



Michigan Department of Education, Office of Great Start/Office of Special Education

Technical Assistance for Understanding Birth to Five

Eligibility Criteria

IDEA Part C / *Early On*®

Birth to 3 year olds
Early Intervention

Children birth to three who need early intervention services based on a 20% or greater developmental delay or an established condition.

Michigan Mandatory Special Education (MMSE)

Birth to 3 year olds

Special Education eligible (based on MARSE R 340.1705-1717 evaluation). Birth to three year olds who are entitled to special education services. These Children are **all** eligible for Early On (Part C) services.

IDEA Part B, Section 619 Preschool Special Education/ Early Childhood

Special Education (ECSE)
3 through 5 year olds

- ECSE includes programs and services provided to young children, ages three through five, who qualify under the Individuals with Disabilities Education Act (IDEA, Part B, Section 619).
- Children entering ECSE without previously receiving MMSE and/or *Early On* services shall follow initial IEP timelines.
- Children are **NO LONGER** eligible for *Early On* services.

Form Used

IDEA Part C / *Early On*®

Birth to 3 year olds
Early Intervention

Services are written into an Individualized Family Service Plan (IFSP) per 34 CFR § 303.344(d).

Michigan Mandatory Special Education (MMSE)

Birth to 3 year olds

Services are written into an Individualized Family Service Plan (IFSP) per 34 CFR § 303.344(d).

IDEA Part B, Section 619 Preschool Special Education/ Early Childhood

Special Education (ECSE)
3 through 5 year olds

ECSE programs and services must be determined by an IEP team (including the parent) and written into an IEP.



Procedural Safeguards

IDEA Part C /Early On®
 Birth to 3 year olds
 Early Intervention

Parents are given Procedural Safeguards for Part C.

Michigan Mandatory Special Education (MMSE)
 Birth to 3 year olds

Parents of children receiving MMSE services (whether or not they are receiving *Early On*/Part C services) will be given the Procedural Safeguards for Part C only.

**IDEA Part B, Section 619
 Preschool Special Education/
 Early Childhood**
 Special Education (ECSE)
 3 through 5 year olds

Parents are given Procedural Safeguards for IDEA, Part B.

Regulatory References

IDEA Part C /Early On®
 Birth to 3 year olds
 Early Intervention

- R 340.1862 Individualized Family Service Plan; timelines; eligibility.
- Notice for Part C- 34 CFR § 303.404.
- Evaluation(s) per 34 CFR § 303.321(b).
- Multidisciplinary Team under Part C- 34 CFR § 303.24.

Michigan Mandatory Special Education (MMSE)
 Birth to 3 year olds

- Notice for Part C- 34 CFR § 303.404.
- Evaluation(s) per 34 CFR § 303.321 and MARSE R 340.1705-1717.
- Multidisciplinary Team under Part C- 34 CFR § 303.24.
- R 340.1862 Individualized Family Service Plan; timelines; eligibility.

**IDEA Part B, Section 619
 Preschool Special Education/Early
 Childhood**
 Special Education (ECSE)
 3 through 5 year olds

- R 340.1754 Early Childhood Special Education Programs.
- R 340.1755 Early Childhood Special Education Services.
- Notice for Part B- 34 CFR § 300.503.
- Evaluation(s) per 34 CFR §§ 300.304 and 300.305 and MARSE R 340.1705-1717.
- Timelines MARSE R 340.1721b.
- Multidisciplinary Evaluation Team for Part B-MARSE R 340.1701b.



Parent Options

IDEA Part C / *Early On*®
 Birth to 3 year olds
 Early Intervention

Parents may accept all the *Early On* and MMSE services or they may decline either or both for children birth to 3 year olds.

Michigan Mandatory Special Education (MMSE)
 Birth to 3 year olds

Parents may accept all the *Early On* and MMSE services or they may decline either or both for children birth to 3 year olds.

