

SECTION 8

EARLY START PART C

California Early Start
Created as Federal legislation (Part C)
Individual with Disabilities Education Act (IDEA)
Revised 1991, 1997, 2004 and 2011

Early Start ensures early intervention services to children birth through three years of age with disabilities and their families in a coordinated family-centered manner.

Two lead agencies are identified and function as the “payer of last resort” for Early Start Service. California Department of Education (CDE) and California Department of Developmental Services (DDS) take the lead with other agencies such as Family Resource Network, Public Health, Social Services and Head Start collaborating to meet the needs of eligible children in the context of their families.

Eligibility requirements differ from those of the more familiar (Part B). An infant or toddler is considered in need of intensive special education and services if he or she meets any of the following requirements:

For Regional Center Eligibility

An infant or toddler from birth to 36 months who demonstrates through documented evaluation(s) and assessment(s) one of the following:

- (1) a developmental delay in either cognitive, communication, social or emotional, adaptive, or physical and motor development including vision and hearing of 33% in one or more areas of development or,
- (2) an established risk condition of known etiology, with a high probability of resulting in delayed development (California Government Code, Section 95014(a), CCR Section 3031 (a) (B))

Once the infant or toddler meets Part C eligibility criteria, the infant or toddler is required to meet the SELPA’s educational criteria of:

- (1) one 33% delay if the toddler is under the age of 24 months or,
- (2) two 33% delays or one 50% delay if the toddler is over 24 month of age.in one of the above developmental domains to be dually serviced by both Regional Center and SELPA (Education Code Section 56026 (c) (1) (2)).

Established risk conditions are specific and include:

- Certain chromosome and genetic disorders such as inborn errors of metabolism such as Down Syndrome
- Head or central nervous system injuries such as Traumatic Brain Injury (TBI)
- Certain congenital malformations such as Microcephaly
- Solely low incidence disabilities (served by education only) include blind, deaf, blind/deaf and orthopedic impairments with cognitive delays

Intake starts with referral and intake; evaluation and eligibility determination plus the development of the Individualized Family Service Plan (IFSP) must be completed within 45 calendar days of the date of referral.

An Example of Early Start Services which may be appropriate includes:

- Audiology
- Family training, counseling, home visits
- Health Services

Diagnostic Services
Occupational Therapy/Physical Therapy
Special Instruction
Speech and Language Services
Transportation
Respite Services

Additional service providing agencies have separate eligibility and entitlement regulations but may include medical services (CCS, Medi-Cal), family reunification (Social Services), food assistance (WIC, food stamps) and childcare.

With the addition of Part C to the Special Education Mandates, a full range of services became available to children and their families from birth-22 years of age depending on eligibility. While focus of Part B is Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE), Early Start focuses on the infant or toddler's needs in the context of the family and in the natural occurring environment for a child of that age.

What follows are specifics of Early Start in San Joaquin County with emphasis on the working relationships of San Joaquin County Office of Education SELPA and Valley Mountain Regional Center.

SAN JOAQUIN COUNTY EARLY START SERVICE DELIVERY PROCEDURES

Child Find

Child find activities for the San Joaquin County Early Start Program are carried out on a continuous basis by the organizations in San Joaquin County identified as points of contact for Early Start. They are the three Special Education Local Planning Areas (SELPAs); Stockton Unified (SUSD), San Joaquin County Office of Education (San Joaquin) and Lodi Area Special Education Region (Lodi), along with Valley Mountain Regional Center (VMRC) and the Family Resource Network (FRN). VMRC coordinates discharge planning with the three local Neonatal Intensive Care Units. Public agencies, private schools and appropriate professional persons and parents are notified about Early Start services and the referral process through newsletters, community awareness activities, the media and brochures.

