



New Jersey Department of Children and Families Policy Manual

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Purpose

This issuance establishes policies and procedures for CP&P referrals of children to the New Jersey Early Intervention System (NJEIS).

Policy

A) Referral Required When Child Abuse/Neglect is Found

If a child under three years of age is involved in a Substantiated or Established incident of child abuse or neglect, CP&P must refer that child to the New Jersey Early Intervention System (NJEIS) in his or her county of residence.

- This requirement does not apply to children involved in incidents investigated by the Institutional Abuse Investigations Unit (IAIU), except for those incidents occurring in resource family homes.
- This requirement does not apply to children referred to NJEIS by CP&P during the preceding six month period.

B) Other Referrals

No matter the investigation finding, or in non-CPS matters, the Worker shall refer each child under age three to NJEIS when there are concerns about the child’s development.

C) Consent

NJEIS obtains the necessary consents; CP&P assists in identifying parents as necessary.

In those instances in which the biological parent retains rights and may not be able to fully participate in the NJEIS process, the biological parent may designate

the resource parent to serve as the “parent”. The parent must complete and sign CP&P [Form 11-5](#), EIS Parental Consent Form, authorizing this designation.

D) Follow-Up and Report Changes in Child’s Circumstances

After referral to NJEIS, the assigned Worker must continue contact with the NJEIS System Point of Entry (SPOE) service coordinator to determine whether an evaluation and assessment has been completed, and if the child has been found eligible for Early Intervention Services, and if an Individualized Family Service Plan (IFSP) meeting is planned.

NJEIS may provide information about the child to the Worker, without parental consent in accordance with procedures in the Family Education Rights and Privacy Act regulations at 34 CFR Part 99.

CP&P Workers advise the assigned NJEIS SPOE service coordinator as soon as possible, of any significant changes in the child’s circumstances, including, but not limited to:

- The child’s family relocates, particularly if they move to another county in New Jersey;
- The child is placed out of home, changes placements, returns home or is scheduled to return home;
- The parents whereabouts become unknown;
- A parent’s rights are terminated; or
- The child is adopted or enters a Kinship Legal Guardianship arrangement.

E) Documentation of Services

The assigned Worker requests ongoing documentation from NJEIS regarding the child’s status. Reports from NJEIS are kept confidential, placed in the child’s case record in NJ Spirit (NJS), as vital health and developmental information, and are not released outside of CP&P.

See NJS Documentation procedures below.

Authority

- Child Abuse Prevention and Treatment Act (CAPTA) -42 U.S.C.§5106a.
- 34 CFR 300.30
- Family Education Rights and Privacy Act (FERPA)

Procedures

A) Identification of Parent

CP&P is responsible for assisting NJEIS in determining who can serve as the child's "parent" under Part C of the Individuals with Disabilities Education Act (IDEA) federal and state regulations. The biological parent is presumed to be the "parent" unless their parental rights have been terminated or he or she is unwilling or unavailable, (i.e., parent cannot be identified or cannot be located after reasonable efforts). If the biological parent has lost their rights, cannot be identified, or after reasonable efforts cannot be located, the "parent" for NJEIS purposes is determined based on federal regulations at 34 CFR 300.30. Under this regulation a parent is defined as an:

- Adoptive parent;
- Legal guardian;
- Relative caregiver with whom the child resides;
- Foster/resource parent;
- Surrogate parent; or a
- Court appointed person to act as the "parent";

When the biological parent retains parental rights and yet may not be able to fully participate in the NJEIS process, the biological parent may designate the resource parent to serve as the "parent". The parent may complete and sign the CP&P 11-5, EIS Parental Consent Form, authorizing parental designation. The signed form is then sent with the referral to the SPOE coordinator.

If the resource parent has been designated as the "parent" for NJEIS purposes, but opposes referral or provision of early intervention services, and refuses to provide consent, Workers consult with the Local Office Manager (LOM) and the Deputy Attorney General (DAG).

B) Referral Process in CPS matters

The assigned Worker makes the referral to the New Jersey Early Intervention System(NJEIS) through the designated regional System Point of Entry (SPOE) in the child's county of residence. The referral takes place at the conclusion of the CPS investigation, assuming substantiation was determined, or within 60 days from SCR assigning the report to the Local Office. The Worker may call the Toll Free Referral Number at 888-653-4463. This number connects the caller to the appropriate catchment area to make the referral.

Workers complete the CP&P Form [11-1](#), Referral for the New Jersey Early Intervention System Services, for each child referred. The form is accompanied by relevant medical or developmental assessment reports, if available. For children in out-of-home placement, Workers attach the Comprehensive Health Evaluations for Children (CHEC) Preliminary or Final Report to the CP&P Form [11-1](#). See [CP&P-V-A-1-1200](#).

Using CP&P [Form 11-1](#), Workers identify the status of the parental rights of the biological parents, to facilitate the determination of the “parent” under NJEIS.

Once referrals are received, the NJEIS SPOE service coordinator contacts the parent, to explain the NJEIS system. If the parent is interested in pursuing evaluation, the SPOE obtains parental consent. If the child is found eligible, and the parent agrees, an initial Individualized Family Service Plan (IFSP) meeting is conducted to develop an IFSP. The IFSP meeting must be conducted within 45 calendar days of receipt of the CP&P referral.

C) Documentation of EIS Referral in NJS

Once the EIS referral is submitted, Workers document this activity in NJS through the Medical/Mental Health Window on the Medical History Tab.

Enter the date of the referral as the First Service Date and select the values of Early Intervention Services Assessment and Referred to Early Intervention Services.

Enter the following information through the Medical Profile Tab in the Developmental History section. When prompted, “Is the child receiving services from EIP (Early Intervention Program)?”, select “Yes”.

For additional details on NJS documentation, see [How to Document a Referral to Early Intervention Services](#).

D) Transition

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. The child “may be eligible” for special education unless the parent has chosen to “opt out” of notice.

Notification must occur no fewer than 90 calendar days before the toddler’s third birthday. The Early Intervention Service Coordinator is responsible for transmitting the notification/referral information to the local school district.

For children approaching age three who are in resource care, the Worker is responsible for notifying the school district where the biological parent resides (known as the District of Residence) **and** the district where the resource parent resides that the child is in resource care, and is potentially eligible for special education services (Early Intervention Transition letter to be developed).

Forms and Attachments

- CP&P Form [11-1](#), Referral for Early Intervention System Services
- CP&P [Form 11-5](#), EIS Parental Consent Form
- [How to Document a Referral to Early Intervention Services](#).

Related Information

- [NJ EIS Frequently Asked Questions](#) (NJ Department of Health).