

Early Support for Infants & Toddlers



Practice Guide: Ongoing Eligibility

Overview

As part of the required annual IFSP review for each child and family served under Part C of IDEA, the IFSP team updates the IFSP. The updated IFSP includes a review of information obtained through progress monitoring and ongoing functional assessment to document the child's present levels of development.

When the IFSP team discusses the child's present levels of development as part of the annual IFSP review, they ensure the child's continuing eligibility for Part C. The IFSP team must update the present levels of development section of the IFSP annually with progress monitoring data. A child must continue to meet Washington's eligibility criteria in order to continue to receive Part C services. If the team's discussion affirms that the child continues to be eligible for Part C services, the IFSP team continues to update the annual IFSP.

For those children who no longer exhibit a delay based on test scores alone, but for whom the team determines services continue to be needed, the team's informed clinical opinion may be used to continue Part C eligibility.

If at any point during the provision of services, including at any periodic or annual IFSP review, the IFSP team, with the family, determines that the child may no longer be eligible for Part C services, the IFSP team must decide whether additional evaluations are warranted to establish continued eligibility. Appropriate evaluation procedures must be conducted to re-determine eligibility and related procedural safeguards must be followed. With parental consent, the child should be re-evaluated. If the child is no longer in need of services and the team determines the child no longer meets Washington's eligibility criteria, prior written notice must be provided to the family informing them of this decision.

Practice Considerations

When is ongoing eligibility considered?

A child's present levels of development, indicating an ongoing delay, are required to be clearly documented in the child's annual IFSP.

There are some other situations when it may be appropriate to discuss a child's ongoing eligibility. One example is if the parents or other members of the IFSP team believe the child and family have made sufficient progress and no longer need early intervention services. If a child has met all the outcomes set forth in the IFSP and the family has no further concerns or the child does not seem to be exhibiting a delay, ongoing eligibility must be considered. Achieving the outcomes stated in the IFSP *may or may not*

mean that the developmental delay or other condition that established the child's initial eligibility has been resolved. It could simply mean that new outcomes need to be developed.

The family could decide not to continue to participate in early intervention. If the family wants to continue with early intervention, it will be important for the team to determine if the child continues to meet eligibility criteria. The team must get permission to evaluate the child to determine whether the child no longer has a delay that meets Washington's Part C eligibility criteria.

How is ongoing eligibility determined?

During the annual IFSP review, the team, including the family discusses the child's present levels of development based on information gathered through functional assessments and ongoing progress monitoring activities. If the child appears to continue to be eligible, the team documents the child's present levels of development. Standardized tests are not required unless any member of the IFSP team raises concerns about whether or not the child continues to be eligible.

If at any time, the team believes the child has made substantial progress and may no longer be eligible for early intervention services, consider the following to address the issue of ongoing eligibility.

- An IFSP meeting is convened with the family to discuss whether re-evaluation is necessary.
- The FRC provides prior written notice and obtains parental consent for any evaluation(s) needed, as outlined in the procedural safeguards requirements.
- The child is re-evaluated.
- The IFSP team including the family reviews all available information, and determines if the child continues to be eligible for Part C services.

What steps must be taken based on the results of the ongoing eligibility determination?

If the child continues to be eligible, no additional action is needed and the child continues to receive services determined on the IFSP.

If the child is determined to no longer be eligible for the ESIT program:

- The FRC must provide the parent(s) with prior written notice describing the reasons for the team's decision that the child is no longer eligible. The discussion and decisions should be documented in the IFSP Review section. A copy of the procedural safeguards under Part C, *ESIT Parent Rights*, should be provided and explained, including the parent's right to request formal dispute resolution if they disagree with the decision.
- Transition steps and services must be developed for all children who exit Part C. While children who are no longer eligible for Part C will unlikely be potentially eligible for Part B, the transition steps and services could address other early childhood or community services and supports the family may want to access. The IFSP should describe the steps to be taken to exit the child from Part C.

In addition to transition planning with the family, the IFSP team should complete other exit procedures. This includes completing the exit summary of child performance to select the Child Outcome Summary statements, closing the child's record, providing the ESIT family survey and notifying all appropriate parties.

Drafted by UNC staff and edited by ESIT staff.