



**Frequently Asked Questions**  
**Transition**  
**5123-10-02 (L)**

**TPC**

**Q: What if the TPC occurs without another agency? We have always been advised a TPC must occur, even if the family chooses not to meet with the LEA or another agency? For example, if a family believes their child will be ineligible or does not want to meet with the LEA, and wants their child to simply be at home with them or will pay for therapy with insurance, I have always held a TPC to discuss ongoing options and how to contact the LEA or other agencies for help in the future. Is this no longer called a TPC? I assume the conversation should still happen...**

A: Parents must consent to the TPC. If the parent consents to having a TPC, it must be held at least 90 days, but not more than nine months, before the child's third birthday. Regardless of whether a TPC is held, transition should still be discussed with every family and every family must have a transition plan/outcome.

**Q: I know the transition outcome is completed during a regularly scheduled IFSP review which makes sense, but can you please clarify whether an IFSP review will now be required at the TPC? For most families, this meeting is heavily focused on meeting with the school district and answering questions about transition. Adding a requirement to review the IFSP takes away from the SC just being present to support the family and answer questions and will lead to poor quality IFSP reviews rushed at the end of the meeting.**

A: 5123-10-02 (L)(2)(b) states that a transition planning conference is conducted during an IFSP meeting accordance with paragraphs (J)(4) to (J)(9) and K of this rule. This aligns with Federal requirements for transition.

**Q: If the goal of adding an IFSP review to the TPC is that the meeting is completed at a regularly scheduled review, please note that most school districts are not willing to meet much earlier than the 33 month due date as the TPC starts their timelines for completing evaluations, etc. Is this something that has been considered?**

A: This new rule aligns with Federal requirements that the TPC occurs at an IFSP meeting.

**Q: TPC's were previously a requirement for all families. It looks like it is now option under new rule. Is this correct?**

A: According to 5123-10-02 (L)(2)(b), parental consent using EI-07 is required to schedule a TPC meeting. Parents may choose not to have a TPC.

**Q: If all children need a transition outcome, then why wouldn't it be considered that they have a TPC?**

A: According to 5123-10-02 (L)(2)(a), not fewer than ninety calendar days, but not more than nine months before a child's third birthday, the IFSP shall include at least one transition outcome.

**Q: If the parent does not consent to the TPC, the SC would still create a transition outcome and review that outcome and the steps with the parent however we would not call that a Transition Conference?**

A. The service coordinator would still create with the family a transition outcome at an IFSP meeting because all children according to 5123-10-02 (L)(2)(a) must have a transition outcome.

**Q: Is TPC the definition just for transitioning to Part B services?**

A: No, If parents' consent to TPC using form EI-07; according to 5123-10-02 (L)(2)(b), it must be conducted during an IFSP meeting in accordance with paragraphs J (4) to J(9); which states who shall be included in the meeting. A TPC ensures the opportunity for parents, EISC, and a representative from wherever the child is potentially transitioning to; to meet and discuss available services, parent rights, and any procedural safeguards. As well as what will be needed to ensure a smooth transition from Part C services.

**Q: If all children need a transition outcome, then why wouldn't it be considered that they have a TPC?**

A: Parents have the right to consent or not consent to having a TPC (E-07). However, federally regulations mandate that every child have a transition outcome with steps and activities.

**Q: If parents do not consent for LEA to come out, we don't consider the meeting a TPC?**

A: A TPC ensures the opportunity for parents, EISC, and a representative from wherever the child is potentially transitioning to (LEA, Head start, daycare etc.); to meet and discuss available services, parent rights, and any procedural safeguards. As well as what will be needed to ensure a smooth transition from Part C services. If a parent consents to a TPC meeting; According to rule 5123-10-02 J (4) through J (9), a family can choose who they want to attend their TPC meeting.

**Q: What happens if a TPC is scheduled with the LEA and the family is a no show?**

A: Compliance is met as long as the TPC was scheduled within the required timeline. EISC must document reason for NCR in their case notes. EISC must document attempts to reschedule with family and LEA.

**Q: If you conduct the TPC without the LEA and the child appears to be eligible for Part B, do you have another meeting to include the LEA when they are available?**

A: According to 5123-10-02(L)(2)(b): If a child may be eligible for preschool services under part B, and parents have signed EI-O7, the EISC shall ensure that a TPC is conducted during an IFSP in accordance with paragraphs (J)(4) to (J)(9) and (K) of this rule. The TPC shall include the

LEA to discuss any services the child may receive under part B. According to 5123-10-02 (J)(5), EISC shall provide the parent and other participants the IFSP meeting notice EI-13 early enough to ensure they will be able to attend.

**Q: Does the service provider still go out if the IFSP is out of date due to family waiting for the LEA to be available to participate in a TPC / IFSP update?**

A: No, a service provider cannot provide services after the end date on the IFSP grid. An IFSP review MUST be done in accordance with 5123-10-02 (J) (2) to (J)(3).

