTLINED IN THE IEP.

# WHAT DO WE NEED TO DO BETWEEN NOW AND JULY 1, 2019?

LEAS WILL NEED TO DETERMINE HOW SPECIAL EDUCATION SERVICES WILL BE PROVIDED TO IDEA ELIGIBLE CHILDREN.

- ALL SPECIAL EDUCATION SERVICES PROVIDED BY EIDT CENTER THROUGH MEMORANDUM OF AGREEMENT BETWEEN LEA AND EIDT
- ALL SPECIAL EDUCATION SERVICES PROVIDED BY LEA AT EIDT CENTER THROUGH JOINT AGREEMENT
- LEA AND EIDT SHARE IN RESPONSIBILITY OF SPECIAL EDUCATION SERVICES THROUGH MEMORANDUM OF AGREEMENT
- ALL SPECIAL EDUCATION SERVICES PROVIDED AT LEA EC PROGRAM
- OTHER OPTIONS/ARRANGEMENTS?

# WHAT DO WE NEED TO DO BETWEEN NOW AND JULY 1, 2019?

- IEP CONFERENCES WILL OCCUR AT THE EIDT CENTERS.
- LEAS AND EIDT CENTERS WILL NEED TO COLLABORATE TO SEND OUT CONFERENCE NOTICES.



# WHAT DO WE NEED TO DO BETWEEN NOW AND JULY 1, 2019

- COMMUNICATION TO PARENTS ABOUT THESE CHANGES IS CRUCIAL AND SHOULD BEGIN PRIOR TO IEP CONFERENCES BEING HELD.
- THIS WILL TAKE COLLABORATION BETWEEN EIDTS AND LEAS.

# JANUARY 22, 2019 LETTER TO LOCAL EDUCATION AGENCIES, CONTINUED

THE ADE IS AWARE OF THE INCREASE IN RESPONSIBILITIES TO LEAS ASSOCIATED WITH THIS TRANSITION. BE ASSURED THAT THE ADE WILL PROVIDE ONGOING SUPPORT AS WE WORK THROUGH THIS TRANSITION TOGETHER. IT IS OUR SINCERE HOPE THAT TRANSFERRING THE RESPONSIBILITY FOR THE PROVISION OF SPECIAL EDUCATION SERVICES TO LEAS WILL RESULT IN INCREASED OPPORTUNITIES FOR COLLABORATION BETWEEN EARLY CHILDHOOD EDUCATION PROVIDERS, AND POSITION THESE CHILDREN TO EXPERIENCE GREATER SUCCESS WHEN THEY ENTER KINDERGARTEN.

# ARKANSAS DEPARTMENT OF EDUCATION RESOURCES

[HTTP://WWW.ARKANSASED.GOV/DIVISIONS/LEARNING-SERVICES/SPECIAL-EDUCATION/EARLY-CHILDHOOD](http://www.arkansased.gov/divisions/learning-services/special-education/early-childhood)

## **Program Changes for Children Currently Receiving Special Education Services in Early Intervention Day Treatment (EIDT) Centers**

The Early Childhood (EC) section is responsible for ensuring that a Free Appropriate Public Education (FAPE) is available and provided to all students with disabilities ages 3-5 in Arkansas. The EC section provides general guidance to local education agencies (LEAs) in the provision of special education services delivered in preschool settings, whether that be district operated programs or programs with oversight provided by educational service cooperatives. The primary focus of the EC section is to improve learning outcomes for all students with disabilities ages 3-5 in the state.

**QUESTIONS?**

