

Questions and Answers

Part C TEIS Extended Services Option

The Tennessee Early Intervention System (TEIS) extended services option will allow eligible children served by TEIS the choice of continuing to receive Part C early intervention services through TEIS beyond age three (3) or to receive Part B services through the local education agency (LEA) where the child resides. The following questions and answers are related to this option.

1. *How does a child qualify for the Part C TEIS extended services option?*

A child must first be eligible for Part C services (also known as the Tennessee Early Intervention System) and served under an Individualized Family Service Plan (IFSP) by TEIS prior to the child's third birthday. The child then must be found eligible for Part B services by the child's local education agency (LEA). Once determined eligible for Part B services, the child's family will be given the option of continuing to receive Part C services through the beginning of the school year following the child's fourth birthday or transitioning to receive Part B services.

2. *Current timelines include a transition planning conference with the family, TEIS, and the LEA prior to age three. Will there need to be any changes to this with the TEIS extended services option?*

The existing transition planning conference expectations, in line with the [Tennessee Early Childhood Transition FAQ](#), will continue. The transition planning conference will continue to be an important time to share information with the family, including the procedural safeguards, and to coordinate transition related activities. With the addition of the Part C TEIS extended option, LEAs will also be invited to participate in a transition planning conference for children referred to TEIS between 45 and 90 days before the child's third birthday if the child is already eligible for services with TEIS. A transition planning conference will not be held for children not first found eligible for TEIS services. TEIS has tracked the number of 45-90 day late referrals found eligible and, historically, this would entail 1-2 transition planning conferences per year for most LEAs.

3. *Are there any changes to the Part B LEA evaluation requirements?*

LEAs are under the same obligations related to all aspects of evaluation, eligibility determination, and Individualized Education Program (IEP) development as detailed in the [Tennessee Early Childhood Transition FAQ](#). This includes ensuring the completion of a comprehensive evaluation within 60 calendar days of receiving parental consent to conduct the evaluation.

4. IDEA requires LEAs to conduct a comprehensive evaluation and, for eligible students, have an IEP developed and in place by the child's third birthday. Will the LEA's obligations be different if the LEA does not know if the family is going to remain with TEIS or transition to the LEA?

The TEIS Extended Services Option will not change an LEA's obligations under APR Indicator 12. If a child is determined eligible for Part B services, LEAs should plan to develop an IEP by the child's third birthday. If the child's family elects to transition to Part B services, the LEA can implement the IEP and meet its obligations under IDEA. If the child's family elects to continue receiving Part C services, the LEA can use the IEP as a draft IEP when the child eventually transitions from Part C to Part B. In this case, it is recommended the LEA save and upload a copy of the draft IEP to the child's file within EasyIEP.

5. What should be done if the LEA loses contact with the family during the Part B evaluation/eligibility determination process?

The LEA should notify TEIS if contact with the parent/guardian is lost or if there are delays with the Part B evaluation/eligibility determination process. TEIS will follow up with parent/guardian accordingly.

6. Are there any changes to the Part B eligibility determination meeting as a result of the Part C extended services option?

Yes. TEIS attendance may be limited, but the LEA should invite TEIS to join the Part B eligibility determination meeting with the family. If a child is determined eligible for Part B, the LEA will review the Part B information provided on the [Family Notification](#) document with the family, explaining the possible services and supports available under Part B. If a TEIS representative is present at this meeting, TEIS will also review the possible services and supports under Part C and will provide the family with the TEIS Extended Option Services Decision Form. If TEIS is not in attendance for the Part B eligibility meeting, the LEA will notify TEIS of the eligibility determination.

7. What is the Age 3 TEIS Extended Option Decision Meeting?

If the child is determined eligible for Part B, the Age 3 TEIS Extended Option Decision Meeting is held by TEIS with the family. The purpose of the Age 3 TEIS Extended Services Option Decision Meeting is for TEIS to review the [Family Notification](#) document, facilitate a discussion about the family's options, and obtain the parent/guardian's choice to transition to the LEA for services, receive services through the TEIS Extended Services Option, or decline both options.

