

Early Childhood Interagency Agreement Guidance



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An interagency agreement outlines in writing how two or more agencies agree to work together collaboratively to serve the same population. The agreement describes how the agencies plan to follow regulations, policies and procedures and how the staff of each agency will implement their interdependent responsibilities (Wischnowski, Pfluke & Twining, 2003).

Each **Local Education Agency (LEA)** shall annually review interagency agreements with all partners that coordinates policies and procedures necessary to ensure smooth and timely transitions as part of a **Free, Appropriate and Public Education (FAPE)** for all eligible children (Ohio Administrative Code 3301-51-11).

At a minimum, local agreements should address:

- Timelines
- Responsibilities
- Communications
- Data
- Exceptions

The requirement to enter into an interagency agreement is spelled out in multiple federal and state laws, regulations and rules. This document specifically addresses interagency agreements required under the federal Individuals with **Disabilities Education Act (IDEA)**, **Head Start Act** and the **Every Student Succeeds Act (ESSA)** and the related federal regulations and Ohio Administrative Code for each.

The transition from IDEA Part C to Part B in Ohio involves a collaborative effort between the **Early Intervention Service Coordination Agency (EISC)**, the **Local Education Agency (LEA)**, and other relevant agencies. The process requires the establishment of an interagency agreement that includes specific transition requirements to serve infants, toddlers and preschoolers who are eligible for services under the Individuals with Disabilities Education Act.

OAC 3301-51-11(D)(2) requires each school district in Ohio to annually review IAAs with local partners. At a minimum, agreements with the following partners are required:

1. Head Start programs within the school district's service delivery area
2. The county agency responsible for Part C Early Intervention delivery system

3. Agencies within the school district's service delivery area providing special education services (e.g. county boards of developmental disabilities, education service centers)

Head Start Program Performance Standards 1302.63(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.

Code of Federal Regulations CFR 34 303.209 Transition to preschool and other programs also includes language requiring an interagency agreement to ensure a seamless transition between services an interagency agreement must address how the lead agency and the SEA will meet the requirements § 303.401(d) and (e)), § 303.344(h), and 34 CFR 300.101(b), 300.124, 300.321(f), and 300.323(b) which relate to services under IDEA Parts C and B.

Interagency Agreement Components

All interagency agreements should have basic components to outline the responsibilities of each party, including the following

- **Purpose Statement:** This statement identifies the agencies involved, population involved ,and applicable federal and state laws and policies.
- **Interagency Process:** This includes processes for Child Find, referral, family engagement and support, comprehensive evaluation, individualized education program development, placement, service delivery, professional development and reporting.
- **Legal Requirements:** Including transmitting authorized child assessment/enrollment information, discussing transition with families, determining eligibility for services, selecting appropriate services and maintaining confidentiality.
- **Procedures:** Procedures for data collection and sharing, monitoring the agreement, systems for consistent communication to educate staff of agreement content, and agreement specifications such as effective date, renewal, amendment, termination, and signatures.

Essential Elements:

Consider the following elements when developing the agreement.

Referral

- What constitutes a referral?
- How are referrals received from parents, child care providers and/or related service providers?
- What paperwork is required?
- What timelines and procedures will be followed when Head Start makes a referral to the district?
- What is the process for children referred 45-90 days before their third birthday?
- What is the process for children referred fewer than 45 days before their third birthday?
- What process is in place if the transition planning conference or notification from Part C occurs more than 150 days prior to a child's third birthday?

Eligibility

Specifics around the timeline and communication necessary to ensure smooth and timely transitions:

- How will the transfer of relevant records to the LEA occur?
- What are the responsibilities of the LEA and Early Intervention during the joint evaluation process when a child is referred to Part C/Early Intervention 45-90 days prior to the child's third birthday?
- What is the plan for observations in the child's setting at time of referral?
- What assessment data can be shared?
- How will the LEA share its eligibility determination with the Part C/Early Intervention provider?

Transition Planning

The purpose of transition planning with Early Intervention and Head Start is to alert the LEA that a child may have a need to continue receiving services. All children in Ohio's Early Intervention system must be offered a transition planning conference. IDEA does not guarantee continuation of eligibility, the same services or same level of service delivery when a child transitions from Early Intervention to preschool. The transition planning conference is not intended to be an IEP conference; however, the LEA is required to attend the transition planning conference when two conditions exist:

1. Someone (the parents, services providers, service coordinator or others) suspects the child has a disability that might confer Part B eligibility;
2. The parent has signed consent for the LEA to be invited to attend.

An LEA, however, should consider the intensity and type of services provided, as well as the child's current level of performance when determining whether or not to suspect a disability (Parent's Rights 3701-8-10 (A) (7) (10)). The following are some thoughts for consideration:

- In consideration of availability, how much advanced notice should be given for the invitation to the transition planning conference, IEP meeting and events?
- Has a primary contact person for transition been identified within each program or agency at the local level?
- What happens when the LEA cannot attend?
- What information from Part C/Early Intervention will be shared with the LEA during transition?
- How will the information from Part C/Early Intervention be used by the LEA during its evaluation process? In the Evaluation Team Report (ETR)?
- How will the most recent exit Child Outcomes Summary data from Part C/Early Intervention be shared and used by the LEA at entry into preschool special education?
- What are the methods established between agencies for consistent contact after Head Start makes a referral?
- How will Head Start and the LEA work together during the evaluation process?
- How can Early Head Start data be utilized for referral and evaluation?
- How will Head Start staff be included in the planning process?

