

YOUNG CHILDREN, AGES 3-5

Early identification and intervention for young children with disabilities is critical for their future academic success. The Individuals with Disabilities Education Improvement Act 2004 (IDEA) requires that services be offered for any child with disabilities beginning at birth through age 21. Babies Can't Wait (BCW), a program of the Georgia Department of Community Health (DCH), is the program that provides early intervention services to infants and toddlers with disabilities from birth to age 3. Local educational agencies (LEAs)¹ are the providers of special education and related services to eligible children beginning by age 3.

IDEA requires LEAs to locate, identify, and evaluate young children with suspected disabilities or developmental delays. These delays may occur in the areas of self-help/adaptive behavior, cognitive development, communication, physical development, and/or social-emotional development.

In Georgia, children suspected of having a disability, including those who are ages 3-5 (plus 2-year-olds who will turn 3 during the school year) must receive a comprehensive evaluation to determine eligibility for special education and related services. The comprehensive evaluation for children ages 3-5 includes assessing the following areas of development:

- **Adaptive development** (e.g., dressing, eating, toileting);
- **Cognitive development** (e.g., thinking and learning);
- **Communication** (e.g., hearing, speaking, language skills);
- **Motor development** (e.g., physical development, large and small muscle development);
and
- **Social-emotional development** (e.g., relating with adults and other children).

After the comprehensive evaluation is completed, the Eligibility Team meets to review all of the information about the child in order to determine eligibility.

¹ Local educational agencies include public boards of education or other public authorities legally constituted within Georgia for either administrative control or direction of, or to perform a service function for public elementary or secondary schools in a city, county, township, school district, or other political subdivision of the State, including state charter schools and Georgia Department of Juvenile Justice (DJJ).

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Eligibility Determination

Although preschool-aged students may be determined to be eligible in any disability categories, the most common is *Significantly Developmentally Delayed (SDD)* [See [34 C.F.R. § 300.8\(b\)](#)]. A young child is eligible for special education and related services in the SDD category when team members agree that the evaluation information indicates the child meets the eligibility criteria in one or more areas of development mentioned in the eligibility criteria section. Additionally, the team must agree that special education and related services are required for the child to learn and be part of an appropriate educational setting.

The SDD eligibility may be used for children from ages 3-9. However, the initial eligibility must be established and an IEP in place on or before the child's 7th birthday. Eligibility can continue to the end of the school year in which the child turns 9, if the child is not reevaluated and found eligible in another disability category prior to the end of the school year.

As with all children eligible under the IDEA, the IEP Team shall reevaluate the child no later than 3 years from the date of initial eligibility.

Referrals from Babies Can't Wait (BCW)

BCW coordinates and facilitates the referral process to the LEA through a ***transition conference***. A parent must consent to allow BCW to contact the LEA. Children being referred from BCW are children with disabilities who:

- are approaching the age of three;
- are transitioning from BCW;
- have an Individualized Family Service Program (IFSP); and
- are identified as being potentially eligible for preschool special education services.

Transition Conferences

- The transition conference will be held as early as nine months but no later than 90 days prior to the child's 3rd birthday.
- LEA preschool contacts and BCW service coordinators must develop procedures to facilitate participation of the LEA in the transition conference. Transition conferences held without notification to the LEA are not compliant.
- The parent, BCW coordinator, LEA representative, and other persons as appropriate attend the conference and serve as the transition team.

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- The transition team reviews the IFSP and other documents that pertain to the child's disability.
- The LEA representative obtains the parent's written consent to conduct a comprehensive evaluation.
- The LEA conducts a comprehensive evaluation.
- The parent, BCW coordinator, regular early childhood provider (as appropriate), special education early childhood provider, and LEA representative participate in the eligibility determination and IEP development for eligible children.
- The LEA implements the IEP on or before the child's 3rd birthday.

Referrals from Parents or Early Regular Childhood Provider

(This section addresses referrals through methods other than Babies Can't Wait)

Children suspected of having disabilities who are not receiving special education services and supports from the LEA may be referred by parents, child care providers, early regular childhood providers, or other individuals.

Components of the Referral Process

- The LEA representative obtains the parent written consent to conduct a comprehensive evaluation.
- The LEA conducts a comprehensive evaluation within 60 days of receipt of written consent.
- The Team will informally and formally assess all areas related to any suspected disability, including, if appropriate, vision and hearing, health, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
- The Team will review early childhood data from evidence based interventions and progress monitoring implemented *prior* to referral and provided by referring party, if available.
- If appropriate, the Team identifies and continues to implement additional early childhood evidence-based interventions and progress monitoring during the evaluation process.
- The parent, regular early childhood provider (as appropriate), special education early childhood provider, and LEA representative participate in the eligibility determination meeting and IEP development.

