



ANNOUNCEMENT: EI-12 #01
OFFICE OF CHILD DEVELOPMENT AND EARLY LEARNING
BUREAU OF EARLY INTERVENTION SERVICES

ISSUE DATE: April 11, 2012
EFFECTIVE DATE: July 1, 2012
SUNSET DATE: On-Going

SUBJECT:	Screening, Evaluation, and Assessment in Early Intervention
TO:	Infant/Toddler Early Intervention Leadership
FROM:	Barbara G. Minzenberg, Ph.D. Deputy Secretary, Office of Child Development & Early Learning

Barbara G. Minzenberg, Ph.D.

PURPOSE:

The purpose of this announcement is to provide guidance on the new requirements under regulations for Part C of the Individuals with Disabilities Education Act (IDEA) Amendments of 2004 published on September 28, 2011 related to screening, evaluation and assessment of infant and toddlers and their families who are referred to Pennsylvania's Early Intervention (EI) Program.

BACKGROUND:

The Pennsylvania Early Intervention (EI) Program is implemented in compliance with the IDEA as amended by Public Law, 108-446, the Pennsylvania Early Intervention Services System Act, Pennsylvania Act 212-1990, and Title 55, Chapter 4226 Early Intervention Services.

Many of the requirements of IDEA 2004 are included in Chapter 4226 and other Office of Child Development and Early Learning (OCDEL) Announcements. However, the reauthorization of IDEA and subsequent promulgation of federal Part C regulations have clarified or established additional requirements in the areas of screening, evaluation and assessment. All requirements in Chapter 4226 will remain in effect. The information contained within this announcement supplements those requirements in Chapter 4226.

DISCUSSION:

Screening Procedures:

Local Infant/Toddler EI Programs shall develop screening procedures to determine whether an infant or toddler referred to the local Infant/Toddler EI Program is suspected of having a developmental delay. Local Infant/Toddler EI Programs shall ensure the following components are included in their policies and procedures:

- Infants or toddlers who have been referred and had a screening conducted by a pediatrician/physician or other healthcare provider; the local Children Youth and Family Agency or other social service agency; or an Early Care and Education Program shall not require an additional screening conducted by the Local Infant/Toddler EI Program;
- Screenings shall not be utilized for children who already have a diagnosed physical or mental condition which is likely to result in a developmental delay;

- Prior to conducting a screening for an infant/toddler referred for EI services, the local Infant/Toddler EI Program shall provide the parent written notice of its intent to screen the child and obtain parental consent before conducting the screening using the Parent's Rights Agreement;
- The local Infant/Toddler EI Program shall inform the parent of their right to request an evaluation at any time during the screening process;
- The Ages and Stages Questionnaire is the recommended screening tool to be utilized by local Infant/Toddler EI Programs. A different tool may be used if the needs of the infant/toddler indicate a different tool should be used. The Service Coordinator shall document the reason why a different tool was used in the service coordination notes;
- The screening tools used shall be administered only by those personnel who have been trained in the administration of the screening tool;
- If the screening and any other available information presented about the child indicates that the infant/toddler is not meeting age appropriate developmental milestones, the local Infant/Toddler EI Program shall notify the parent in writing on the results of the screening and the need for an evaluation and assessment of the infant or toddler;
- If the screening and any other available information presented about the child indicates that the infant/toddler is meeting age appropriate developmental milestones, the local Infant/Toddler EI Program shall notify the parents in writing of that determination and provide information on their right to request an evaluation. Local Infant/Toddler Programs shall also provide information on other community supports and services that may be available to the infant/toddler and family, as appropriate and provide contact information for the Local Infant/Toddler and Preschool Programs if the family should have concerns on their child's development in the future;
- An infant/toddler who has been referred to the Infant/Toddler EI Program and is identified as a child at-risk under §4226.5, but the screening and any other available information presented about the child indicates that the infant/toddler is meeting age appropriate developmental milestones, the local Infant/Toddler EI Programs shall inform the parent the infant/toddler is eligible for tracking services;
- If the parent of an infant or toddler requests and consents to an evaluation at any time during the screening process, an evaluation of the infant or toddler must be conducted, even if the local Infant/Toddler EI program, through the information gathered through the screening process, believes that the child is meeting developmental milestones and not suspected of a developmental delay;
- The screening process shall not delay the timeline requirements for evaluation, assessment, initial Individualized Family Service Plan (IFSP) meeting or service delivery. The timeline requirement of 45 days from referral to initial IFSP meeting still applies.

Evaluation Procedures:

Each infant or toddler referred for an evaluation or EI services and is suspected of having a developmental delay, shall receive a timely, comprehensive, multidisciplinary evaluation with parental consent.