Materials describing Early Start services available within the County, the referral process and contact persons are prepared and distributed to:

- a. Local child care centers
- b. Local health care facilities (i.e. physicians, prenatal and postnatal care facilities, hospitals)
- c. Public health facilities and social services agencies
- d. Parent organizations and support groups

Child find activities may include:

- a. Visiting community programs and distributing early intervention materials
- b. Producing and distributing pamphlets, brochures and other written communications to physicians, schools, hospitals, medical clinics and day care centers.
- c. Making presentations to local groups (i.e. San Joaquin Delta College classes, University of the Pacific classes).
- d. Staffing information tables at local events such as annual health fairs and local events

- e. St. Joseph's Hospital, San Joaquin County General Hospital's and Dameron Hospital's discharge planning meetings.
- f. Ongoing contacts with San Joaquin County General Hospital's high risk infant follow up clinics.
- g. Web site address: www.sjcoe.org
- h. Web site address: www.vmrc.net

Identification and Referral

Any person or agency may refer any infant or toddler, birth through two years, eleven months of age, who may be eligible for early intervention services under Part C of the Individuals with Disabilities Act (IDEA) by notifying one of the three SELPAs (Stockton Unified School District, Lodi Unified School District, San Joaquin) in San Joaquin County, Valley Mountain Regional Center or Family Resource Network.

When a referral for a child, age birth to 34.5 months is made to Early Start, the Initial Referral information form will be completed. The form is filled out by the agency receiving the referral. Referrals may be made to:

- a. Stockton SELPA
- b. San Joaquin SELPA
- c. Lodi SELPA
- d. VMRC
- c. FRN

The points of referral should all use the following procedures when receiving a referral:

- If the referral is being made by a professional, they should be asked if the family is aware that this will result in a referral to a multi-agency team. If so, did they give their permission for this referral?
- Every family will be asked whether or not they give permission for the referral information to be shared with a multi-agency team that usually consists of the three SELPAs, VMRC and FRN.
- Ask the family whether there is any agency(s) that they would prefer not to receive their referral information. If the family would like more information about any of the agencies who participate on the multi-agency team, then use the following information:

SELPA: Special Education Local Planning Areas. Specialists may participate in the assessment of infants and toddlers referred to the Early Start program. The SELPA may also provide service to some qualifying children birth to 36 months and their families.

Valley Mountain Regional Center: Provides both ongoing services to eligible families with developmentally disabled family members and prevention services for families with children from birth to 36 months who are developmentally delayed or who are at high risk for developmental delay. Some services that may be available to eligible families are information, evaluation, diagnosis, referrals, respite care, genetic counseling, program planning, coordination of services and developmental programming.

Family Resource Network: Provides information, parent-to-parent support, lending library, newsletters, workshops/training opportunities, support groups and parent education for families of children with special needs.

Children who are referred between 34.5-36 months will be routed to the most appropriate agency that can meet the needs of the child. For instance, from the information that is provided, if the child appears to meet VMRC's over 3 years of age eligibility criteria; then the child will be referred to VMRC's intake department who is responsible for completing the eligibility determination for ongoing VMRC services. If the information received does not warrant a referral to VMRC, but does include information that notes concern in which the Local Education Agency (LEA) may be responsible, then a referral to the LEA, respective of the child's district of residence, will be made by the agency receiving the initial inquiry.

The agency receiving the initial referral completes the Initial Referral Information form and forwards it to VMRC. VMRC will divide the referrals accordingly into the three SELPAs (SUSD, LUSD and SJCOE). Each SELPA will receive referral information of all children who reside in their respective catchment area. The SELPAs will review their referrals and notify VMRC which referrals the SELPA will participate in a joint evaluation/assessment. VMRC will assign an Interim Service Coordinator for each referral and notify the SELPA. The Interim Service Coordinator will coordinate needed evaluations/assessments, collect reports and schedule the initial Individual Family Service Plan (IFSP) meeting within 45 days of the receipt of the initial referral. The Infant Services Coordination Council (ISCC) will meet on a regular basis, at least bi-monthly. The SELPAs, VMRC and FRN have agreed to assign staff members to participate in the ISCC process and meeting. Once VMRC receives written consent from the parent to share information with FRN, VMRC will generate a referral list of those families who have given written consent to share information with FRN. VMRC will maintain a log of all infants referred to the Early Start Program and the results of the respective referrals. The agency providing service coordination will maintain each child's master file.