- What is the process for children with special needs transitioning from Head Start to kindergarten when age eligible?
- Who is responsible for providing information and referrals with the child care resource and referral agency for those who are ineligible?
 - Parents should be referred to their local child care resource and referral agencies; provide links to resources for Ohio's child care search engine and information about how to choose high-quality programs.

Content and Scope of Service System

A shared responsibility serves as a foundation for transition policies, procedures and the determination of responsibilities and actions.

- Has the LEA considered utilizing IDEA funds for early intervening services for children not identified for therapeutic on-site services?
- How will placement and service decisions be made when a child in Head Start is determined eligible for preschool special education services?
- Do families have access to a broad array of child developmental and educational services, supports and settings to meet the individual child's and family's needs?
- Has the LEA considered the provision of extended school year (ESY) services for children transitioning from Early Intervention during the late spring and summer months?
- How will interpreter services be approached within the transition process when the need exists? For example: Early Intervention may provide the interpreter services for the transition planning conference and the LEA may provide the interpreter services for the additional meetings.
- Does the agreement address the decision for Part B to provide services if the child will be 3 years old by October 31st of the current calendar year?
- How is information gathered to determine eligibility and child progress data from Part C/Early Intervention used to implement the IEP and provide a FAPE? The child does not have to be enrolled in the LEA preschool program first in order to determine the need for extended school year services.
- Do the child's teachers and related service providers meet the Ohio Board of Education's criteria for licensure? If not, an itinerant teacher from the LEA may be needed.

- What policies and practices are outlined to provide children and families the opportunity to visit? Potential opportunities include: 1) inviting the child and his or her family to visit the preschool classroom prior to the student's first day to get acquainted; 2) sending the family a welcome letter; 3) inviting families whose children will be transitioning to an open house.

Interagency Communication and Relationships

Strong relationships, collaboration and ongoing communication involving all partners is critical for a successful interagency agreement:

- Do effective, ongoing mechanisms for communication exist between and across agencies/programs?
- How will staff gain knowledge of the agreement content and carry out responsibilities?
- Have regularly scheduled meetings been established?
- Are meetings held in a neutral community setting, such as a public library, and welcoming to all participants.
- How is the interagency agreement going to be monitored and adjusted based on what is working well and changes that may need to be made?
- Are community programs and servicing agencies participating in the collaboration to refer children and families to the district?
- For those who have them, how is the Family and Children First Council (FCFC) involved in the interagency agreement process? It is recommended that FCFC be involved whenever possible.
- What opportunities are established for the Early Intervention service coordinator and preschool staff to consult?
- Is the regional Medicaid care coordinator included in the interagency agreement process and are those services utilized in the interagency agreement?

Family and Community Engagement

Family and community participation in transition planning is essential and develops understanding about the family's strengths and the individual needs of the child, as well as collaborative relationships with the broader early learning community. The Ohio Department of Education and Workforce and the Ohio Department of Children and Youth recognizes parents and families as children's first and most important teachers.

When parents enroll their children in school, from preschool through high school, the responsibility of education and care is shared with the school and the community. Partnerships among families, schools and communities that are child-centered and family-strengthening can engage, guide and motivate students to be productive citizens in a global society (Ohio Revised Code 3313.472 Policy on parental and foster caregiver involvement in schools).

- Does the interagency agreement define the parameters regarding LEA involvement with families? With the parents' permission, a relationship with the family can be established prior to the transition planning conference. This is particularly desirable if the child has complex needs.
- Who will conduct family group meetings to discuss transitions, including families' expectations, and familiarize families with schools and teachers?
- What method is used for sharing program information with families (for example, a brochure with local/community programs)?
- What are the strategies in place for providing families with opportunities to access information and develop connections with staff and other families? For example, strategies may include hosting a family information night (have current parents share tips/experiences), open house or orientation.
- How are these services provided?
 - Provide information about community resources that strengthen the relationships of children and families with schools and help families understand their rights under IDEA;
 - Provide information about community and neighborhood resources to help families find community activities that support their children;
 - Provide information about support groups that help families meet other families who have children with special needs and can provide additional support during the transition process.
- Are the personnel responsible for transition coordination at the LEA or community levels (sharing resources with other agencies) able to provide a bridge between families and programs?

Links To Resources

A Guide to Parent Rights in Special Education:

<https://education.ohio.gov/Topics/Special-Education/A-Guide-to-Parent-Rights-in-Special-Education>

Ohio Department of Developmental Disabilities:

<http://dodd.ohio.gov/Pages/default.aspx>

Ohio Department of Education and Workforce:

<https://education.ohio.gov/>

Ohio Department of Children & Youth Early Intervention:

<http://ohioearlyintervention.org/>

Ohio Department of Children & Youth Preschool Special Education:

<https://childrenandyouth.ohio.gov/for-providers/resources/preschool-special-education>

Ohio Family and Children First:

<http://www.fcf.ohio.gov/>

Ohio Head Start Association:

<https://ohsai.org/>

Citation

Wischnowski, M. W., Pfluke, J., & Twining, D. (2003). Writing an Interagency Agreement. *Young Exceptional Children*, 6(4), 11-17. <https://doi.org/10.1177/109625060300600402> (Original work published 2003)