



Procedural Guidance for Special Education Administrative Units (AUs) Related to the Extended Part C Option (Updated October 2022)

This procedural information provides instructions and considerations for Administrative Units (AUs) to implement the Extended Part C Option in Colorado. A joint CDE and CDHS April 1, 2022, [memo](#) provides an overview of this approved policy for Colorado. The OSEP-approved policy, “Informed Consent for Acceptance of Extended Part C Option” and information for parents can also be found on the CDE website under [Extended Part C](#). Part C policies and information on Extended Part C can also be located at [Early Intervention Colorado](#), including guidance for Part C entities and service providers.

Parent Notice and Rights

Early Intervention (EI) Service Coordinators will, through the transition planning process, ensure that families in the eligible birth date range are provided information about Extended Part C, including [A Look at Your Rights and Options after Your Child Turns Three](#). This document outlines the Extended Part C Option, the differences between Part C and Part B services, and parent rights under IDEA Part C and Part B.

Part C Transition Conference and Extended Part C

Throughout each year, Early Intervention staff initiate the Transition Conference for children potentially eligible for Part B, collaboratively scheduled with a representative from the AU and the family. An AU representative is a required member of this Conference (34CFR 303.209(c) (1) CRS 22-20-118.5 (j)). The Transition Conference should occur between child ages 2 years 3 months and 2 years 9 months. During the Transition Conference, the AU shares with the family: Part B eligibility definitions, state timeline and process for Part B evaluation and eligibility determination, and information about IEPs and program options for special education and related services. During a Transition Conference when the child has a birthday within the Extended Part C range, the document [A Look at Your Rights and Options after Your Child Turns Three](#) is also reviewed, including timelines, eligibility criteria, and process for the family to accept the Extended Part C Option.

Part B Requirements and Procedures for Extended Part C

There are no changes to the federal C to B timelines related to Part B evaluation, eligibility, IEP development, or the OSEP expectation of 100% compliance on Indicator 12, which is included in the State Performance Plan and Annual Performance Report. Indicator 12 measures the 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 birthday.

Eligibility Criteria for Extended Part C

The Extended Part C Option provides a subset of children with the opportunity to continue Part C services past their third birthday until the first day of the school year following the child’s third birthday

Parents of children who meet the following criteria must be offered Extended Part C:

- Eligible for Early Intervention Part C services; **and,**
- Eligible for Part B preschool special education services **and** have an Individual Education Program (IEP) developed; **and,**
- For school years 2022 and 2023: have a third birthday between May 1 and the beginning of the following school year.

Third birthday date ranges for Extended Part C will be determined annually and posted on the EI Colorado website by August 1 of each year.

[Early Intervention Colorado](#)

[CDE Extended Part C Resources](#)



Parents of children in the Extended Part C birthday range who have been determined eligible for Part B, and for whom the IEP meeting has occurred, may choose to extend Early Intervention Services. The IEP start date for children whose parents have chosen the Extended Part C Option is the first day of preschool following the child's third birthday.

A parent who elects Extended Part C does not decline the IEP, but rather agrees to delay the start of services until the beginning of the subsequent school year. There is no change to the IEP meeting date, which is required to occur prior to the child's 3rd birthday. The IEP start date is the date when IEP services will begin, in this case on the first day of the school year following the child's third birthday, as defined by the school district preschool calendar.

If/when IEP vendor software autofills the date of IEP implementation (e.g., Frontline) ensure staff verifies and/or corrects the autofilled date.

The AU must document the parent's decision to extend Part C services. CDE suggests documenting the parent's choice to delay the initiation of FAPE (to the first day of the following school year so that the child can receive Extended Part C services) as follows. Two scenarios are possible:

When a parent chooses the Extended Part C Option at the end of the IEP meeting, this decision can be documented in the "Other Factors Considered" section of the IEP, and the IEP services start date would coincide with the start date of the following school year.

When a parent chooses the Extended Part C Option *after* the date of the IEP meeting, AU will edit the start date of the IEP to coincide with the start date of the following school year and can document the parent's decision in the "Other Factors Considered" section of this IEP. A copy of this updated IEP is then sent to the parent.

Communication Between Part C and Part B

Local partners (AUs and Early Intervention) are expected to communicate regarding eligibility for, and parent decisions related to, election of Extended Part C. Local systems must develop communication methods to ensure:

1. The AU informs the local EI Entity of the status of each child's eligibility for Part B for all children referred to Part B transitioning from Part C.
2. The AU informs the local EI Entity of the anticipated date of the IEP meeting, or when it has occurred, and if the family indicated their choice regarding the Extended Part C option at the meeting.
3. The Local EI Entity provides the AU with a copy of a signed Informed Consent for Acceptance of Extended Part C as soon as possible and not later than ten calendar days after EI receipt of the consent. It is the responsibility of Early Intervention to obtain signed consent for Extended Part C. Through local partner agreements, AUs are permitted to obtain this signature and provide EI with a copy.
4. The AU informs the local EI Entity of the date anticipated as the IEP implementation date, expected to be the first day of preschool of the school year following the child's third birthday.
5. When applicable, the AU informs the local EI Entity when a parent has exercised their right to challenge Part B eligibility determination through any one of three dispute resolution options: mediation, state complaint and/or due process hearing.



End of Year Reporting

AUs are required to report all children referred from Part C to Part B in Path 2 for Special Education [End of Year \(EOY\) Reporting](#). This includes all children for whom an AU Notification is received, regardless of whether the family is subsequently screened, evaluated, declines, or never responds to repeated attempts to contact. Students are expected to be reported in the school year in which the IEP is implemented unless it is known with certainty that an IEP will never be implemented. In this latter case, the child's activity is reported in the school year in which the process stops permanently.

2022-2023 and Beyond: End of Year Reporting for Extended Part C

Starting in the 2022-2023 collection year there is a new delay code for Indicator 12 for Extended Part C. This code, "41: Parent chose to extend Part C services", can be used as a valid delay code only for delayed IEP implementation when a child's family has elected the Extended Part C Option.

- Delay Code 41 will be considered invalid for a delay in the evaluation or eligibility determination.
- Delay Code 41 will only be available for use when the child's birthday is within the allowable range for Extended Part C, and the child's record must have documentation to verify that the parent has.

For children who will be reported in the 2022-2023 EOY but needed to be temporarily coded before Code 41 was available, AUs were to have used code 59 (NOT VALID OTHER: _____) and in the narrative have written: "Parent chose to Extend Part C Services".

- Use of this code remains invalid for a delay of the evaluation or eligibility determination.
- AUs will need to change these delay codes to the valid delay code 41 as soon as possible, and prior to submission of the 2022-2023 EOY report.

CDE Contacts Related to Extended Part C

Questions related to EOY Reporting and coding may be directed to:

Orla Bolger, Senior Consultant
Data Team, State Collections, Data Pipeline and Data Queries
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Questions related to implementation may be directed to:

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