



Dear Early Intervention and Child Find Colleagues:

This week you have received guidance on continuing operations during this time of closures and social distancing from either the Colorado Department of Human Services (CDHS) and/or the Colorado Department of Education (CDE). The Departments have received multiple questions from the field specific to the Individuals with Disabilities Education Act (IDEA) Part C referrals, screenings, evaluations and Part C to B transition activities. CDHS and CDE want to ensure a common understanding that Community Centered Boards (CCB) and Special Education Administrative Units (AU) will work collaboratively to complete Part C activities and in partnership with local leadership to assure adherence to any agency protocols that have been put in place during this time. In order to answer the most pressing questions quickly, we will provide on-going communication to address new questions and/or to relay updates from the Office of Special Education and Rehabilitative Services (OSERS), as we receive them.

Below is joint guidance pertaining to Part C referrals, screenings, and evaluations:

- Referral is the first step in the Part C evaluation process. Please review local collaborative processes to ensure that the CCB has all referral information in order to contact the family in a timely manner. During this contact, the alternative ways in which evaluations and assessments will be conducted should be clearly explained so that the family can provide informed consent. This initial contact with the family can also be used to check on the family's well-being and connect the family with needed resources and information.
- The OSERS has provided guidance in relation to the provision of Part C and Part B activities under the IDEA. The CDHS and the CDE agree that during this COVID-19 national emergency, screenings and evaluations for children referred under Part C shall, if completed, be through virtual means only following HIPAA and FERPA requirements. First and foremost, ensure transparency with the family, gain their informed, verbal consent and provide written notices per IDEA if possible. The results of any family contacts, including verbal consents, must be clearly documented in the child's record and on the form relating to the activity for which consent is being obtained. A family may choose not to participate in alternative evaluation or assessment and therefore postpone their child's evaluation until a time the evaluation can be conducted in person. When determining methods of conducting alternative evaluations, including hearing and vision screening, it is important to consider the effectiveness of gathering information in a virtual format. Each evaluation conducted during this time should include collection and review of a body of evidence. Consider a combination of the following:
 - Interviews with caregivers;

- Review of existing developmental information, including videos of the child, if available;
- Virtual observation of a play session or other routine;
- Guiding parents in simple activities that can then be reviewed together;
- Direct assessments that are able to be conducted in an interview format.
- Initial evaluation and assessments of child and family, as well as the initial IFSP meeting, must be completed within 45 days of receiving the referral. However, the 45-day timeline does not apply if the family is unavailable due to exceptional family circumstances documented in the child's EI record. The COVID-19 pandemic would be considered an exceptional family circumstance.
- Part C transition activities, including transition conferences, should also be conducted through virtual means in adherence with IDEA timelines as much as possible.

Please reference the additional resource materials attached. Our teams are committed to providing joint technical assistance as questions or concerns arise and will continue to provide resources and guidance as they become available. We encourage you to reach out to both of the program staff available to support your teams. They are working closely to support local programs.

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We are grateful for your commitment to young children and their families in these challenging times.

Sincerely,

Heidi White, Preschool Director, CDE

Christy Scott, Early Intervention Program Director, CDHS

Resource Links:

[EI Colorado Response to COVID-19](#)

[OSERS Supplemental Fact Sheet: Addressing the Risk of COVID-19 in Preschool, Elementary and Secondary Schools While Serving Children with Disabilities](#)

[FERPA & Coronavirus Disease 2019 \(COVID-19\) Frequently Asked Questions](#)

[COVID-19 \("Coronavirus"\) Information and Resources for Schools and School Personnel](#)

[US Department of Education Releases Webinar, Fact Sheet for Protecting Students' Civil Rights During COVID-19 Response](#)

[CDE COVID-19 FAQ](#)