



## A Look at Your Rights and Options after Your Child Turns Three

*In accordance with Individuals with Disabilities Education Act (IDEA) 2004, 20 U.S.C. sec. 1435 and State policies and procedures, parents are required to receive this notice of the Extended Part C Option to assist in decision-making.*

In Colorado, families receiving Early Intervention (EI) Colorado (Part C) services whose children turn three between May 1 and the start of the following public school year may be eligible to continue receiving EI services through their Individualized Family Service Plan (IFSP) until the start of the school year. This is called the Extended Part C Option.

The Extended Part C Option is available to children who:

- are eligible for EI Colorado services; and,
- turn age three between May 1 and the first day of school, as defined by the school district preschool calendar in the district in which the family lives; and,
- are eligible for Preschool Special Education Services under Part B, Section 619 of the IDEA.

This document walks you through the steps and reviews your rights and options along the way.

- 1) Your service coordinator will convene a transition conference with you and your School District or Board of Cooperative Education Services (BOCES) representative. At this conference you will begin to learn about the screening and evaluation process to have eligibility determined for Preschool Special Education Services including the preschool options available in your School District/BOCES.
- 2) Your School District/BOCES will discuss scheduling a screening, or, if an educational disability is suspected, an initial evaluation to determine if your child is eligible for Special Education. If determined eligible for Preschool Special Education Services, you will be invited to participate in an Individualized Education Program (IEP) meeting where you and the rest of the IEP team will develop a plan to identify the services your child needs to support your child in preschool. If your child is not suspected of having a disability, you will receive a notice and explanation.
- 3) If your child qualifies for Preschool Special Education Services, you will attend a meeting to discuss what the IEP services would entail in preschool including start dates and services offered in a preschool setting.
- 4) Once you understand what Preschool Special Education Services are being offered, you will be able to compare the services being proposed on the IEP for your child with what would continue to be provided under your IFSP for your child and family and then make a decision. You may:
  - a) consent to implement your IEP as written and receive a free appropriate public education (FAPE) from your School District/BOCES and exit the EI Colorado program; or,
  - b) choose to stay in EI services with an IFSP until the start of the next school year following your child's third birthday. The IEP services would begin at the regular start of the school year in your school district; or,
  - c) choose to discontinue EI services and decline the services offered on the IEP. You can, at any time after your child turns three, indicate to your School District/BOCES that you would like your child to be reconsidered for Preschool Special Education services.
- 5) If your child is determined not eligible for Preschool Special Education Services and you do not agree with the Team decision regarding eligibility determination, you may exercise the right to challenge the eligibility determination through one of three dispute resolution options: mediation, state complaint and/or due process hearing. If you timely initiate the dispute resolution process, your child will generally continue to receive EI services as outlined in your child's IFSP until the start of the school year or until the dispute resolution process is completed, whichever comes first.

**IMPORTANT:** Choosing the Extended Part C Option is a one-time election. Once you exit Early Intervention after your child turns three, you are no longer eligible to receive Early Intervention through an IFSP.



	<b>Early Intervention Colorado</b> (Part C of the Individuals with Disabilities Education Act)	<b>Preschool Special Education</b> (Part B - Section 619 of the Individuals with Disabilities Education Act)
<b>Ages Served</b>	<b>Birth through age 2</b> (for those participating in the Extended Part C Option, then until the beginning of the school year after the child turns 3)	<b>3 through 5-year-olds</b> , prior to kindergarten entry
<b>Rights and Procedural Safeguards</b>	<p><a href="#">Notice of Child and Family Rights and Procedural Safeguards</a> outlines rights and dispute resolution processes while the child is enrolled in Early Intervention, including the Extended Part C Option.</p> <p>These rights apply from the time you are referred to Early Intervention Colorado until you exit early intervention services. These rights include:</p> <ul style="list-style-type: none"> <li>● Prior Written Notice</li> <li>● Native Language</li> <li>● Informed Parental Consent</li> <li>● Confidentiality of Records               <ul style="list-style-type: none"> <li>○ Access to Records</li> <li>○ Confidentiality of Information</li> <li>○ Administrative Unit Opt-Out Policy</li> </ul> </li> <li>● Dispute Resolution Options               <ul style="list-style-type: none"> <li>○ Mediation</li> <li>○ State Complaint</li> <li>○ Due Process Hearings</li> </ul> </li> <li>● Surrogate Parents</li> </ul>	<p><a href="#">Procedural Safeguards in Special Education</a> outlines parent rights and dispute resolution processes for eligibility determination and ongoing activities while the child is enrolled in Special Education services. These rights apply from the time of referral with respect to any determination made with regards to eligibility. These rights include:</p> <ul style="list-style-type: none"> <li>● Prior Written Notice</li> <li>● Native Language</li> <li>● Informed Parental Consent</li> <li>● Confidentiality of Records</li> <li>● Dispute Resolution Options               <ul style="list-style-type: none"> <li>○ State Complaint Procedures</li> <li>○ Mediation</li> <li>○ Due Process Complaint Procedures</li> </ul> </li> <li>● Independent Educational Evaluations</li> <li>● Procedures when Disciplining Children with Disabilities</li> <li>● Requirements for Unilateral Placement by Parents of Children in Private Schools at Public Expense</li> </ul>
<b>Outcomes and Goals</b>	<b>Supports the family</b> to meet the developmental needs of their child with a delay or disability. For families who choose to continue with the <b>Extended Part C Option after age 3</b> , the IFSP will include an <b>educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills.</b>	<b>Supports the child</b> to access and participate in the general education preschool curriculum.
<b>Eligibility</b>	A child must <b>have a significant delay, defined as the equivalence of 25% or greater delay in two or more of the five developmental domains or 33% or greater delay in one or more of the five domains of development; OR the child has a diagnosed physical or mental condition that has a high probability of resulting in significant delays in development.</b>	A child meets one or more <a href="#">defined educational disability categories in the Exceptional Children's Educational Act</a> , demonstrating that the child is <b>unable to receive reasonable benefit from general education</b> without additional support in the public schools because of a specific disabling condition.



