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IDEA 101: Partnering with Specialized Service Providers to Support Effective Inclusion

Viewer's Guide

This viewer's guide will help you capture your ideas as you engage with the webinar content. During this webinar, we will focus on the Individuals with Disabilities Education Act (IDEA) and what disabilities services coordinators (DSC) and other program staff need to know to support inclusion in Head Start programs. We will discuss what the DSC's role is in collaborating with partners, including IDEA providers and families, and facilitating coordinated, effective disabilities services. Helpful resources can be found in the Resources section of this guide.

What is IDEA?



The Individuals with Disabilities Education Act, or IDEA, is a federal law that guarantees a free and appropriate public education to individuals with disabilities.

The law governs how states and public agencies provide early intervention, special education, and related services to more than 6.5 million eligible infants, toddlers, children, and youth with disabilities.

As a disabilities services coordinator – or any program staff who supports disabilities services and inclusion in Head Start – IDEA shapes the very nature of your job. It applies to children from birth to age 5 across all program options - center-based, home-based, family childcare, and locally designed options. It also applies to childcare partners who serve Early Head Start children. Your program will work closely with the local Parts B and C agencies that are responsible for implementing IDEA.



National Center on

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IDEA and Head Start



The Head Start Program Performance Standards state that programs must ensure that at least 10% of the total funded enrollment is filled by children who are eligible for services under the Individuals with Disabilities Education Act.

The 10% requirement was established in 1972 to ensure that children with disabilities and developmental delays and their families were well served in this program – making Head Start one of the oldest public inclusive early childhood programs in the U.S.! **Since then, over 3 million children with disabilities have participated in Head Start!**

Several Head Start Program Performance Standards relate to providing IDEA services for children with disabilities or suspected delays, including:

- **Part 1302 Subpart J - Program Management and Quality Improvement**

- **1302.101 (b) Coordinated approaches.** At the beginning of each program year, and on an ongoing basis throughout the year, a program must design and implement program-wide coordinated approaches that ensure:

(3) The full and effective participation of all children with disabilities, including but not limited to children eligible for services under IDEA, by providing services with appropriate facilities, program materials, curriculum, instruction, staffing, supervision, and partnerships, at a minimum, consistent with section 504 of the Rehabilitation Act and the Americans with Disabilities Act...

- **Part 1302 Subpart C - Education and Child Development Program Services**

- **1303.33 Child screening and assessments.**

- (a) *Screening.*

- (1) In collaboration with each child's parent and with parental consent, a program must complete or obtain a current developmental screening to identify concerns regarding a child's developmental, behavioral, motor, language, social, cognitive, and emotional skills...
- (3) If warranted through screening and additional relevant information and with direct guidance from a mental health or child development professional a program must, with the parent's consent, promptly and appropriately address any needs identified through:
 - (i) Referral to the local agency responsible for implementing IDEA for a formal evaluation to assess the child's eligibility for services under IDEA as soon as possible, and not to exceed timelines required under IDEA; and,
 - (ii) Partnership with the child's parents and the relevant local agency to support families through the formal evaluation process.

- (4) If a child is determined to be eligible for services under IDEA, the program must partner with parents and the local agency responsible for implementing IDEA, as appropriate, and deliver the services in subpart F of this part.
 - (b) *Assessment for individualization.*
 - (1) A program must conduct standardized and structured assessments, which may be observation-based or direct, for each child that provides ongoing information to evaluate the child’s developmental level and progress in outcomes...
 - (3) If warranted from the information gathered... a program must refer the child to the local agency responsible for implementing IDEA for a formal evaluation to assess a child’s eligibility for services under IDEA.
- **Part 1302 Subpart F – Additional Services for Children with Disabilities**
 - **1302.60 Full participation in program services and activities.** A program must ensure enrolled children with disabilities, including but not limited to those who are eligible for services under IDEA, and their families receive all applicable program services delivered in the least restrictive possible environment and that they fully participate in all program activities.
 - **1302.61 Additional services for children.**
 - (a) Additional services for children with disabilities. Programs must ensure the individualized needs of children with disabilities, including but not limited to those eligible for services under IDEA, are being met and all children have access to and can fully participate in the full range of activities and services. Programs must provide any necessary modifications to the environment, multiple and varied formats for instruction, and individualized accommodations and supports as necessary to support the full participation of children with disabilities. Programs must ensure all individuals with disabilities are protected from discrimination under and provided with all services and program modifications required by section 504 of the Rehabilitation Act (29 U.S.C. 794), the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), and their implementing regulations.
 - (b) *Services during IDEA eligibility determination.* While the local agency responsible for implementing IDEA determines a child’s eligibility, a program must provide individualized services and support, to the maximum extent possible, to meet the child’s needs....
 - (c) *Additional services for children with an IFSP or IEP.* To ensure the individual needs of children eligible for services under IDEA are met, a program must:
 - (1) Work closely with the local agency responsible for implementing IDEA, the family, and other service partners, as appropriate, to ensure:
 - (i) Services for a child with disabilities will be planned and delivered as required by their IFSP or IEP, as appropriate;
 - (ii) Children are working towards the goals in their IFSP or IEP;

