

Birth Mandate Referral Process for Autism Three Pathways to Identification

This document describes 3 distinct pathways of how a child suspected to be on the Autism Spectrum may be identified. CDW and LEAs should demonstrate a strong partnership in each pathway that keeps children and families at the center of the process, striving to make this a more integrated and straightforward process for them.

Pathway 1: NEW REFERRALS (Including sub-pathways described in Scenarios 1 and 2)

Referrals for Children not currently receiving Part C or Part B Services with **concerns for possible Autism*** who are younger than 33 months.

CDW Responsibilities

- If referral goes to CDW intake, the referral is processed and a Family Service Coordinator (FSC) is assigned to begin the process
- The FSC contacts the parent within two days to schedule the initial visit and explain the role of the LEA when there is an Autism concern
- The FSC contacts the LEA district of residence 619 Coordinator as soon as possible to determine mutually agreeable dates/times to offer the family/parent a home visit (The LEA staff member going to the home visit could be any of the following: the 619 Coordinator, the Psychologist, the Educational Diagnostician, or a representative knowledgeable about 619)
- The FSC contacts the family/parent to schedule the home visit within first week to 10 days- for greater efficiency and effectiveness, this visit may be conducted with staggered times, such that the LEA staff member joins after the CDW Service Coordinator has completed their components

LEA Responsibilities

- If referral goes to LEA first, then LEA contacts CDW to refer the child.
- Following the process above, LEA will ensure that a representative from the LEA district of residence attends the home visit. The LEA staff member may participate by teleconference as an option

***A concern about possible Autism is shared either verbally by the referral source or shared in a written document by the referral source**

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INITIAL HOME VISIT

Shared CDW and LEA Responsibilities

- CDW and LEA provide and explain **Parental Rights and Procedural Safeguards [Document in the Prior Written Notice (PWN) that the Parental Rights and Procedural Safeguards were given to the family/parent.]**
- CDW and LEA explain their roles, responsibilities, and services
- CDW and LEA explain the evaluation/assessment process for eligibility under Part C or Part B services
 - CDW explains their Multidisciplinary evaluation/assessment process- see IDEA Federal Regulations- Section 303.320 (<https://www.gpo.gov/fdsys/pkg/FR-2011-09-28/pdf/2011-22783.pdf>)
 - LEA explains their evaluation/assessment process to determination eligibility under an Autism classification- see Delaware Code Title 14, section 925 2.0 (<http://regulations.delaware.gov/AdminCode/title14/900/925.shtml>)
 - CDW and LEA discuss any evaluation/assessments already completed and determine need for additional evaluation/assessments

CDW Responsibilities

- CDW proposes to evaluate/assess the child for Part C eligibility and documents in the **PWN** to the family/parent
 - If family/parent agrees to the multidisciplinary evaluation family provides written consent to conduct the evaluation (**Consent to Evaluate for Part C**)

LEA Responsibilities

- LEA proposes to evaluate/assess the child for Part B eligibility and documents in the **PWN** to the family/parent
 - If family/parent agrees to evaluation, family provides written consent to conduct the evaluation/assessment (**Consent to Evaluate for Part B**)

EVALUATION/ASSESSMENT PROCESS

CDW Responsibilities

- CDW conducts the multidisciplinary evaluation/assessment and must convene an IFSP meeting within **45 calendar days (Notice of Meeting)**
- Upon completion of the CDW multidisciplinary evaluation/assessment if the child is eligible for Part C services the team will develop an IFSP- CDW will document the IFSP team decisions in a PWN and the family will provide written consent for the provision of early intervention services (Consent for Provision of Early Intervention Services)
- **Meanwhile**, the LEA continues the Autism evaluation/assessment process (**Scenario 1- next page**) **OR** the LEA has completed its evaluation/assessment within the same timeframe as CDW allowing the teams to convene together (*The latter is best practice. Try to aim for one meeting so the parent does not have to go to two meetings.*) (**Scenario 2**)

LEA Responsibilities

- LEA conducts Autism evaluation/assessment and must convene an eligibility meeting **within 45 school days or 90 calendar days whichever comes first**
 - In the event that an LEA does not have the internal capacity to conduct the evaluation /assessment - the LEA may utilize an external vendor for parts of or the whole evaluation/assessment
 - If the LEA chooses to utilize a vendor for the evaluation the LEA is responsible for obtaining **parental consent (Consent to Release Information form)** to release information between the LEA and vendor