8. Can the Part B Eligibility Determination Meeting and the Age 3 TEIS Extended Option Decision Meeting be held together?

Yes. The LEA Eligibility Determination meeting and the Age 3 TEIS Extended Services Option Decision Meeting may be held together if the family, the LEA, and TEIS agree.

9. How will the choice for the Part C TEIS extended services option be shared with families determined eligible for Part B?

If the child is determined eligible for Part B services and a TEIS representative did not attend the Part B eligibility determination meeting, the LEA will notify TEIS of the Part B eligibility determination. TEIS will convene an Age 3 TEIS Extended Services Option Decision Meeting with the family. TEIS will review the Part C information provided on the [Family Notification](#) document with the family, explaining the possible services and supports available under Part C. TEIS will also share the TEIS Extended Services Option Decision Form with the family. The sharing of this form gives the child's family up to 10 calendar days to choose the extended option.

10. How will LEAs know whether families of eligible children are pursuing the Part C extended services option or continuing with the LEA?

TEIS will provide a TEIS Extended Services Option Decision Form to families determined eligible for Part B. The child's family will then have up to 10 calendar days to notify TEIS whether they elect to continue receiving Part C services or elect to transition to receiving Part B services. Once the child's family informs TEIS of their decision, TEIS will notify the LEA.

11. What is the responsibility of the LEA for families of children opting into Part C TEIS extended services?

The LEA will need to maintain the child's eligibility in EasyIEP and inactivate the child's record using "Parent elected Part C TEIS Extended Services Option" as the reason for exiting. The LEA will also need to share relevant Part B evaluation information used to determine eligibility with TEIS. TEIS will invite the LEA to provide a representative to participate in an IFSP meeting for these children.

12. If a family chooses the Part C TEIS extended option, should the LEA complete a Prior Written Notice (PWN)?

Yes, a PWN should be completed to summarize and document this information.

13. How will consent for sharing information between TEIS and LEAs be attained?

Prior to or during the Transition Planning Conference, TEIS will share two Authorization For Release Forms with the child's family. Parent signature will be sought for each form. One form is for TEIS to be able to release records/information to the LEA. The other form is for the LEA to be able to release records/information to TEIS.

14. Should LEAs draft an IEP if the LEA learns the family will select the Part C TEIS extended service option?

Yes, the Tennessee Department of Education recommends that LEAs develop a draft IEP for two reasons. First, sharing a draft IEP with the child's family will best allow the family to make a fully informed decision regarding the decision to continue receiving Part C services or to transition to receiving Part B services. Second, developing a draft IEP will best ensure that the LEA meets its obligations under IDEA to have an IEP in place by the child's third birthday if the child's family elects to transition to receiving Part B services.

15. What if a child served by TEIS is found eligible for Part B but, due to the timing of the eligibility determination, the 10-day family decision window for choosing Part C TEIS extended services goes beyond the third birthday?

A child's family will have up to 10 days to determine whether to continue receiving Part C services or to transition to receiving Part B services, even if the decision window continues past the child's third birthday. If the child's family has not made a decision by the child's third birthday, then the child will continue receiving Part C services until the child's family makes a decision or the 10-day decision window expires. If the child's family elects to transition to receiving Part B services, then the LEA is expected to have an IEP in place. LEAs must operate under the assumption that they will be serving children determined eligible. Therefore, existing IDEA requirements for a timely IEP remain in place unless notification is received indicating the family has chosen the Part C TEIS extended option or that they no longer desire to pursue services altogether.

16. Will parents of children served by TEIS and turning three need to opt out of transitioning to Part B or opt into Part C TEIS extended services?

The child's family must opt into the Part C TEIS extended services option. If the child's family does not make a decision within 10 calendar days of receiving notice of the Part C TEIS extended services option, the child will no longer be eligible for Part C services after the child's third birthday.

17. Will Part C services continue through the eligibility determination process, even if that process gets delayed beyond the third birthday?