- (iii) Elements of the IFSP or IEP that the program cannot implement are implemented by other appropriate agencies, related service providers, and specialists;
 - (iv) IFSPs and IEPs are being reviewed and revised, as required by IDEA; and,
 - (v) Services are provided in a child's regular Early Head Start or Head Start classroom or family childcare home to the greatest extent possible.
- (2) Plan and implement the transition services described in subpart G of this part...
- **1302.62 Additional services for parents.**
 - (a) *Parents of all children with disabilities.*
 - (1) A program must collaborate with parents of children with disabilities, including but not limited to children eligible for services under IDEA, to ensure the needs of their children are being met, including support to help parents become advocates for services that meet their children's needs and information and skills to help parents understand their child's disability and how to best support the child's development;
 - (2) A program must assist parents to access services and resources for their family, including securing adaptive equipment and devices and supports available through a child's health insurance or other entities, creating linkages to family support programs, and helping parents establish eligibility for additional support programs, as needed and practicable.
 - (b) Parents of children eligible for services under IDEA. For parents of children eligible for services under IDEA, a program must also help parents:
 - (1) Understand the referral, evaluation, and service timelines required under IDEA;
 - (2) Actively participate in the eligibility process and IFSP or IEP development process with the local agency responsible for implementing IDEA, including by informing parents of their right to invite the program to participate in all meetings;
 - (3) Understand the purposes and results of evaluations and services provided under an IFSP or IEP; and,
 - (4) Ensure their children's needs are accurately identified, and addressed through, the IFSP or IEP.
- **1302.63 Coordination and collaboration with the local agency responsible for implementing IDEA.**
 - (a) A program must coordinate with the local agency responsible for implementing IDEA to identify children enrolled or who intend to enroll in a program that may be eligible for services under IDEA...
 - (b) A program must work to develop interagency agreements with the local agency responsible for implementing IDEA to improve service delivery to children eligible for

services under IDEA, including the referral and evaluation process, service coordination, promotion of service provision in the least restrictive appropriate community-based setting and reduction in dual enrollment which causes reduced time in a less restrictive setting, and transition services as children move from services provided under Part C of IDEA to services provided under Part B of IDEA and from preschool to kindergarten.

- (c) A program must participate in the development of the IFSP or IEP if requested by the child's parents, and the implementation of the IFSP or IEP. At a minimum, the program must offer:
 - (1) To provide relevant information from its screenings, assessments, and observations to the team developing a child's IFSP or IEP; and,
 - (2) To participate in meetings with the local agency responsible for implementing IDEA to develop or review an IEP or IFSP for a child being considered for Head Start enrollment, a currently enrolled child, or a child transitioning from a program.
- (d) A program must retain a copy of the IEP or IFSP for any child enrolled in Head Start for the time the child is in the program...

- **Part 1302 Subpart G – Transition Services**

- **1302.70 Transitions from Early Head Start.**

- (e) *Transition services for children with an IFSP.* A program must provide additional transition services for children with an IFSP, at a minimum, as described in subpart F of this part.

- **1302.71 Transitions from Head Start to kindergarten.**

- (e) *Transition services for children with an IEP.* A program must provide additional transition services for children with an IEP, at a minimum, as described in subpart F of this part.