**IDEA Part B, Section 619
 Preschool Special Education/Early Childhood**
 Special Education (ECSE)
 3 through 5 year olds

- Parents may refuse to give consent for the initial evaluation to determine Part B eligibility.
- Parents may refuse to give consent for the initial provision of Part B programs and services.

Related SPP Indicators

IDEA Part C / *Early On*®
 Birth to 3 year olds
 Early Intervention

Part C State Performance Plan/Annual Performance Report (SPP/APR)

- **#5 Child Find birth – 1:** Percent of Infants and Toddlers birth to one with IFSPs.
- **#6 Child Find birth – 3:** Percent of Infants and Toddlers birth to three with IFSPs.
- **#8 Early Childhood Transition:** Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday.

Michigan Mandatory Special Education (MMSE)
 Birth to 3 year olds

Part C State Performance Plan/Annual Performance Report (SPP/APR)

- **#5 Child Find birth – 1:** Percent of Infants and Toddlers birth to one with IFSPs.
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**IDEA Part B, Section 619
 Preschool Special Education/Early Childhood**
 Special Education (ECSE)
 3 through 5 year olds

Part B Section State Performance Plan/Annual Performance Report (SPP/APR).

- **#11 Child Find:** Percent of children with parental consent to evaluate who were evaluated within 30 school days.
- **#12 Early Childhood to B Transition:** Percent of children referred by Part C prior to age 3, found eligible for Part B and had an IEP developed and implemented by their 3rd birthday.



Environments

IDEA Part C / *Early On*®

Birth to 3 year olds
Early Intervention

Natural Environments defined as settings that are natural or typical for a same-aged infant or toddler without a disability, may include the home or community settings, and must be consistent with the provisions of 34 CFR § 303.126.

Michigan Mandatory Special Education (MMSE)

Birth to 3 year olds

Natural Environments defined as settings that are natural or typical for a same-aged infant or toddler without a disability, may include the home or community settings, and must be consistent with the provisions of 34 CFR § 303.126.

IDEA Part B, Section 619 Preschool Special Education/Early Childhood

Special Education (ECSE)
3 through 5 year olds

Least Restrictive Environment (LRE) means that young children with disabilities should receive services in typical community-based early childhood settings and programs with children who do not have disabilities whenever possible, and only go to more restrictive or specialized settings when their individual needs require it 34 CFR § 300.612(a)(5) and 34 CFR §§ 300.114 through 300.118.

Eligibility Determination Timelines

IDEA Part C / *Early On*®

Birth to 3 year olds
Early Intervention

Evaluation, initial assessment of the child, initial assessment of the family (with approval), and Initial IFSP meeting timeline **all within 45 calendar days of referral.**

Michigan Mandatory Special Education (MMSE)

Birth to 3 year olds

Evaluation, initial assessment of the child, initial assessment of the family (with approval), and Initial IFSP meeting timeline **all within 45 calendar days of referral.**

IDEA Part B, Section 619 Preschool Special Education/Early Childhood

Special Education (ECSE)
3 through 5 year olds

Part B initial evaluation timeline: The time from receipt of parental consent for an evaluation to the notice of an offer of a FAPE or the determination of ineligibility shall not be more than 30 school days.

Transition from Part C to Part B

IDEA Part C / *Early On*®

Birth to 3 year olds
Early Intervention

Children who are potentially eligible for Part B, Section 619 need a transition plan and conference between 2 years 3 months and 2 years 9 months of age.

Michigan Mandatory Special Education (MMSE)

Birth to 3 year olds

Children who are potentially eligible for Part B, Section 619 need a transition plan and conference between 2 years 3 months and 2 years 9 months of age.

IDEA Part B, Section 619 Preschool Special Education/Early Childhood

Special Education (ECSE)
3 through 5 year olds

Children transitioning from either MMSE and/or *Early On* shall/must have an IEP completed and implemented by the child's third birthday.