VMRC will send a package of information to parents of children referred. The information includes a cover letter explaining Early Start, the referral sharing process of the ISCC, a statement of confidentiality, parent's rights and a brochure explaining the developmental milestones. Attempts will be made to translate this information into the primary language of the family. When a child is identified as having a probable solely low incidence disability at the initial referral, the family will be provided information about Early Start, the process of determining eligibility, parent's rights, a statement of confidentiality and a brochure explaining developmental milestones, by the SELPA respective to the child's primary residence. Attempts will be made to translate this information into the primary language spoken by the family.

Evaluation and Assessment

Evaluation means the procedures used by appropriate qualified personnel to determine a child's initial eligibility under Part C, consistent with the definition of "infants and toddlers with disabilities," from the federal regulations.

Assessment means the ongoing procedures used by appropriate qualified personnel throughout the period of a child's eligibility.

Parent means:

Following are the federal and state definitions of "parent". Anyone who meets one of the definitions included in either list may serve in the role as a parent.

According to federal regulations “parent” means:

- (1) A biological or adoptive parent of a child;
 - (2) A foster parent, unless State law, regulations, or contractual obligations with a State or local entity prohibit a foster parent from acting as a parent;
 - (3) A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child (but not the State if the child is a ward of the State);
 - (4) An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or
 - (5) A surrogate parent who has been appointed in accordance with Section 300.519 or section 639(a)(5) of the Act.
- (b)(1) Except as provided in paragraph (b)(2) of this section, the biological or adoptive parent, when attempting to act as the parent under this part and when more than one party is qualified under paragraph (a) of this section to act as a parent, must be presumed to be the parent for purposes of this section unless the biological or adoptive parent does not have legal authority to make educational decisions for the child.
- (2) If a judicial decree or order identifies a specific person or persons under paragraphs (a)(1) through (4) of this section to act as the “parent” of a child or to make educational decisions on behalf of a child, then such person or persons shall be determined to be the “parent” for purposes of this section. (Authority: 20 U.S.C. 1401(23)) **Title 34 Code of Federal Regulations Section 300.30 Parent**

California Education Code defines “parent” as any of the following:

- (1) A biological or adoptive parent of a child.
 - (2) A foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf specifically has been limited by court order in accordance with Section 300.30(b)(1) or (2) of Title 34 of the *Code of Federal Regulations*.
 - (3) A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child, including a responsible adult appointed for the child in accordance with Sections 361 and 726 of the *Welfare and Institutions Code*.
 - (4) An individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative, with whom the child lives, or an individual who is legally responsible for the child's welfare.
 - (5) A surrogate parent who has been appointed pursuant to Section 7579.5 or 7579.6 of the *Government Code*, and in accordance with Section 300.519 of Title 34 of the *Code of Federal Regulations* and Section 1439(a)(5) of Title 20 of the *United States Code*.
- (b)(1) Except as provided in paragraph (2), the biological or adoptive parent, when attempting to act as the parent under this part and when more than one party is qualified under subdivision (a) to act as a parent, shall be presumed to be the parent for purposes of this section unless the biological or adoptive parent does not have legal authority to make educational decisions for the child.
- (2) If a judicial decree or order identifies a specific person or persons under paragraphs (1) to (4), inclusive, of subdivision (a) to act as the "parent" of a child or to make educational decisions on behalf of a child, then that person or persons shall be determined to be the "parent" for purposes of this part, Article 1 (commencing with Section 48200) of Chapter 2 of Part 27 of Division 4 of Title 2, and Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the *Government Code*, and Sections 361 and 726 of the *Welfare and Institutions Code*.
- (c) "Parent" does not include the state or any political subdivision of government.
- (d) "Parent" does not include a nonpublic, nonsectarian school or agency under contract with a local educational agency for the provision of special education or designated instruction and services for a child.

Parent - California Education Code Section 56028

VMRC will evaluate or provide assessment for referred infants and toddlers as required by the Welfare and Institutions Code Sections 4642 and 4643.