Together, along with other federal legislation, IDEA and the HSPPS support equal educational opportunities for children with disabilities and their families, including the right to access inclusive early childhood programs.

Reflect: What is your role in supporting inclusion and ensuring that each of the IDEA-related HSPPS is carried out? Who else in your program is involved? What is their role? Where might clarification be needed?

Referral and Eligibility: What About Response to Intervention (RTI)?

IDEA states that once a referral is received, the agency that receives the referral must complete a comprehensive evaluation to determine whether the child is eligible for IDEA services. Here are some common questions and answers related to this process.

- **Question: What does “timely” mean?**
 - For Part C, an agency has 45 days from the time a referral is received to determine whether the child is eligible and complete the development of an IFSP.
 - For Part B, an agency has 15 school days from the time a referral is received to set up an IEP meeting to discuss the referral and what evaluations need to take place. Once the consent to evaluate form is signed, the agency has 45 school days complete the eligibility evaluations and hold an eligibility meeting.
- **Question: Can the IDEA agency delay or deny an eligibility evaluation because RTI has not been used?**
 - No! In a **2011 memorandum**, the Office of Special Education Programs (OSEP) stated that it’s “critical that this identification occurs in a timely manner and that no procedures or practices result in delaying or denying this identification” and that “States and LEAs have an obligation to ensure that evaluations of children suspected of having a disability are not delayed or denied because of implementation of an RTI strategy”. Once the referral has been received, the IDEA agency must begin the evaluation process.
- **Question: What is RTI?**
 - RTI, or response to intervention, is a multi-tiered approach to instruction that’s used to ensure that all children receive the right type and amount of instruction and support to help them learn and make progress. When using RTI, or MTSS as it’s sometimes called, a school or program uses the following practices in an intentional, ongoing process:
 - **Ongoing progress monitoring** to determine how children are progressing and identify children who may be at risk for poor learning outcomes
 - **Differentiated goals and outcomes** to make sure that learning targets are appropriately matched to each child’s learning needs and characteristics
 - **Tiered instruction** using evidence-based practices that are individualized based on the child’s learning goals, learning characteristics, and needs for support
 - **Ongoing assessment** to determine whether the instruction being used is effective in helping the child learn

Least Restrictive Environment and Natural Environments



IDEA has regulations about where specialized services should be provided to a child – the is clear that, as much and as often as possible, children with disabilities should receive their specialized services in settings and environments where children without disabilities participate.

Part C requires that all eligible infants and toddlers and their families receive their specialized services in their **“natural environments”**, or the places and environments that are typical for same-aged children without disabilities. A natural environment might be a child's home, family member's home, or community setting, such as an Early Head Start program.

IDEA Part B requires that, to the maximum extent possible, children and their families receive special education and related services in the **“least restrictive environment”** (LRE), or regular or general educational settings with their peers who don't have disabilities. An LRE setting might be a Head Start classroom, community preschool program, or family childcare home.

Placement decisions should be made by the child's educational team, including the family, on an individual basis. This should happen as part of the IFSP or IEP development process. Our partners at the Early Childhood Technical Assistance (ECTA) center have created some **great resources** to help professionals learn about LRE and make intentional decisions about placement. These resources include guiding questions for the child's team to consider, such as:

- How is the child doing in the early childhood program they are attending?
- Does the family want the child to remain in the program?
- What aids and supports would the child need to be successful?
- Can the IEP be implemented in the regular early childhood program with needed aids and supports?
- Will the proposed placement allow the family to access childcare if needed?
- What regular early childhood programs are in the school district and community?

Reflect: How does your program participate and support families to participate during the placement process when children are found eligible for IDEA services? What strategies do you use that are effective? Where might you make changes?