For any circumstances where it is anticipated that the evaluation and eligibility determination is not going to be completed by the third birthday, the LEA must inform TEIS of the reasons for the delay. If the delay is caused by the LEA, TEIS will continue to provide Part C services to the child for a reasonable period of time until Part B eligibility is determined. However, if the delay is caused by the family (e.g., failing to participate or produce the child for an evaluation), Part C TEIS services will be discontinued. Each situation is fact dependent, and it will be important for

the LEA to communicate with TEIS regarding any excessive delays, especially as the child's third birthday approaches.

18. What happens if the Part B eligibility has not been determined by the child's third birthday?

LEAs should make every effort to conduct an evaluation and hold an eligibility determination meeting by the child's third birthday. If there are delays, such as the parent repeatedly failing to make the child available for the initial evaluation or refusing to participate in an eligibility determination meeting, the LEA should maintain thorough documentation. If eligibility has not occurred by the child's third birthday, the LEA is to continue to attempt to fulfill its IDEA related responsibilities. If eligibility has not been determined by the third birthday, within 15 days following the child's third birthday the LEA is to notify TEIS regarding reasons eligibility has not been determined.

19. What if a child served by TEIS is determined to not be eligible for Part B?

The child will not be eligible for the Part C TEIS extended option. The LEA will proceed with closing the record in line with current practices. While a TEIS representative should be invited to the eligibility determination meeting, if they are not present, the LEA should inform TEIS of the Part B non-eligibility determination.

20. Can a family that continues with the LEA through an IEP later go back to Part C/TEIS?

No. Once a child exits TEIS, the family will no longer have an option to return to Part C TEIS services.

21. Can a child be eligible for Part C and Part B simultaneously?

Yes, a child can be eligible for both. However, the child cannot actually receive services from both Part C and Part B at the same time. The family for an eligible child will need to make a decision to either opt into Part C TEIS extended services or continue on through Part B.

22. Will the children who meet the eligibility requirements and who remain with TEIS through the Part C TEIS extended services option continue to be served by an IFSP or by an IEP?

Children served through extended services with TEIS will be served through an IFSP.

23. How long can a child be served by TEIS under the Part C TEIS extended services option?

Children eligible for the Part C TEIS extended services can receive Part C services until the start of the school year following the child's fourth birthday.

24. What will happen to families who choose the TEIS extended option initially but later want to change to the LEA, prior to the start of the school year after a child turns four?

Families can opt out of the Part C TEIS extended services at any time. The family can notify TEIS, who will then share that information with the LEA. The LEA will have a reasonable period of time, not to exceed 60 days, to work with the IEP team to implement an IEP. While LEAs should make reasonable effort to accomplish this as quickly as possible, this window affords the LEA time to consider if any additional assessments through the reevaluation process might be needed based on any changes since the initial evaluation. TEIS will continue to make Part C TEIS extended services available to these families during this timeframe.

25. What happens when children participating in Part C TEIS extended services turn four? Will families determined eligible and who continue with Part C automatically return to the LEA?

If a child's family elects to continue receiving Part C services, the child may continue receiving Part C services through the beginning of the school year following the child's fourth birthday. To ensure that LEAs are aware of children who will be transitioning from Part C to Part B, on March 15 each year, TEIS will send a notification file to the LEA listing all children served under the Part C TEIS extended services option who are approaching the start of the school year that follows their fourth birthday. This file will serve as notice to the LEA to work with each of these families to ensure IEPs are developed and that the IEP services are set to begin by the start of the school year. TEIS will continue to serve these children until the start of the school year.

26. What about children receiving Part C TEIS extended services that turn four late in the school year, such as mid to late May? Will Part C services continue to be offered to them up until the start of the school year or will TEIS extended services end on the fourth birthday?

Unless a family opts out of the Part C TEIS extended services, TEIS will continue to serve their child through the summer, up until the start of the school year. These children will also be included on the March 15 notification file informing the LEA of the need to develop an IEP with services set to begin by the start of the school year.

27. For children served under the Part C TEIS extended services option, will there be a need for an additional transition planning conference with the LEA prior to the child potentially transitioning to the LEA, following their fourth birthday?