When there are openings in the SJCOE Early Start program or when a child with a suspected solely low incidence disability is referred, the SJCOE will assess the referred infants and toddlers in all areas related to the suspected disability as required by California Education Code, Part 30, Section 56320. Assessment data obtained by one agency will be made available to the other agency(s) for the use in determining eligibility and service needs, provided that appropriate releases are obtained from the parent.

Before assessment begins, the parent's signature on the Consent for Assessment Form will be obtained. A copy of the Parent's Rights and Responsibilities will be given to the family and explained to them. The evaluation and assessment meeting occurs in the family's home or another mutually agreeable location. The information is gathered about the family and child by a transdisciplinary team which includes the parent. Information gathered includes general information, medical information, developmental levels (social and emotional, communication, cognitive, adaptive, physical and motor, including vision and hearing), and a voluntary statement of the family's concerns, priorities and resources.

The interim Service Coordinator collects the evaluation and assessment data and then determines eligibility for Early Start with the assessment team. The assigned Interim Service Coordinator will coordinate the scheduling and completion of the initial Individual Family Service Plan (IFSP). Representatives of those agencies that need to participate, as well as anyone else the family requests to attend, will be invited to the IFSP meeting. Pertinent information will be sought from those unable to attend. Copies of the evaluation results will be provided to both the family and, as appropriate, Early Start Team members.

An interim IFSP may be developed for an infant and toddler, who has been determined eligible for early intervention services. The early intervention services may begin before the completion of the assessment if there is an immediate need to provide a service and the infant's or toddler's parent has given written consent. The interim IFSP shall include: timelines for completing the assessments; name of the Service Coordinator responsible for completion of the evaluation and assessment within the 45 day timeline and implementation of the interim IFSP, and the services agreed upon at the interim IFSP meeting as necessary for the infant or toddler. The existence of an interim IFSP does not absolve the regional center or SJCOE from complying with the 45 day time period to complete the initial assessment in all five areas of development.

An interim IFSP may be developed for an infant or toddler who has been determined eligible when exceptional circumstances prevent the completion of the assessment within 45 days. The interim Service Coordinator will document the child/family needs and necessary services.

Solely Low Incidence Disabilities

When a referral is received for a child with a suspected solely low incidence disability (i.e. deaf, blind, deaf-blind or orthopedic impairment without cognitive delays), SJCOE will determine whether a child will be assessed solely by the SELPA or whether the assessment will be a joint assessment with VMRC. If it appears that there may be other risk factors in addition to the solely low incidence disability, VMRC and SJCOE will assess the child jointly with the Intake Service Coordinator designated by VMRC. The agencies will then determine if the child is eligible for VMRC services or if the child has a solely low incidence disability; in which case, SJCOE would be responsible for the Early Start services.

After the assessment is completed and it has been determined that the child has a solely low incidence disability, the Service Coordinator designated by the SJCOE will be responsible for arranging the IFSP meeting. Parents will be informed of the full range of services provided by Early Start. The IFSP will be

written in order to access those services determined by the members of the IFSP team, including the parent, to be appropriate for the child.

Ongoing case reviews will be conducted by SJCOE's Service Coordinator to determine the appropriateness of a solely low incidence diagnosis. If the child no longer meets solely low incidence eligibility criteria, the SJCOE will refer the child back to the regional center to determine regional center eligibility for Early Start. The regional center will complete ongoing case reviews of children who are served by the regional center to ensure a case will be referred to the SJCOE when a child has received a potential solely low incidence diagnosis. The SJCOE will determine if the child meets solely low incidence criteria. If the child meets the solely low incidence criteria, the IFSP team will meet to plan a smooth transfer of the Early Start case to the SJCOE who will become the Service Coordinator for the case.

Service Coordinator qualification shall include knowledge of:

1. Eligible infants for early intervention services
2. How to work with families and community resources
3. Parent rights and responsibilities
4. Due process
5. Confidentiality
6. Requirements of the IFSP
7. Timelines
8. Transition process from Early Start
9. Funding for identified IFSP services

Individual Family Service Plan (IFSP)

After a child has been found eligible for Part C services, the Interim Service Coordinator schedules the initial IFSP meeting. The initial IFSP will be developed within 45 days of the referral date. No agency can commit another agency or its resources. Therefore, it is imperative that the Interim Service Coordinator/Service Coordinator invites all the pertinent agencies. Both VMRC and SJCOE agree to cooperate and to participate to the maximum extent possible and as appropriate, in the development of the IFSP for infants eligible for California's Early Start Program (CESP), including transition planning no later than three months prior to the child's third birth date.