In addition to the procedures identified in §4226.61(a)-(b) and §4226.62, local Infant/Toddler EI Program procedures shall ensure:

- When administering an evaluation instrument:
 - qualified personnel shall be used;
 - unless clearly not feasible to do so, all evaluations and assessments of an infant or toddler shall be conducted in the native language;
- Taking an infant or toddler's history (including interviewing the parent/s);

- Gathering information from other sources such as family members, other care-givers, medical providers, social workers, and educators, if necessary, to understand the full scope of the infant or toddler's unique strengths and needs;
- Reviewing medical, educational, or other records. An infant or toddler's medical and other records may be used to establish eligibility (without conducting an evaluation of the child) if those records indicate that the infant or toddler's level of functioning in one or more of the developmental areas constitutes a developmental delay or that the infant or toddler otherwise meets the criteria for an infant or toddler with a disability and if the parent agrees and the qualified professionals in exercising their judgment conclude that the infant or toddler's eligibility can be determined through such review and analysis. The local Infant/Toddler EI program shall ensure a child assessment is conducted as discussed on page 4 to obtain information about the child in all five areas of development.

Qualified personnel may use informed clinical opinion when conducting an evaluation and assessment of an infant/toddler. Infant/Toddler EI Programs shall ensure that informed clinical opinion may be used as an independent basis to establish an infant or toddler's eligibility even when other instruments do not establish eligibility; however, in no event may informed clinical opinion be used to negate the results of evaluation instruments used to establish eligibility. Local Infant/Toddler EI Programs shall adequately document in the child's record the use of informed clinical opinion.

If, based on the evaluation, the local Infant/Toddler EI Program determines that an infant or toddler is not eligible for services, the Infant/Toddler EI Program must provide the parent with prior written notice, and include in the notice information about the parent's right to dispute the eligibility determination through dispute resolution mechanisms, such as local dispute resolution, mediation, due process and/or filing a complaint with the Bureau of Early Intervention Services.

Child and Family Assessment Procedures

In addition to the procedures identified in §4226.61(c) and §4226.62, local Infant/Toddler EI Programs shall ensure that if an infant or toddler is determined eligible, a child assessment shall:

- address the unique strengths and needs of the infant or toddler and recommendations for consideration by the team regarding Early Intervention and related services needed to enable the infant or toddler to be involved and make progress in typical routines, community or educational activities;
- be conducted by qualified personnel who are trained to utilize evaluation and assessment methods and procedures;
- be conducted in a nondiscriminatory manner, and administered so as not to be racially or culturally discriminatory. The assessment of an infant or toddler must be conducted in the native language of the infant or toddler, unless clearly not feasible to do so;
- include a review of the results of the evaluation; personal observations of the infant or toddler; and the identification of the infant or toddler's needs in each of the developmental areas.

In addition to the procedures identified in §4226.61(c) and §4226.62, local Infant/Toddler EI Programs shall ensure that if an infant or toddler is determined eligible, a family assessment shall:

- be conducted by qualified personnel in order to identify the family's resources, priorities, and concerns and the supports and services necessary to enhance the family's capacity to meet the developmental needs of the family's infant or toddler with a disability;
- be voluntary on the part of each family member participating in the assessment;

- be conducted in the native language of the family members being assessed, unless clearly not feasible to do so;
- be based on information obtained through an assessment tool and also through an interview with those family members who elect to participate in the assessment; and
- include the family's description of its resources, priorities, and concerns related to enhancing the infant or toddler's development.

The assessments of the infant or toddler and family may occur simultaneously with the evaluation, provided that the requirements related to both assessments and evaluations are met. The initial family assessment must be conducted within the 45-day timeline if the parent concurs and even if other family members are unavailable.

Timelines:

Local Infant/Toddler EI Programs shall ensure that any screening, initial evaluation and initial assessment of the infant or toddler and family and initial IFSP meeting be completed within 45 days from the date the Infant/Toddler EI Program receives the referral of the infant or toddler. There may be exceptional family circumstances where a program may not be able to meet the 45 days timeline. These circumstances include:

- the infant or toddler or parent is unavailable to complete the screening, the initial evaluation, the initial assessments of the infant or toddler and family, or the initial IFSP meeting due to exceptional family circumstances that are documented in the infant or toddler's EI records; or
- the parent has not provided consent for the screening, the initial evaluation, or the initial assessment of the infant or toddler, despite documented, repeated attempts by the Infant/Toddler EI Program to obtain parental consent.

The local Infant/Toddler EI Program must develop procedures to ensure that if an exceptional family circumstance exists, the local Infant/Toddler EI Program:

- documents in the infant or toddler's EI records the exceptional family circumstances or repeated attempts to obtain parental consent;
- completes the screening, the initial evaluation, the initial assessments (of the child and family), and the initial IFSP meeting as soon as possible after the documented exceptional family circumstances no longer exist or parental consent is obtained.

Definitions:

The following definitions, found in the Part C regulations related to the reauthorization of IDEA 2004, shall be adopted by local Infant/Toddler EI Programs.