**Q: Child comes in at 89 days, we do evaluation and assessment and it is determined that child has a NFS. Parent wants referral to LEA. Do we write a Transition Outcome?**

A: Yes, IFSP process still needs to be followed. EISC needs to coordinate the IFSP, and TPC meeting to assist the family with a smooth transition. Transition outcome support can be provided by whoever the team decides is most appropriate and can be the service coordinator.

## TRANSITION OUTCOME

**Q: Can the transition outcome be developed at the TPC?**

A: According to 5123-10-02, yes, a transition outcome can be developed at a TPC meeting.

**Q: At what time do you make the transition goal? At the home or at the actual TPC meeting with LEA?**

A: Transition outcome can be placed on the IFSP no earlier than 9 months and no later than 90 days prior to the child's third birthday. This can occur at an IFSP meeting with the family or at the IFSP/TPC meeting.

**Q: To just write a transition outcome, does this have to be done at an IFSP review?**

A: Yes, according to 5123-10-02 (L)(2)(a); a transition outcome must be added at an IFSP meeting (review, annual, initial).

**Q: Is the transition outcome still an additional outcome from other outcomes listed on the IFSP?**

A: The Transition Outcome is now located on the same page as all other outcomes (section 4). You would need to check the box indicating that it is a transition outcome. If during a review, it is determined that an existing outcome is also an appropriate transition outcome. Review the outcome at the bottom of the page, check continue with new strategies. Outcome is written on new page with same number. Check that it is a transition outcome and add strategies of how it is going to support transition.

**Q: Could you give an example of a transition outcome?**

A: We want Elijah to be able to hear in the noisy preschool classroom, so that he can participate in story time.

**Q: Transition outcome is written not fewer than 90 days and no sooner than 2 years 3 months? I thought this was going to be at the IFSP closest to the child's 2nd birthday. can you clarify?**

A: The official conversation regarding transition begins at the IFSP closest to the child's 2<sup>nd</sup> birthday. The EISC explains what transition is and obtains informed consent to release child's name, DOB, and parent's name to the local LEA. Beginning no earlier than 9 months and no later than 90 days prior to 3<sup>rd</sup> birthday, a transition outcome with steps and activities is added to the IFSP.

## FORMS

**Q: If we are meeting with a parent without the LEA would we still have EI-07 signed? The form states that the meeting is with the district. Or do we sign that they do not give consent?**

A: A family can decline to share their information with the LEA but agree to having a TPC with other community providers; in this situation parents would need to give permission to have a TPC meeting using the bottom of EI-07.

**Q: EI-07: It appears this consent gives permission for the child's information to go on the LEA report. Is there a timeframe in which this consent can/must be completed?**

A: Yes, these requirements are addressed in rule 5123-10-02 (L)(1)

**Q: Is there still an "opt in/opt out" option for consent to share information with the LEA?**

A: Yes, on top of form EI-07, allows a family to decide whether they want to share their information with the LEA.

**Q: Is it required to wait until a child is made eligible to have a parent sign consent form EI-07 or can the parent sign this form prior to eligibility being determined?**

A: Transition services are only available for children receiving Part C services; so therefore, Part C eligibility needs to be determined prior to the completion of EI-07.

**Q: If we get a referral less than 45 days from the child's third birthday, did you say we should have EI-08 signed?**

A: Yes, EI-08 is the consent needed to refer a child to the LEA.

## EIDS

**Q: Please clarify the new transition steps and activities tab in EIDS. What type of things should be entered here? Is this completed at the transition outcome or the TPC?**

A: Information for the Transition Steps and Services indicator we are required to report on in our Annual Performance Report is documented on the Transition Steps and Services tab. Steps or activities taken to accomplish the transition outcome are documented on this tab, exactly as this information is documented on the IFSP form. The screenshots below show where this information was documented on the old IFSP form and where it is documented on the current IFSP form. Steps and services have always been required to be on the IFSP but were not required to be entered into EIDS until this year.

Previous IFSP:

The screenshot shows a section of the old IFSP form titled "Section VI: Our Child and Family Outcomes". It includes a table with columns for "Date:" and "Outcome #". Below the table, there is a section for "What we would like to see happen within our family routines:" and a larger section for "Steps or activities that will be taken to accomplish this outcome (include criteria & timeline):". The latter section is highlighted with a red border. At the bottom, there is a label "Early Intervention Service(s) Necessary to Meet this Outcome".

New IFSP:

## Section 4: Our Child and Family Outcomes

This section identifies a child or family outcome based on what you want to accomplish, as well as the steps to meet your outcome. The outcome is based on information the team learned from the child and family assessment(s). Each IFSP outcome must be written in words easily understandable by everyone and in a way that clearly relates to what you stated as your priorities during the family-directed assessment (if conducted).

Outcome number	This child outcome addresses	<input type="checkbox"/> Developing positive social relationships	<input type="checkbox"/> Acquiring and using new skills and knowledge	<input type="checkbox"/> Taking action to meet own needs	Outcome addresses family participation, family well-being, or information	Outcome addresses transition
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Given what you've shared about your family's daily life, what would you like to see happen within your family's activities as a result of EI supports and services. How will we know when it is accomplished?

What's happening now?

Strategies: What steps and activities, including who and when, will help us meet the IFSP outcome?