Transfer in from other regional centers to Early Start: Transfer-in cases will be shared at the ISCC within thirty days of acceptance of the transfer-in case in order to ensure a smooth transition for the family and appropriate agencies.

The identification of appropriate early intervention services, service providers and the Service Coordinator will be made at or when appropriate, prior to the IFSP meeting. Generic resources will be considered first if they meet the child's needs. The IFSP document will be developed at this meeting. All parties to this agreement will participate in the multi-agency IFSP process for any child served by common agencies. The IFSP meeting will be conducted in the family's native language to ensure that the family can fully participate in the IFSP process.

Families will receive written notice informing them of the initial IFSP. Participants in the IFSP meeting process may include:

1. Interim Service Coordinator/Service Coordinator
2. Parents

3. Other family members
4. Developmental Specialists/Teachers
5. Assessment team members (inclusive of actual attendance, phone participation or by written report)
6. Other agencies as appropriate

Each IFSP includes:

1. The child's present levels of development
2. Summary of the evaluations and assessment information in the five required areas
3. The family's strengths and needs relating to enhancing the child's development
4. The functional outcomes expected to be achieved, written in the family's own words
5. A family outcome (voluntary on the part of the parent)
6. Objectives describing how the outcomes will be accomplished
7. A listing of the family support services, including when, where, how often and how each service will be funded
8. Projected dates for the starting of the services and the anticipated length of the respective services
9. Name of the Service Coordinator
10. Steps to be taken to support transition

And Related Services as Needed:

1. Assistive technology services and equipment
2. Audiology
3. Family training, counseling, home visitation
4. Health services necessary to enable a child to benefit from other early intervention services
5. Medical services specific to diagnostic or evaluative purposes to determine the status and need for early intervention services
6. Medical services; nursing for the assessment of health status
7. Nutrition services
8. Occupational therapy
9. Physical therapy
10. Psychological services
11. Service coordination
12. Social work
13. Specialized Instruction
14. Speech and language pathology
15. Transportation (if Early Intervention related)
16. Vision services
17. Respite services (if Early Intervention related)
18. Music Therapy

Review of the IFSP

A review of the IFSP for a child and the child's family must be conducted every six months, or more frequently if conditions warrant, or if the family requests such a review.

The purpose of the periodic review is to determine the degree to which progress toward achieving the outcomes is being made and whether modifications or revisions of the outcomes or service(s) are necessary and to determine ongoing eligibility for Early Start services.

Any changes made to the plan at or before the six month review must be documented and a copy must be sent to the other agencies for their records. If a change is requested that will result in a new or additional service(s) to be provided, the agency which will provide or fund this service(s) must be notified and must approve of the additional service(s) prior to the IFSP revision. All six month and annual reviews will be discussed with the appropriate Early Start team members as part of case conferencing.

Annual IFSP meetings shall include the following participants: the parent of the infant or toddler, the Service Coordinator or representative for VMRC or SJCOE responsible for implementation of the IFSP and persons who have been providing early intervention services to the infant or toddler and family, as appropriate.

If requested by the parent, each IFSP meeting shall include the following participants: other family members, person(s) outside of the family, advocate(s), etc.

The family will receive a written notice informing them of any review meetings regarding their child's IFSP.

