

SOUTH DAKOTA STATEWIDE INTERAGENCY AGREEMENT

FOR SERVICES TO CHILDREN WITH DISABILITIES IN EARLY HEAD START PROGRAMS

April 2009

**Federal Region VIII, Administration for Children and Families
South Dakota Department of Education, Special Education Programs
South Dakota Head Start Association, representing Federal Region VIII, Early Head Start Programs
Federal Region XI, Early Head Start Programs: Crow Creek Sioux Tribe; Rural America Initiatives, Tokahe Waonspe Early Head Start; Oglala Sioux Tribe; Standing Rock Sioux Tribe; Sisseton-Wahpeton Sioux Tribe.**

PURPOSE

This agreement is written to encourage the parties above to address their mutual commitment of serving children with disabilities, ages birth through two through formal collaborative and cooperative arrangements. *Article 24:05 and 24:14 of the Administrative Rules of South Dakota, Part C of the Individuals with Disabilities Education Act (IDEA), Reauthorization of the Head Start Act originating from the *Improving Head Start for School Readiness Act of 2007*, PL110-134, Head Start Program Performance Standards on Services for Children with Disabilities (45-CFR 1304) and their respective regulations provide the legal basis for assuring that children with disabilities receive services to meet their special needs.

The underlying purpose of this agreement is to describe the responsibilities of each agency, and to provide guidance for collaboration and cooperation between local early intervention agencies, tribal organizations and Early Head Start programs. In order to provide a range of service options for infants, toddlers, and preschool children with disabilities, collaboration is necessary among the programs addressed in this agreement. The overall purpose of this agreement is to provide a state level framework that guides and supports the development of these collaborative efforts and local interagency agreements related to services for young children with disabilities and their families. This agreement seeks to describe requirements, best practice, and other permissible strategies for these community programs as they work together to improve the system of services available to eligible children and their families.

The goals of this agreement are:

1. Assure that children in need of early intervention services and their families receive appropriate services for which they are eligible; and
2. Assure quality programs and maximize services through the joint utilization of resources.

Fiscal and Administrative Considerations:

For purposes of maximizing the impact of available funds, resources, and cost effectiveness, Early Head Start programs and local early intervention agencies are encouraged to develop cooperative arrangements in serving children with developmental delays ages birth through age 2.

2. Local agreements should access all available external resources to support their early intervention services.

Roles and Responsibilities of Each Agency:

South Dakota local early intervention agencies are required to:

1. Locate, screen, evaluate, and identify all children birth through 2, residing within their boundaries, who may have a disability.
2. Ensure early intervention services to all eligible children, as determined by a multidisciplinary team and as described on the Individualized Family Service Plan (IFSP). Collaborate with local Early Head Start programs when appropriate to provide natural environments for children with identified developmental delays.
3. Provide parent education and support, training and home visits to assist in accomplishing the outcomes of the IFSP.
4. Make the IFSP accessible to each Early Head Start service provider who has the responsibility for implementing IFSP outcomes, while assuring procedural safeguards and confidentiality of information are provided to eligible children and their parents.
5. Facilitate the transition of eligible children from Birth-3 to a preschool program and from Early Head Start and Early Intervention program to the 3-5 year old Head Start program or other appropriate program.

Early Head Start grantees are required to:

1. Recruit, enroll and serve Early Head Start eligible children with at least ten percent of enrollment being children with disabilities.
2. Complete screening (developmental, medical, dental, and nutritional), as a part of the process for determining if a developmental delay and/ or disability may be present.
3. Refer children suspected of having a developmental delay and/or disability to the child's local early intervention agency for evaluation.
4. Collaborate with the local early intervention agency in the multidisciplinary evaluation, IFSP development, the implementation of the portions of the IFSP identified for the Early Head Start Program for eligible children, the IFSP annual review and the transition from one program to the next.
5. Maintain procedural safeguards, including confidentiality of records for all children with developmental delays and/or disabilities and their parents.
6. Provide a support system for families of children with developmental delays and/ or disabilities through training, information dissemination, social support, follow-up assistance, assistance in transition from one program to the next.

Areas for Collaboration and Cooperation:

Local Early Intervention agencies and Early Head Start programs are encouraged to develop agreements within a framework that will define relationships and specify areas of collaboration and/or cooperation appropriate to their local situations. Local interagency agreements establish the manner in which collaboration will occur within the law. This agreement does not preclude the inclusion of other appropriate community service providers, such as child care, in the development of collaborative services.

The following examples are provided as components for an interagency agreement:

1. Eligibility: Eligibility determination must be made by a multidisciplinary team. The team must include parents and if services are provided in Early Head Start, representatives from Early Head Start. Other team members would include qualified professionals and persons knowledgeable about the child. For eligibility criteria refer to South Dakota State Rules, ARSD 24:14 Early Intervention*.
2. Referral Process: Local early intervention agencies and Early Head Start programs should establish procedures for interagency referrals. Early Head Start must refer any child

suspected of having a developmental delay and/or disability to the local early intervention agency for evaluation when concerns about a child's development are identified by parents or by Early Head Start staff during screening or ongoing assessment. Early Head Start staff must obtain parent permission before referring a child.

