



**POLICIES AND PROCEDURES
NEW JERSEY EARLY INTERVENTION SYSTEM**

No: NJEIS-20	Subject: Transition Planning and Opt-Out
Effective Date: July 1, 2012	Responsible Party: Part C Coordinator

I. Purpose

To provide policies and procedures for the transition of toddlers from the New Jersey Early Intervention System (NJEIS) who may be potentially eligible for special education (Part B) preschool services.

II. Policy

A. Notification/Referral

1. In accordance with federal regulations, for any toddler receiving services under NJEIS, a notification must be sent to the New Jersey Department of Education, Office of Special Education (NJ-OSE) and the local school district where the child resides that the child “may be eligible” for special education unless the parent has chosen to “opt out” of notice.
2. Notification must occur no fewer than 90 calendar days before the toddler’s third birthday.
3. All toddlers receiving services under NJEIS may be eligible for, and therefore are considered “potentially eligible,” for preschool special education services.
4. Notification/disclosure of information about the child and family constitutes a referral to special education.
5. Parents of toddlers approaching age three must be offered the opportunity to “opt out” of having notification made to the NJ-OSE and local school district.
6. Notification must occur for all children approaching age three unless the parent “opts out” of the disclosure.

B. Transition Planning Conference

1. With the approval of the parent, a transition planning conference must be convened not fewer than 90 calendar days and no sooner than nine (9) months before the child’s third birthday.

2. If the parent declines to have a transition planning conference, the transition plan is developed at an IFSP meeting.

C. Development of a Transition Plan

1. A transition plan must be completed not fewer than 90 calendar days and no sooner than nine months before the child's third birthday.

III. Procedures

A. Notification/Referral

1. DOH is responsible for making any necessary notifications/referrals required under this policy to the NJ-OSE.
2. Notification/referral information is limited to the child's name, date of birth and the parent's name, address and telephone number.
3. The ongoing service coordinator must discuss the notification/referral policy with the parent at the IFSP meeting closest to their child's second birthday. At this meeting, the parent is informed that:
 - (a) Notwithstanding (b) and (c) BELOW, the Individuals with Disabilities Education Act (IDEA) requires the disclosure of limited personally identifiable information without parent consent to the local school district in which the child resides;
 - (b) The transmission of the written information does not obligate a parent to pursue special education services for their child; and
 - (c) NJEIS provides parents with an opportunity to "opt-out" of this notification/referral disclosure by signing a NJEIS Notification Opt-Out form.
4. If the parent decides to "opt-out" of notification/referral, they may return the signed "opt-out" form to the ongoing service coordinator at the IFSP meeting or may return the signed form within 10 calendar days.
5. The service coordinator is responsible for transmitting the notification/referral information outlined in this policy to the local school district unless the parent indicates on the "opt-out" form they do not want this limited personally identifiable information sent to the school district.
6. If the parent signs/returns the "opt-out" form at the IFSP meeting or within the 10 calendar day time period, the information is not transmitted to the school district.
7. The ongoing service coordinator is responsible to document in the child's record a note regarding the discussions with the parent about notification/referral. The signed "opt-out" form and documentation of the notification/referral discussion must be put in the child's early intervention record.
8. If the parent signs the NJEIS Notification Opt-Out form, and subsequently wants to explore the possibility of special education services for their child, the service coordinator must offer assistance to the parent to refer their child to the school district.
9. For children who are referred to NJEIS between 45 and 90 calendar days before the child's third birthday, the ongoing service coordinator must notify NJ-OSE

and the school district of residence as soon as possible after eligibility has been determined, unless the parent “opts-out” of notification/referral.

10. For children who are referred to NJEIS less than 45 calendar days before the child’s third birthday, if the toddler “may be eligible” for preschool special education, the SPOE service coordinator with parent consent refers the toddler to NJ-OSE and the local school district.

B. Transition Planning Conference

1. The ongoing service coordinator, with the approval of the parent, must convene a transition planning conference, not fewer than 90 calendar days and no sooner than nine (9) months before the child’s third birthday.
2. If the parent agrees to convene the conference, the ongoing service coordinator must invite representatives from the local school district to attend.
3. NJEIS recommends that the Transition Planning Conference be an IFSP meeting.
4. If the Transition Planning Conference is not an IFSP meeting, the conference must meet requirements related to holding an IFSP meeting including:
 - (a) IFSP team members;
 - (b) Accessibility and convenience of IFSP meeting; and
 - (c) Parental consent.
5. If the parent does not agree to convene a transition planning conference, the service coordinator must document discussions with the parent in the child’s record.

C. Development of Transition Plan

1. The transition plan as described below must be developed at the transition planning conference and documented on the IFSP.
2. If the parent declines to have a transition planning conference, the transition plan must be developed at an IFSP meeting. The school district representative would not be in attendance.
3. The ongoing service coordinator is responsible for the development of the transition plan which must be incorporated into the IFSP.
4. The transition plan must include:
 - (a) A review of the program options for the toddler from their third birthday through the remainder of the school year;
 - (b) Steps for the toddler and their family to exit from the Part C program; and
 - (c) Any transition services that the IFSP Team identifies as needed by the toddler and/or their family.

IV. Related Policies, Procedures and Forms

NJEIS Form-015 Parental Opt-Out of Part B Notification/Referral