Provisions for services during school breaks/year-round provision of service

Throughout the year, the Service Coordinator will contact the appropriate Early Start staff person at the other agency to discuss the child's progress and service needs. These contacts will take place at least semi-annually to coincide with the annual and semi-annual IFSP meetings. It is understood that staff from the agency that is not responsible for the service coordination can initiate contact with the Service Coordinator wherever a need arises. Both agencies agree that a contact person familiar with Early Start services will be available to receive calls from the agency throughout the year. Early Start services will not be provided by the SJCOE during school breaks and site closures. SJCOE's operations calendar will be provided at the IFSP meeting. Both agencies also agree to work together to ensure the provision of services during periods of SJCOE's breaks when services are required on the IFSP for those children who are dually served by both agencies. The multidisciplinary IFSP team will determine the need for continued early intervention services during short and extended school breaks. VMRC will assume the cost for providing the interim Early Start service only until the school program reconvenes if determined by need.

Surrogate Parents for Children in Early Start

Please refer to Section XI, Surrogate Parents of this Procedural Manual for information respective to Surrogate Parents.

Both VMRC and the SELPAs will assign a contact person to appoint surrogate parents for Service Coordinators, maintain statistics on surrogate parents they have used and report on an annual basis to the San Joaquin Office of Education their statistics.

Specific procedures have been developed to identify the status of a parent's education rights, guidelines for obtaining consent from the natural parent and the responsibility of CPS to have parental rights limited when necessary.

Transition from Early Start Services

All children participating in the Early Start program must receive appropriate transition planning. To ensure a timely transition, a meeting must be convened at least three months prior to the toddler's 3rd birthday and as early as 2 years 3 months to identify, on the child's IFSP, the necessary transition steps to exiting the Early Start Program. Transition planning procedures must be initiated by the Interim/Service Coordinator including

scheduling the transition IFSP meeting with the family. For those toddlers who may be eligible for special education and related services under Part B of the IDEA, the Interim/Service Coordinator will include the representative from the toddler's district of residence in the scheduling of the transition IFSP. The SJCOE will participate in the transition planning for toddlers who may be eligible for preschool programming under Part B services in order to ensure that an IEP will be developed and implemented by the toddler's 3rd birthday.

The following is the transition procedures checklist:

1. By 33 months, and as early as 2 years 3 months, the Service Coordinator will contact the family and a representative from the child's district of residence to schedule a transition planning conference. For children jointly served by VMRC, and the SJCOE, the Service Coordinator must include the teacher and/or service providers, when scheduling the transition meeting date with the family. If the child is in a regional center funded infant program, the Service Coordinator must include the regional center funded program representative at the meeting whenever possible.
2. Once the transition meeting date is set and with written parental permission, the Service Coordinator will send a letter to the district of residence, which will notify them of the meeting date and invite them to attend.

During the TPC/IFSP, the SELPA/LEA shall participate in the discussion of the transition steps as part of the IFSP including:

- assessment process,
- timelines
- eligibility criteria for Part B
- IEP meeting process
- review possible preschool program and services options
- suggest a notification/referral date at least 90 days prior to the third birthday

Identify additional information to be included with the notification/referral, including release of information forms for medical information as needed.

During the TPC/IFSP, VMRC shall facilitate discussion of the transition process as part of the IFSP. Service Coordinator will update and document:

- present levels of development,
 - resources, priorities, and concerns
 - review of progress on outcomes and continuing services
 - transition services and activities the IFSP team identifies as needed
 - notification referral date of at least 90 days prior to the third birthday
 - obtain written parental consent for additional information to be sent to the SELPA/LEA at the time of referral beyond name, birth date, and parent contact information
 - to provide a copy of the TPC/IFSP to the SELPA/LEA
3. The Service Coordinator will facilitate the transition planning meeting making sure that the following issues are addressed during the meeting:
 - A. Provide the family with written information on their due process rights.
 - B. Review the child's progress, parent's concerns and parent's priorities for their toddler who is exiting the Early Start Program.
 - C. Develop and document IFSP transition activities which include, but are not limited to: transition into preschool services under Part B if the child with a disability is eligible for special education services, or to community supports for the child who will not need special education services at the age of 3;

procedures to prepare the toddler for changes in service delivery; identify needed assessments and timelines to determine regional center and special education eligibility; provide information about community resources such as Head Start and child development preschools for toddlers who will not be eligible for special education services after 36 months.