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- The LEA implements the IEP as soon as possible following the development of the IEP.

Role of Parents in the Eligibility Determination, IEP Development, and Placement/LRE Decision-Making Process

Parents should be involved in all the decision making for their child. This involvement includes:

- giving written consent to allow Part C Babies Can't Wait or other programs or providers to share the child's records with the LEA;
- voicing educational concerns, desires, and goals for the child;
- giving written consent for a comprehensive evaluation;
- actively participating in the eligibility meeting;
- actively participating in the development of the child's program (IEP) for special education services and/or related services; and
- giving written consent for initial provision of special education and related services.

Role of the Regular Early Childhood Provider or Teacher in Eligibility Determination, IEP Development, and Placement/LRE Decision-Making Process

The role of the regular education teacher is to assist in determining appropriate positive behavioral interventions, educational supports, and strategies; and to assist in making the determination of supplementary aids and services, program modifications, and support for school personnel.

If the child is, or may be, attending a school-based preschool program, the school will invite the preschool teacher. The regular education preschool teacher from the preschool program is required to attend the IEP Team meeting unless the parent provides written consent to excuse the teacher from the IEP Team meeting.

If the preschool age child is attending and/or receiving special education services in a community-based preschool program, daycare, or early childhood program (GA Pre-K or Head Start), the LEA will invite the teacher of the preschool program to attend the IEP Team meeting. The LEA should try several different ways to encourage the attendance of the teacher. The school can hold the IEP Team meeting without the community-based preschool teacher, but the LEA should be able to show that they invited the teacher and the teacher did not attend. As a best practice, a regular education preschool teacher from the LEA should attend the IEP Team meeting especially if the teacher from the preschool program is unable to attend.

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Specific Stakeholder Roles and Responsibilities

Parent

- Identify concerns about their child's development.
- Discuss concerns with caregiver or teacher.
- Contact LEA for assistance and/or referral.
- Implement, in coordination with LEA, regular early childhood evidence-based interventions as deemed appropriate with the support and direction of the early childhood provider or teacher.
- Monitor and document progress or lack thereof from the implementation of early childhood evidence-based interventions.

Daycare/Head Start/Private Preschool/GA Pre-K Provider

- Identify and document concerns about child's development, including documenting information from universal screenings.
- Discuss concerns with parents.
- Identify and implement in coordination with the LEA, early childhood evidence-based interventions as deemed appropriate.
- Monitor and document progress or lack thereof from the implementation of early childhood evidence-based interventions.
- Contact LEA for assistance and/or referral.

Local Education Agency

- Use the Child Find process to identify young children who are suspected of having a disability.
- Identify, implement, and/or monitor appropriate, early childhood evidence-based interventions in coordination with parents and/or early childhood provider for children.
- Accept and process referrals of young children.
- Conduct comprehensive evaluations on all initial referrals.

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- Assist in determining eligibility and appropriate special education services and supports.
- Offer and provide special education services and supports.
- Educate young children with disabilities under the framework of the Department of Early Care and Learning (DECAL)/Bright from the Start Pre-K content standards and Georgia Early Learning Development Standards (GELDS), which have been aligned with the GaDOE Georgia Standards for Kindergarten.

Least Restrictive Environment (LRE)

Special education services and supports for young children should be provided in the “least restrictive environment,” which means that to the ***maximum extent*** appropriate, the young child should receive special education services in regular early childhood settings with other children of the same age who do not have disabilities.

Young children with disabilities in Georgia may receive their special education services in a variety of environments and the full continuum of services must be made available. The child’s IEP Team will discuss the individual child’s needs and determine the type of services, supports, and setting(s) that are appropriate to address those needs.

Service Delivery Models for LRE

- Regular early childhood setting (over 50% of children are children without disabilities) *
- Special education early childhood setting (over 50% of children are children with disabilities)
- Home (home of child)
- Service provider location (e.g., location of a person providing speech, occupational, physical, audiological, or other related services)
- Separate school (school for children with disabilities)
- Residential setting (e.g., state school for children with disabilities where they live on the premises, such as GA School for the Deaf)

*Regular early childhood settings for young children include the following:

- Georgia Pre-K
- Head Start or Early Head Start

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- Child care facilities
- Private or church preschools (that may or may not meet the definition of a private elementary school)
- Homes of child care providers

Service delivery models for young children ages 3-5 years are typically provided on either a full-time or part-time basis.

- Full-time is based on the typical amount of full day preschool and/or day care (6.5 hours).
- Part-time is based on the typical amount of half day preschool and/or day care (less than 4 hours).