IDEA & Family Rights



IDEA is designed to uphold and protect the rights of young children with disabilities and their families. The HSPPS state that program staff must support families to understand and participate in the different processes and steps associated with determining eligibility for and receiving IDEA services. An important outcome for families of children with disabilities is to help them understand their rights and support families to develop as advocates for their child and family. **But what are family rights under IDEA and how can you support families to learn about them?**

Here are some important rights for families of children who are eligible for IDEA services:

- Confidentiality
- Receive an explanation of procedural safeguards
- Receive 'prior written notice' before meetings or events
- Use of parent's preferred language or mode of communication
- Review of their child's records
- Participate in meetings
- Obtain an independent evaluation
- Disagree with decisions, including placement decisions
- Give or deny consent for services
- Use resources and processes to resolve disputes

Our partners at the **Center for Parent Information & Resources** – also known as the Parent Hub or Parent Training & Information Centers – have wonderful resources that can be used to help families learn about their rights, answer questions about IDEA services and processes, and support family advocacy. Each state has a Parent Center – **have you looked at the website or contacted yours?** If not, **find your state's Parent Center** today!

What's Next?

In this webinar, we explored some essential components of IDEA that are critical to supporting disabilities services in Head Start programs.

IDEA is the foundation of your program's coordinated approach to disability services. As a DSC, it's important that you're familiar with this federal law. While you don't need to know every detail, you will want to know the general purpose of IDEA and its implications for your program – this includes timelines, processes, eligibility requirements, and who your IDEA partners are.

Take a moment to reflect on your familiarity with IDEA and how it impacts your program. What did you learn in this webinar? What questions do you still have? What support do you need in your role facilitating effective disabilities services?

Reflect: Did you learn anything new about IDEA during the webinar or from the resources shared?

Reflect: What questions do you have?

Reflect: What support do I need to facilitate effective inclusive services?

Helpful Resources

Online Resources

IDEA 101 Toolkit: Go-To Resources

- **Joint Policy and Position Statements**
 - [Early Childhood Inclusion: 2009 Joint DEC/NAEYC Position Statement](#)
 - [Inclusion of Children with Disabilities in Early Childhood Programs: 2015 Joint HHS/ED Policy Statement](#)
- **Components Supporting Preschool Inclusion**
 - [IDEA Provisions Supporting Preschool Inclusion](#)
- **National TA Center Resources**
 - [Early Childhood Technical Assistance Center](#)
 - [Center for Parent Information and Resources](#)
 - [Center for Parent Information and Resources: State Parent Centers](#)
 - [ECLKC iPD: DSC Foundations Course](#)

IDEA Essentials

- **Difference Between Part C and Part B**
 - [Eligibility Difference Between Part C and Part B, Section 619](#)
 - [What is the difference between IDEA Part C and Part B? \(Please note: The term used to describe the first disability category in the Part B Eligibility section is out of date, the new term used is 'intellectual disability'; this resource lists 'hearing impairment' and 'deafness' in the same category, while they are listed as separate categories in IDEA\)](#)
- **Eligibility Requirements**
 - [IDEA Eligibility Determination Requirements](#)
 - [Categories of Disability Under Part B of IDEA](#)
 - [Part C Eligibility](#)
 - [Part B Eligibility](#)
- **Referral and Evaluation**
 - [Disability Services Coordinator Orientation Guide: Referring and Evaluating Children](#)
 - [Disability Services Coordinator Orientation Guide: Referral and Evaluation Tracking Sheets](#)
- **Service Delivery & Placement**
 - [US Department of Education 'Dear Colleague' Letter Related to Preschool LRE](#)

- [Making Sound Preschool LRE Decisions](#)
- **IFSP & IEP**
 - [Individualized Family Service Plan](#)
 - [Writing the IFSP for Your Child](#)
 - [The Short-and-Sweet IEP Overview](#)
 - [A Guide to the Individualized Education Program](#)
- **State Contacts**
 - [Part C Lead Agencies](#)
 - [State Section 619 Coordinators](#)

Supporting Family Advocacy

- **IDEA Basics for Families**
 - [Especially For... Families and Communities](#)
 - [Overview of Early Intervention](#)
 - [Children 3 to 22](#)
 - [Find Your Parent Center](#)
 - [Key Terms to Know in Special Education](#)
- **Family Rights Under IDEA**
 - [Parent Rights Under IDEA](#)
 - [Procedural Safeguards: Family Rights, Confidentiality, and Dispute Resolution](#)
 - [Dispute Resolution](#)

Online Communities

MyPeers: Head Start Disabilities-Inclusion Network

<https://eclkc.ohs.acf.hhs.gov/about-us/article/mypeers-collaborative-platform-early-care-education-community>