

Indicator 12: Part C to B Transition

Indicator 12 is defined as the percentage of children referred by Part C (Early Intervention) prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. Initial evaluation data are reviewed as part of the Integrated Monitoring Process



Why is Indicator 12 important?

Indicator 12:

- establishes state compliance with Part C to B transition requirements outlined in the IDEA.
- ensures that children eligible for Part B services are receiving necessary services and supports in a timely fashion.
- verifies correction of noncompliance (e.g., delay in provision of services or denial of a free and appropriate public education)

How is the Indicator 12 compliance percentage calculated?

Number of children found eligible for Part B with an IEP in place by their third birthday

$$\frac{\text{Number of children found eligible for Part B with an IEP in place by their third birthday}}{\begin{aligned} &[(\text{Number of children served in Part C and referred to Part B}) - \\ &(\text{Number of children referred and determined not eligible}) - \\ &(\text{Number of children for whom parent refusal to provide consent caused delays} \\ &\text{in evaluation or services OR for whom allowable exceptions applied}) - \\ &(\text{Number of children determined eligible for early intervention services under} \\ &\text{Part C less than 90 days before their third birthdays})] \end{aligned}}$$

Tips and Tricks



Meet timeline requirements by:

- ✓ Collaborate with the Early Intervention team to determine referral needs well before a child's third birthday.
- ✓ Attend transition conferences to build relationships with families and Early Intervention providers.
- ✓ Schedule the eligibility meeting when parental consent is received.
- ✓ Utilize a team approach to distribute tasks for completing the evaluation.
- ✓ Notify the LEA special education director of any potential compliance concerns as early as possible.
- ✓ Maintain regular communication with parents and proactively address scheduling challenges.

What if the IEP is implemented after a child's third birthday?

If an IEP is implemented after a child's third birthday, or a child who is ultimately determined not eligible does not have eligibility determined by their third birthday, LEAs must provide MA DESE the reason for the delay. Some reasons are considered allowable and will not result in noncompliance, while some reasons are considered not allowable and will result in noncompliance. The table below provides details about the allowable reasons that will result in children being excluded from the Indicator 12 calculation (reported as neither compliant nor noncompliant), per 34 C.F.R. § 300.301(d) and federal guidance from the Office of Special Education Programs, and the not allowable reasons that will result in noncompliance.

Allowable Reasons for Delay (Excluded from Indicator 12 Calculation)	Not Allowable Reasons for Delay (Reported Noncompliant in Indicator 12 Calculation)
<ul style="list-style-type: none"> ▪ Child was determined eligible for early intervention services under Part C fewer than 90 days before their third birthday ▪ Despite repeated requests from the LEA: <ul style="list-style-type: none"> ○ Parents did not provide consent or revoked consent for evaluation ○ Parents did not produce the child for evaluation ○ Parents did not attend scheduled meetings ○ Parents did not provide consent for initial services ▪ Child is deceased ▪ Child moved out of the jurisdiction of the LEA before their third birthday ▪ Child's third birthday occurred over the summer and parents and LEA agree (and document agreement) on when services begin 	<ul style="list-style-type: none"> ▪ Delay due to LEA evaluator reports not received on time ▪ Delay due to insufficient staff availability ▪ Delay due to lack of qualified staff (e.g., school psychologist) ▪ Delay due to the LEA/school having scheduling conflict

What to expect if your LEA is monitored and has less than 100% compliance for Indicator 12:

- ✓ MA DESE will issue your LEA a notification of noncompliance
- ✓ Your LEA will need to create a corrective action plan (CAP) to document 1) correction of individual records with noncompliance and 2) improvement strategies addressing the root cause or source of noncompliance
- ✓ Your LEA CAP will be submitted to the MA DESE for approval, with an opportunity to revise the CAP, as needed
- ✓ Your LEA will implement the CAP and provide documentation of the completed CAP items to MA DESE by the designated due date
- ✓ MA DESE will review a subsequent data set of initial evaluations to verify whether CAP improvement strategies resulted in 100% compliance
- ✓ If your LEA demonstrates 100% compliance, the CAP is closed; if 100% compliance is not achieved, additional CAP items and data pulls will be required until your LEA demonstrates 100% compliance

Addressing 
Noncompliance