- D. The Service Coordinator will provide a copy of the transition plans, which will be included in the current IFSP to the family, for their review, approval and signature.
 - E. A projected date for conducting a final review of the IFSP to review the early intervention services and the transition plan by age 36 months.
4. During the transition meeting, the IFSP team, including the parent, will determine which members of the team will implement transition activities. These activities will include appropriate referrals to community services if necessary. The Service Coordinator will facilitate the implementation of the transition plan, and will be responsible for ensuring all activities are completed according to timelines established in this plan.
 5. The district of residence will develop a proposed written assessment plan and provide it to the parent for review if their child is being evaluated for special education eligibility through Part B. If the child is enrolled in the SJCOE Early Start program, a proposed written assessment plan will be written and provided to the family for their review. All children in the SJCOE Early Start program are evaluated for special education eligibility through Part B, UNLESS the parent declines the evaluation.
 6. With parental consent, the district of residence will complete the recommended assessment(s) and convene an IEP meeting with the family within 60 days of receipt of the parental consent for assessment and prior to the child's 3rd birthdate.
 7. The Service Coordinator will obtain the results of medical evaluations, developmental program assessments, district of residence assessments, etc., as well as any other assessment information deemed necessary to assist with the eligibility determination for regional center's Lanterman Act services.
 8. The Service Coordinator will provide a written notification of regional center eligibility, including procedural safeguards to the family.
 9. If the toddler is no longer eligible for regional center services, the VMRC Early Start funded services will terminate on the toddler's 3rd birthdate.
 10. The Service Coordinator and/or SJCOE will convene a final IFSP meeting prior to the toddler's 3rd birthdate to review services and IFSP outcomes.
 11. If a toddler is determined to be eligible for Part B Special Education services, and the IEP team members are in agreement with the proposed recommendations, the IEP will be signed by the district of residence representative, the parent and other members of the IEP team which includes the Service Coordinator. The toddler's IEP designated services will be implemented upon the toddler's 3rd birthdate. If the child has a signed IEP designating a specific date the SJCOE services will begin, VMRC may continue to provide Early Start services for a toddler who has been determined eligible for regional center's Lanterman Act services. The provision of the identified IFSP services will only be provided during the period of SJCOE's extended break which occurs at the toddler's initial eligibility determination for Part B of IDEA. VMRC assumes the cost for providing the IFSP documented services only until SJCOE returns from break. A multi-disciplinary team within VMRC will determine that the IFSP services are necessary until the Part B SJCOE special education program resumes.

Procedural Safeguards

VMRC and SJCOE both agree to abide by the Procedural Safeguards as outlined in Federal Law and Regulations and in State Law and Regulations.

1. Notice: Prior to the initial evaluation and assessment to determine eligibility, the Interim Service Coordinator shall give written notice to the parent and the identified Service Coordinator thereafter shall give annual notice to the parent, which will include:
 - a. VMRC's and SJCOE's personally identifiable information
 - b. Assessment, evaluation, and IFSP information
 - c. Methods that both VMRC and SJCOE use to protect confidentiality regarding information sources, personally identifiable sources, and access rights of parents to records

Written notice will be given to the parent of an eligible or suspected eligible child prior to receiving early intervention services, or a change of service. This notice will provide sufficient detail to inform parents of proposed action(s), reasons for action(s) and procedural safeguards available.

All notices will be written using words that are understandable by the general public and in the language of the parent's choice (unless not feasible to do so).

2. Consent: Written consent from the parent will be obtained by the Interim/Service Coordinator before initial evaluation and assessment and prior to initiation of early intervention services.
 - a. Records will show written evidence that the parent has been informed of: voluntary consent; consent changing regarding services; information regarding evaluation, assessment, services and exchange of records and in parent's language of choice.

When consent is not given or withdrawn, the Service Coordinator will inform the parent of services that would have been provided, that service will not be provided unless consent is given and that documentation is recorded of the attempts to obtain consent.

3. Dispute Resolution: Both VMRC and SJCOE agree to abide by dispute resolution procedures and guidelines promulgated by the California Department of Developmental Services and the California Department of Education. In addition, parties agree to resolve disputes through informal means whenever possible.

Parents will be informed of the Dispute Resolution Process.