Regular early childhood setting for the school-aged child (ages 5-9) takes place in his/her regular education setting, (e.g., kindergarten, first grade, second grade, or third grade). In this setting, special education services and supports are provided either in the regular education setting or in a special education setting. The child's IEP Team will discuss the individual child's needs and determine the type of services, supports, and setting(s) that are appropriate to address those needs.

Transition from Preschool to Kindergarten

Children are eligible for kindergarten when they reach 5 years of age by September 1st. The kindergarten classroom provides the least restrictive or most natural environment for the child and allows him or her to be with same age peers. The year before the child's 5th birthday, the IEP Team should meet to discuss the child's development and to determine how the child can be part of the kindergarten classroom. The kindergarten teacher should be invited to these meetings so that he or she can get to know the child and be ready for the child to be a part of the kindergarten program

Frequently Asked Questions

1. Can the parent serve as the regular education teacher in the meeting for a preschool student?

No, parents are part of the IEP Team as defined by IDEA but a regular education teacher is a separate IEP Team member.

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2. Why are we required to use the Georgia Early Learning and Developmental Standards (GELDS)?

Public school educators are required to provide a FAPE to preschool children with disabilities. Therefore, preschool children with disabilities must be given access to the same age/grade level standards as their nondisabled peers with the appropriate supports and accommodations to facilitate successful attainment of their IEP goals.

3. Is RTI required for preschool children prior to referral for an evaluation to determine eligibility in special education?

IDEA does not require that a child receive scientific, research, or evidence-based interventions before being referred for consideration for eligibility for special education and related services. See 34 C.F.R. § 300.111. However, per our State Child Find Rule, the implementation of a multi-tiered system of supports, including the use of scientific, research, or evidence-based interventions are required before referring a child for an initial evaluation for special education. See Georgia Rule 160-4-7-.03(2)(b). The use of interventions before referring a child for an initial evaluation for special education can have a positive impact on reducing the disproportionate representation of racial and ethnic groups in special education and related services. In addition, if a parent or teacher requests an evaluation and interventions have not been provided prior to the referral, interventions may be provided while the child is being evaluated (within the 60-day timeline requirement). Although a child's receipt of interventions can provide a critical piece of information in helping to determine eligibility for special education, the lack of interventions must not be a reason for determining that a child is not eligible for special education services.

4. Can an LEA delay obtaining parental consent from preschool aged children who did not pass initial vision and hearing?

No. At the time a referral is received by an LEA from a community partner or a parent, consent for an evaluation should be obtained. If the screenings are not completed prior to the submission of the referral, they then become a part of the evaluation process and should not delay the process of obtaining consent to evaluate from the parent.

5. Should a preschool child who does not attend a public school be served under a services plan?

Preschool children who are eligible for special education services but do not attend a public elementary school are served using an IEP at their local early childhood center, Head Start Center, etc. The IEP Team determines the most appropriate environment for preschool

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children to receive services during the IEP Team meeting. Children are served under a services plan only if they refuse FAPE offered by the LEA and they attend a school that meets private elementary school criteria.

6. Do LEA charter schools have to locate, identify, evaluate, and provide services and supports to children with disabilities ages 3-5?

LEA charter schools who enroll and serve students ages 3-5 must meet all IDEA requirements regarding Child Find and FAPE.

Resources

Georgia Significantly Developmentally Delayed Rule

http://archives.gadoe.org/DMGetDocument.aspx/SDD_Rules_and_Regulations.pdf?p=6CC6799F8C1371F641AB3A546FF0E82D326518E920C90484578800E399541276&Type=D

Evidence Based Practices for Young Children <https://ncsi-library.wested.org/resources/228>

National Center of Learning Disabilities <http://www.nclld.org/>

National Technical Assistance Centers funded by OSEP

Early Childhood Outcomes Center <http://www.fpg.unc.edu/~eco/>

Early Childhood Technical Assistance Center <http://ectacenter.org/>

National Early Childhood Transition Center <http://www.hdi.uky.edu/nectc/NECTC/Home.aspx>

The National Center for Pyramid Model Innovations

<http://challengingbehavior.cbcs.usf.edu/index.html>

Technical Assistance Communities <http://www.ncset.org/tacomunities/default.asp>

Early Childhood Associations

National Association for the Education of Young Children <http://www.naeyc.org/>

Georgia Association of Young Children <http://www.gayconline.org/>

Office of Head Start <http://www.acf.hhs.gov/programs/ohs/>

Council of Exceptional Children, Division of Early Childhood <http://www.dec-sped.org/>

Georgia State Agencies Serving Young Children

Georgia Department of Early Care and Learning <http://dec.al.ga.gov/>

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Georgia Head Start <http://Georgiaheadstart.org>

Department of Community Health/ Babies Can't Wait (Part C Agency)

<http://www.dph.georgia.gov/babies-cant-wait>