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Scenario 1: CHILDREN THAT HAVE AN IFSP (refer back to previous page Evaluation/Assessment Process Box - second bullet under CDW Responsibilities)

CONDUCT JOINT IFSP/IEP MEETING TO REVIEW RESULTS OF ALL EVALUATIONS/ASSESSMENTS AND DETERMINE ELIGIBILITY UNDER THE CLASSIFICATION OF AUTISM (CDW and LEA are reviewing the LEA evaluation for the first time)

CDW Responsibilities

- CDW attends the Part B 619 eligibility meeting
- Discusses results of evaluation/assessment with family/parent and the LEA
- CDW provides a copy of the **Multidisciplinary Evaluation/Assessment and the IFSP to the LEA prior to this meeting**

LEA Responsibilities

- LEA sends family/parent **Notice of Meeting**. LEA includes CDW on the invitation and provides CDW a copy of **Notice of Meeting**.
- Discuss results of evaluation/assessment with family/parent and CDW
- LEA documents the data, discussions and team decisions of Autism classification in the **Evaluation Summary Report (ESR)**
- If eligible under the Autism classification, team discusses potential service options through Part C or Part B
 - Family/parent decides if they want to continue with the IFSP (Part C) or begin IEP (Part B)

CDW Responsibilities if Part C is chosen

- If any amendments are decided, IFSP will be amended and CDW will continue with their process
- **CDW documents the parent's decision in PWN**
- CDW will still provide transition notification to the LEA and SEA to ensure timely transition planning for Part B under the normal process for children potentially eligible for Part B (not less than 90 days before the child's third birthday and not more than 9 months prior to the third birthday)

CDW Responsibilities if Part C is declined

- Family/parent signs refusing Consent for Provision of Early Intervention under Part C
- CDW documents in **PWN** that Part C is offering services but family/parent is declining

LEA Responsibilities if Part B is chosen

- Family/parent signs **Consent for Initial Provision of Special Education and Related Services** agreeing to Part B services
- Family/parent and LEA develop the **IEP**
- LEA documents decision in **PWN**

LEA Responsibilities if Part B is declined

- Family/parent signs Consent for Initial Provision of Special Education and Related Services refusing Part B services at this time
- LEA includes in their **PWN** that Part B is offering services and that at this time, family is declining an IEP

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Scenario 2: CHILDREN THAT DO NOT YET HAVE AN IFSP

CONDUCT JOINT IFSP/IEP MEETING TO REVIEW RESULTS OF EVALUATIONS/ASSESSMENTS AND DETERMINE ELIGIBILITY FOR PART C AND PART B UNDER THE CLASSIFICATION OF AUTISM. (CDW and LEA are reviewing the CDW and LEA evaluations for the first time)

CDW Responsibilities

- CDW Service Coordinator coordinates meeting date with the LEA and family/parent
- CDW sends family/parent **Notice of Meeting** (same date and time as LEA) CDW includes LEA on the invitation and provides LEA a copy of **Notice of Meeting**.
- CDW discusses results of evaluation/assessment with family/parent and the LEA
- CDW provides a copy of the **Multidisciplinary Assessment to the parent and LEA prior to this meeting**
- CDW documents family decision to either access Part C supports/services or access Part B 619 services in **PWN**

LEA Responsibilities

- LEA sends family/parent **Notice of Meeting** (same date and time as CDW Service Coordinator) LEA includes CDW on the invitation and provides CDW a copy of **Notice of Meeting**
- LEA discusses results of evaluation/assessment with family/parent and CDW
- LEA documents the data, discussions and team decisions of Autism classification in the **Evaluation Summary Report** (ESR)
- If eligible under the Autism classification, team discusses potential service options through Part C or Part B
 - Family/parent decides if they want an IFSP (Part C) or an IEP (Part B)
 - **At this point, follow the same procedures identified in Scenario 1**

LEA Responsibilities if Part B is chosen

- Family/parent signs **Consent for Initial Provision of Special Education and Related Services** agreeing to Part B services
- Family/parent and LEA develop the **IEP**
- LEA documents decision in **PWN**

LEA Responsibilities if Part B is declined

- Family/parent signs **Consent for Initial Provision of Special Education and Related Services** declining Part B services at this time
- LEA includes in their **PWN** that Part B is offering services and that at this time family is declining an IEP