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<b>Evaluation</b>	Two or more professionals from different disciplines complete a <b>developmental evaluation in all five areas of development</b> to determine if a significant delay is present.	A team of qualified professionals determines if the child has an <b>educational disability</b> (as defined by state and federal criteria) and identifies all of the child’s special education and related services needs.
<b>What the Child/Family are Eligible to Receive</b>	Based on the identified needs of the child and family, Early Intervention Colorado provides <b>service coordination, IFSP development and early intervention services to the child and to support the family</b> to help their child develop and learn. Available services are: <ul style="list-style-type: none"> <li>● Assistive technology services</li> <li>● Audiology services</li> <li>● Developmental intervention services</li> <li>● Health services</li> <li>● Medical services</li> <li>● Nursing services</li> <li>● Nutrition services</li> <li>● Occupational therapy services</li> <li>● Physical therapy services</li> <li>● Psychological services</li> <li>● Sign language and cued language services</li> <li>● Social and emotional services</li> <li>● Speech language pathology services</li> <li>● Transportation services</li> <li>● Vision services</li> </ul>	A child determined eligible is entitled to a <b>Free and Appropriate Public Education</b> . Additionally, <b>specialized instruction is an educational service</b> provided to ensure access of the child to the general preschool curriculum and for the child to meet the educational standards. The child may also receive Related Services as are required for the child to benefit from special education. Related Services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and include: <ul style="list-style-type: none"> <li>● Audiology services</li> <li>● Interpreting services</li> <li>● Psychological services;</li> <li>● Physical and occupational therapy</li> <li>● Recreation, including therapeutic recreation</li> <li>● Early identification and evaluation of disabilities in children</li> <li>● Counseling services, including rehabilitation counseling</li> <li>● Orientation and mobility services</li> <li>● Medical services for diagnostic or evaluation purposes</li> <li>● School health services and school nurse services</li> <li>● Social work services in schools</li> </ul> Parent counseling and training.



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<b>Type of Plan</b>	An <b>Individualized Family Service Plan (IFSP)</b> identifies the desired outcomes for the child, as well as the supports and services to be provided.	An <b>Individualized Education Program (IEP)</b> identifies the child’s educational goals, services, and placement, including how progress will be measured.
<b>Delivery of Services: Where</b>	Services are provided, to the maximum extent appropriate, in <b>natural environments</b> - such as the child’s home, child care setting or other places in the community where infants and toddlers without disabilities participate.	Children with disabilities are educated alongside children who are not disabled, to the maximum extent appropriate, in the <b>least restrictive environment</b> . Special classes, schooling, or other removal of the child from the regular education environment occurs only when the nature and severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
<b>Delivery of Service: When</b>	<b>Continuous year-round services.</b> Early intervention services are provided during all 12 months of the year.	<b>Based on the local district school year calendar</b> , as well as Extended School Year services, if the child is eligible.  Extended School Year Services (ESY): <ul style="list-style-type: none"> <li>• are for a subset of students, aged 3 to 21 who are eligible for Special Education. They are accessed to maintain existing skills in order to prevent severe regression;</li> <li>• are provided in the least restrictive environment (LRE) and are based on the individualized needs of the student;</li> <li>• not provided as a substitute for child care, or a one-size-fits-all traditional summer school;</li> <li>• are not required to be provided in integrated settings if the public agency does not provide services at that time for its children without disabilities;</li> <li>• are based on the unique needs of each student; and,</li> </ul> must be considered annually for all students.



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<b>Who is Responsible, and What are the Costs to Families?</b>	All early intervention services included in a child’s IFSP are <b>provided at no cost to families</b> and are coordinated through local early intervention programs.	Children eligible for Preschool Special Education receive IEP services, along with access to public preschool programming, at no cost to the family. These services, both preschool programming and IEP services, together constitute a free appropriate public education (FAPE). FAPE and IEP services are the responsibility of the local school district and/or Board of Cooperative Education Services (BOCES).