Supports that we currently have available to help us with this outcome (formal and natural, including services not provided by EI).

### **Q: When are we to complete the EIDS screen transition steps and services?**

A: Transition Steps and Services are required to be included on an IFSP at least nine months and not more than 90 days prior to the child's third birthday. As such, the system will not allow the Transition Steps and Services page to be saved if the entered date is more than nine months prior to the child's third birthday and will prompt for an NCR if the entered date is less than 90 days prior to the child's third birthday. The information entered on this page should correspond to the information added to the "Strategies: What steps and activities, including who and when, will help us meet the IFSP outcome?" section for a transition outcome included on an IFSP that is at least nine months, and not more than 90 days prior to the child's third birthday.

### **Q: Even if a child is 3 months old, EIDS will prompt us to input if parents gave consent to share info with the LEA. Will this change in EIDS?**

A: This field will continue to have a default response of "Yes" and will remain that way unless "No" is selected. Because there is a default response to this item, there is no way to remove the selection, so it will continue to be a required field for all IFSPs.

### **Q: Is EIDS going to automatically say no to consent to Transition as of 7/1/19?**

A: The "Did the parent consent to a Transition Planning Conference?" does not have a default value; but is required to be answered in order to save the TPC information.

## ODE/DODD PARTNERSHIP

**Q: Will DODD staff be sharing these new requirements with ODE partners?**

A: Yes, and it will also be addressed in the Part C to Part B training.

**Q: What are the ODE timelines for implementing an IEP after an ETR meeting is held?**

A: This question is a very frequent one. The IEP must be developed by the 3<sup>rd</sup> birthday (46+ days from referral from Part C). The “services begin” or “IEP is implemented” language is not as defined. The language in rule is below, but the language just states services begin “as soon as possible”. I would say that unless the child is transitioning to preschool services over the summer or the parent did not want to child start preschool with only a few weeks of school left at the end of the school year, that the expectation is the IEP services begin by 3 as well. We (ODE) would need to provide TA to a district if they were not in practice of this.

*“If there is a suspected disability and the child is eligible for special education and related services as a preschool child, the school district shall work with the family to ensure an IEP is in place and implemented by the child’s third birthday. The dates for the initiation and duration of services shall be determined by the evaluation team or the IEP team and other qualified professionals.”*

*“If a child’s third birthday occurs during the summer, the child’s IEP team shall determine the date when services under the IEP will begin.”*

*Ohio Administrative Code 3301.51-07*

*(K) When IEPs must be in effect*

*(1) General*

*By the child's third birthday and at the beginning of each subsequent school year, each school district must have in effect, for each child with a disability within its jurisdiction, an IEP, as defined in paragraph (H) of this rule. The IEP shall be implemented as soon as possible following the IEP meeting.*

*(2) The initial IEP must be developed within whichever of the following time periods is the shortest:*

*(a) Within thirty calendar days of the determination that the child needs special education and related services;*

*(b) Within ninety calendar days of receiving parental consent for an evaluation; or*

*(c) Within one hundred twenty calendar days of the receipt of a request for an evaluation from a parent or school district.*

*(3) Initial IEPs; provision of services Each school district must ensure that:*

*(a) A meeting to develop an IEP for a child is conducted within thirty days of a determination that the child needs special education and related services; and*

*(b) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child's IEP.*

**Q: What if you hold a TPC meeting and after the TPC meeting the family would like to exit from EI services, but they still want their child to be evaluated for preschool... Does this change the process for them to be evaluated by the school**

**district? I have had a couple families recently who do not want services but would still like to see if their child qualifies for preschool.**

A: The TPC is the referral date for the district, so this already begins the timeline:

-30 days from referral to suspect and/or receive consent to evaluate

-60 days after receiving consent to evaluate and determine eligibility

-30 days from eligibility determination IEP in place

So, whether the family has ceased their Part C services **after** the TPC, the district has begun their required timelines from the referral date. The district is still being held to their mandates.

## **OTHER**

**Q: Re: (L)(1)(d) - please clarify requirement for PCSA referrals when parent is not contacted by central intake.**

A: After receiving a referral, it is the EISC's responsibility to locate the parent-the person who is legally responsible for making Early Intervention decisions on behalf of the child.

**Q: Since it is the EISC who is responsible for parent training, discussion, etc., in the transition outcome, is the EISC put onto the grid for the transition outcome?**

A: The service coordination activities related to the transition outcome are documented in the strategies.

**Q: Will Central Intake let us know locally that they have made the referral to the LEA in case the LEA calls us locally?**

A: Central Intake will not notify locals when a referral is made to an LEA for a child contacting central intake within 45 days of the child's third birthday. However, this contact will be logged in EIDS.

**Q: Concern that Central Intake may not get parents to sign a form to refer to LEA. these children may get lost. they do not get written consent for EI referrals.**

A: Under IDEA, the EI system must obtain informed, written parent consent in order to refer a child to the LEA. If a child is referred to central intake within 45 days of the child's third birthday, central intake will offer to make the referral upon receipt of written consent and/or provide the family with contact information for the relevant LEA so the parent can make the referral.