3. Child Find and Screening: Local early intervention agencies and Early Head Start programs should develop coordinated and comprehensive screening programs utilizing the resources of each agency to locate and identify children with developmental delays and/or disabilities.
4. Evaluation: Local early intervention programs will inform parents of their rights under Tribal, Federal and State laws. The permission to evaluate must be sought as soon as possible after the referral is received and in accordance with the timeline of the South Dakota State Birth to Three Performance Plan. Evaluations must be multidisciplinary, administered in the child's native language, and be socially and culturally respectful. Trained personnel administer multiple instruments at no cost to the parent. The local Early Intervention agency has forty-five (45) days from the date of referral to complete evaluation including the development of an IFSP (*IDEA Part C 34 CFR 303.166; 45-CFR 1304).
5. The Individualized Family Service Plan: Following all Tribal, Federal and State regulations, the IFSP must be written within forty-five days of referral to the local early intervention agency. The IFSP team must consist of the parents, the initial service coordinator, at least one other professional who was involved in the evaluation and assessment process, and the person or persons who will be providing services to the child or family. The service provider may be an early intervention or an Early Head Start representative. An Early Head Start representative will participate as a member of the team and be responsible for representing services available through the Early Head Start program. This person may provide service coordination if appropriate. The IFSP meeting is conducted in the family's native language, or a translator or other mode of communication is made available and results in a single service plan for the child. It will identify developmental outcomes and the family's needs related to the child and specify services by multiple agencies to meet those needs. All services will be provided in the child's natural environment determined appropriate by the IFSP team.

6. Program Options: Local early intervention agencies and Early Head Start programs are encouraged to explore various options in providing services to very young children with developmental delays and/or disabilities in the child's natural settings. Local service arrangements may include: Early Head Start with itinerant staff from local early intervention agencies; dual service delivery in both a local early intervention agency and Early Head Start; contracts for service; and other cooperative arrangements.
7. Transitions: A plan for transition, identifying the critical activities necessary to prepare the child and family for transition from the Part C to Part B, will be included for every child who is between the ages of two and three years old (45 CFR 1304; *Part C 34 CFR 303.167). Early Intervention agencies and Early Head Start programs should cooperatively develop procedures to provide for a smooth and orderly transition of children both into and out of programs. Not more than 9 months prior to the child's third birthday, a meeting will be held to share information, identify possible services options, and to determine needed information for determining Part B eligibility (45 CFR 1304). The transition meeting should be attended by the parents, services coordinator, Lead Education Agency personnel and Head Start personnel as appropriate. A meeting will be held prior to the child's third birthday to determine Part B eligibility, and to develop an IEP, if appropriate (45 CFR 1308; *IDEA, Part C 34 CFR 303.148). All information shared in this process shall conform with the confidentiality and procedural safeguard process requirements.
8. In-service: Early Head Start programs and local early intervention programs are encouraged to include each other's agency personnel in in-service training activities whenever possible and appropriate.
9. Shared Resources: Early Head Start programs and local early intervention agencies are encouraged to consider the development of a system of shared resources and training and technical assistance services which may include shared personnel, cooperative resource libraries, facilities, equipment, transportation, contracted services, and exchange of in-kind services.
10. Information Systems: Efforts should be made to develop compatible systems for collecting and reporting information on children served and services provided. Children enrolled in Early Head Start with services provided by the Birth to 3 early intervention program under an IFSP shall be reported by the Birth to 3 Program for inclusion in the federal child count and by Early Head Start in the Head Start Program Information Report (PIR).

Implementation:

1. At any time during the next three (3) years if appropriate, or whenever laws and codes affecting the implementation or language in this agreement are changed, representatives of the South Dakota Department of Education, Special Education Programs, Region VIII and Region XI Disabilities Services Specialists will review this agreement and make joint recommendations for any modifications needed.
2. The Department of Education, Special Education Programs and Region VIII and Region XI Technical Assistance Network will disseminate this agreement to their respective local agencies and grantees.
3. The Department of Education, Special Education Programs and the Region VIII and Region XI Technical Assistance Network will jointly provide technical assistance and training in the development and implementation of local agreements.

DEFINITIONS

Technical Assistance Network Provides targeted advice, guidance, and information through locally based Technical Assistance Specialist and directly to grantees to support the inclusion of children with disabilities and their families in Head Start and Early Head Start Programs.

EHS: A Program funded under the Reauthorization Act of 1995 to provide comprehensive services to low income pregnant women, children birth to age 3, and their families. In this agreement Early Head Start (EHS) shall include both Tribal and Regional Early Head Start programs.

Head Start: A program funded under the Economic Opportunity Act of 1964 as amended and carried out by a local agency or grantee to provide ongoing comprehensive child development services for children ages 3-5 and their families.

45 CFR: 45th Book of Code of Federal Regulations (commonly referred to Head Start Performance Standards).

IDEA: Individual with Disabilities Education Improvement Act, the Special Education law covering children and students birth through twenty-one years of age.

IEP Individualized Education Program; a written statement that is developed, reviewed and/or revised by a multi disciplinary team through an individualized planning process. The IEP is the instrument that drives the delivery of services to children (3-21) with disabilities.

IFSP: Individual Family Service Plan is a written plan for providing early intervention supports and services to a child eligible under Part C and the child's family. The purpose of the IFSP process is to identify and organize the formal and informal community resources that can facilitate achievement of a family's goals for their child and themselves.

Multidisciplinary Evaluation Team: The involvement of two or more disciplines or professions in the provision of integrated and coordinated services, including evaluation and assessment activities and the development of the individual family service plan.

Natural Environments: Natural environments are defined as settings that are natural or normal for

the child's age peers who have no disabilities. These settings include but are not limited to home, child care, Early Head Start, and other community settings.

Part C: Part C of the Individuals with Disabilities Education Act addresses children with disabilities under the age of three.

Part B: Part B of the Individuals with Disabilities Education Act addresses children with disabilities between the ages of three to five.

*** IDEA rules and regulations are subject to change.**

AUTHORIZED SIGNATURES

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4/7/09

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South Dakota Department of Education

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