While there is no transition planning conference required for children who are served under the Part C TEIS extended option, it will be important for TEIS and the LEA to have good communication to share pertinent information to help ensure a smooth transition from being served through an IFSP with the Part C TEIS extended services to the implementation of an IEP with the LEA.

28. Will the IFSP be different for children continuing with Part C?

While there may be similarities to the former IFSP, the IFSP developed post Part B eligibility determination will also include the addition of literacy and numeracy educational components to be aligned with IDEA educational requirements.

29. Part C requires children be served in their “natural environment” (often the home), and Part C Annual Performance Reporting (APR) to OSEP captures this. For families of children choosing the Part C TEIS extended option, will they be served in the natural environment or their least restrictive environment?

Children served through the Part C TEIS extended option will be required to be served in their natural environment, in line with IDEA Part C requirements.

30. How should children of families choosing the Part C TEIS extended option be coded in EasyIEP?

For families choosing the TEIS extended option, the LEA will maintain the child’s eligibility in EasyIEP and inactivate the child’s record using “Parent elected Part C TEIS Extended Services Option” as the reason for exiting.

31. How will the Part C TEIS extended option impact the Part B annual performance report (APR) information for indicators 11 and 12?

Children participating in the Part C TEIS extended services option will be reported as part of the APR for Part C. They will also be reported in Part B APR indicators 11 (60-day evaluation timeline) and 12 (Part C to B transition). For Part B indicator 12, children continuing with TEIS will be counted under a category specifically for children continuing with early intervention services beyond the child’s third birthday. For any children who do not continue with the Part C TEIS extended services option, LEAs are required to meet both Part B indicator 11 (eligibility determined within 60 days of initial consent) and indicator 12 requirements (non-eligibility determination or an IEP implemented by the third birthday). The LEA needs to be prepared for this possibility for all children potentially transitioning from TEIS prior to their third birthday. Please make sure to appropriately document the Part C to B transition process, including all contacts with parents. OSEP has made no reporting allowances for Part B APR indicators 11 or 12 for children who do not continue with the Part C TEIS extended option.

32. With the addition of the Part C TEIS extended services option, what dispute resolution options will families have?

If a child’s family elects to continue receiving Part C services past the child’s third birthday, then the child’s family will continue to have the procedural safeguards available under Part C, including the Part C dispute resolution options.

33. *Research indicates that children with disabilities being in high quality inclusive environments with their typical peers has profound positive benefits for both children with and without disabilities. How will families be helped to make an informed decision that will best meet the needs of their child?*

It is important that TEIS and the LEA provide families with as much relevant information as possible in order to help them make informed decisions for their child, both for the short term as well as long term.

34. *How will families who opt out of the TEIS notification files be supported?*

TEIS will work with families to help these families understand the implications of opting out of notifications to the LEA. However, if there is no notification or transition planning conference due to these families opting out, the LEA will not be accountable for evaluation or an IEP.

35. *How will late referrals to TEIS 45-90 days before the child's third birthday be handled?*

Consistent with current practices, TEIS will notify LEAs of all late referrals. TEIS will also continue to evaluate and conduct eligibility determinations for children referred to their program between 45-90 days of the child's third birthday. If determined eligible by Part C, the LEA will be invited to participate in a transition planning conference for these children. The LEA will also ensure a comprehensive evaluation is complete to determine Part B eligibility. If Part B eligible, families of these children will be given the option of choosing Part C TEIS extended services.

36. *How will late referrals to TEIS less than 45 days before the child's third birthday be handled?*

Consistent with current practices, TEIS will notify the LEA of these referrals. TEIS will not evaluate or determine eligibility for these children and these children will not be eligible for the Part C TEIS extended option. The LEA will proceed as usual with these referrals.

37. *Who is responsible for getting the interpreter for meetings where both TEIS and the LEA are present?*

The LEA provides the interpreter for the Part B eligibility determination meeting. TEIS provides the interpreter for the Age 3 TEIS Extended Option Decision meeting. If these meetings are held together, TEIS will provide the interpreter.