- Evaluation means the procedures used by qualified personnel to determine an infant or toddler's initial and continuing eligibility for the Early Intervention program.
- Initial evaluation refers to an infant or toddler's evaluation to determine his or her initial eligibility for the Infant/Toddler Early Intervention Program.
- Assessment means the ongoing procedures used by qualified personnel to identify an infant or toddler's unique strengths and needs and the Early Intervention services appropriate to meet those needs throughout the period of the infant or toddler's eligibility and includes the assessment of the infant or toddler, and the assessment of the infant or toddler's family.
- Initial assessment refers to the assessment of the infant or toddler and the family assessment conducted prior to the infant or toddler's first IFSP meeting.
- Screening procedures are activities that are carried out to identify, at the earliest possible age, infants and toddlers suspected of having a disability or developmental delay and in need of Early Intervention services. Screening procedures include the administration of appropriate instruments by personnel trained to administer those instruments.

- Native Language when used with respect to an individual who is limited English proficient or LEP means the language normally used by that individual, or, in the case of an infant or toddler, the language normally used by the parents of the infant or toddler, and for evaluations and assessments the language normally used by the infant or toddler, if determined developmentally appropriate for the infant or toddler by qualified personnel conducting the evaluation or assessment. Native language, when used with respect to an individual who is deaf or hard of hearing, blind or visually impaired, or for an individual with no written language, means the mode of communication that is normally used by the individual (such as sign language, Braille, or oral communication).
- Multidisciplinary means the involvement of two or more separate disciplines or professions and with respect to: (a) evaluation and assessments of the child and family, may include one individual who is qualified in more than one discipline or profession; and (b) the IFSP Team, must include the involvement of the parent and two or more individuals from separate disciplines or professions and one of these individuals must be the service coordinator.

NEXT STEPS

1. Infant/Toddler EI Programs shall develop and implement procedures for screening infants and toddlers who are referred to the local Infant/Toddler EI Program to determine whether they are suspected of having a developmental delay.
2. Infant/Toddler EI Programs shall review existing evaluation and assessment procedures to assure that its policies and procedures are consistent with this Announcement.
3. Infant/Toddler EI Programs shall ensure that all staff and providers receive information and/or training on local screening procedures and revised evaluation and assessment procedures if any.

Comments and Questions Regarding this Announcement Should be Directed to the Office of Child Development and Early Learning, Bureau of Early Intervention Services at 717-346-9320 or ra-ocdintervention@state.pa.us

Parents Rights Agreement

Event/Reason for Agreement:

Name of Child

Date:

Yes

N/A

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | I/we have been informed that information gathered is confidential (Family Educational Rights and Privacy Act). |
| <input type="checkbox"/> | <input type="checkbox"/> | I/we received information explaining Early Intervention, our rights, and Procedural Safeguards. |
| <input type="checkbox"/> | <input type="checkbox"/> | I/we understand that parents have the right to accept or decline any or all of the proposed services and activities. |
| <input type="checkbox"/> | <input type="checkbox"/> | I/we have been informed of the screening process and the right to request a Multidisciplinary Evaluation (MDE) anytime during the screening process. |
| <input type="checkbox"/> | <input type="checkbox"/> | I/we give permission for a screening for my child (if a current screening is not available) to determine the need and focus of an MDE. |
| <input type="checkbox"/> | <input type="checkbox"/> | I/we give permission for a MDE for my child (if a current evaluation is not available) to determine eligibility for Early Intervention. |
| <input type="checkbox"/> | <input type="checkbox"/> | I/we have been informed that an Individualized Family Service Plan (IFSP) meeting shall be held within 45 days from the date of referral to the Infant/Toddler Early Intervention Program, if my child is found eligible during the MDE. |
| <input type="checkbox"/> | <input type="checkbox"/> | I/we participated in the MDE and IFSP meetings to discuss, plan, and implement Early Intervention services or tracking services |

I/we request:

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | All activities and services listed on the IFSP. |
| <input type="checkbox"/> | <input type="checkbox"/> | Another meeting to continue to discuss the issues presented today. |
| <input type="checkbox"/> | <input type="checkbox"/> | All tracking activities. |
| <input type="checkbox"/> | <input type="checkbox"/> | All recommended activities and services to be delayed. |
| <input type="checkbox"/> | <input type="checkbox"/> | Only the following IFSP listed activities or services to start: |

The screening results indicate:

- Your child is meeting age appropriate developmental milestone for the following reason:

- Your child is not meeting age appropriate developmental milestones for the following reasons:

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I/we authorize the following team members/agencies to be provided copies of the ER/IFSP

Name/Agency

Address

In its entirety or only certain sections?

I/we are dissatisfied with the proposed services and activities and request:

- A discussion with the county administrator responsible for the Early Intervention program.
- A mediation session conducted by the Office for Dispute Resolution.
- A due process hearing conducted by the Office for Dispute Resolution.

Parent Signature(s):

Revised 3/2012