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Pathway 2: CHILDREN WITH IFSP IN PART C SERVICES

For Children already receiving Part C services, and over time a concern about Autism has now emerged **OR** after CDW completes the multidisciplinary evaluation and assessment there is now a concern about Autism (no IFSP yet)

CDW Responsibilities

- Family Service Coordinator discusses concern with the family/parent. Family/parent signs consent (**Consent to Release Information**) to forward information and evaluation/assessments to the LEA
- CDW completes their Referral Form sends to the LEA - copying the DDOE Field Agent and shares the Multidisciplinary evaluation and assessment with the LEA.
- CDW continues moving ahead with IFSP services **or** develops an IFSP (while the LEA completes the evaluation/assessment for Autism).
- If the child is not found eligible for Part B services at the eligibility meeting held by the LEA **OR** the family/parent declines Part B services, CDW continues providing IFSP services under Part C
- If family/parent agrees to Part B services, CDW completes **PWN** indicating that family/parent is now declining continuation in the Part C program

LEA Responsibilities

- LEA contacts the family/parent and explains the evaluation/assessment process for the Autism classification
- LEA proposes to evaluate/assess the child for Part B eligibility and documents in the **PWN** to the family/parent along with providing the Procedural Safeguards/ Parental Rights
- If family/parent agrees to evaluation, family provides written consent to conduct the evaluation/assessment (Consent to Evaluate for Part B)
- LEA conducts Autism evaluation/assessment and must convene an eligibility meeting within 45 school days or 90 calendar days whichever comes first.
- In the event that an LEA does not have the internal capacity to conduct the evaluation/assessment, the LEA may utilize an external vendor for parts of or the whole evaluation/assessment.
- If the LEA chooses to utilize a vendor for the evaluation, the LEA is responsible for obtaining parental consent (**Consent to Release Information form**) to release information between the LEA and vendor.
- LEA sends family/parent **Notice of Meeting**. LEA includes CDW on the invitation and provides a copy of the Notice of Meeting
- At the LEA eligibility meeting, discuss results of evaluation/assessment with family/parent and CDW
- LEA documents the data, discussions and team decisions of Autism classification in the **Evaluation Summary Report (ESR)**
- If eligible under the Autism classification, team discusses potential service options through Part C or Part B
- If family chooses an IEP, family/parent signs consent (**Consent for Initial Provision of Special Education and Related Services**) agreeing to Part B services
- Family/parent and LEA develop the IEP
- LEA documents decision in **PWN**

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Pathway 3: LATE REFERRALS TO PART C

Children over 33 months, not currently receiving Part C or Part B services and the parent/family contacts CDW **with concerns for possible Autism (refer back to page 1 for what this means)**

Shared CDW and LEA Responsibilities

- CDW must immediately notify the LEA in writing (via the CDW Referral Form through DDOE Field Agent), to ensure an IEP is in place by the child's third birthday and that there is a concern for Autism. (This is considered a notification of a child in Part C who is potentially eligible for Part B-therefore no parental consent is required in Delaware)
- If referral to Part C is 90 days or less before child's third birthday, a transition conference is not required; however, it is best practice to insure timely identification and access to services for the child
- If referral to Part C is 90 days or less before child's third birthday, an IEP is not required to be in place by age 3; however, LEAs must strive to have it as soon after age 3 as possible
- **Process described in Pathway#1 is followed** - if parent confirms they wish to have Part C remain involved.
- If parent declines to go any further with CDW given that the child will be turning three shortly, then LEA follows the state code for timely evaluation and identification, just as with any other referral ***NOTE: PWN** must be sent by both Parts C and B based on their proposed actions.

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Important Notes

- ❖ Child cannot have an IFSP and IEP simultaneously which means that a child cannot continue with Service Coordination from CDW, while receiving services from the LEA through an IEP
- ❖ Whether a child receives an IEP or an IFSP is determined individually - a child's classification does not necessarily lead to an IEP over an IFSP or vice versa
- ❖ A timely transition conference must occur before the child turns 3 years of age (transition from Part C to Part B)
- ❖ If a family contacts the Delaware Autism Program (DAP) first, DAP will provide the family with contact information for CDW and the LEA to initiate a referral

Should you have any additional questions please contact

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