

IDEA Part C to Part B Transition Responsibilities in Texas

This document provides a side-by-side comparison of transition-related responsibilities under the Individuals with Disabilities Education Act (IDEA) Part C and Part B for children transitioning from Early Childhood Intervention (ECI) to early childhood special education (ECSE) in Texas. The comparison reflects applicable federal IDEA regulations and incorporates relevant Texas state guidance, including the [Texas Health and Human Services Commission \(HHSC\) and Texas Education Agency \(TEA\) Memorandum of Understanding \(MOU\)](#) to support shared understanding and coordinated practices across agencies. For more information, please refer to the [Early Childhood Technical Assistance Center](#).

Definitions and Acronyms

Here are some common acronyms you will see in this document. Please refer to the [Texas Legal Framework Glossary](#) for a full glossary of special education terms.

ARD – admission, review, dismissal
CFR – Code of Federal Regulations
COMS – certified orientation & mobility specialist
DHH – deaf or hard of hearing
ECI – early childhood intervention
ECSE- early childhood special education
IFSP – individualized family service plan
IEP – individualized education program
LEA – local educational agency
TEC – Texas Education Code
VI – visual impairment

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Throughout this document, when the term “parent” or “parents” is used, the term includes the definition aligned to [34 CFR § 300.30](#). That definition includes biological or adoptive parent, foster parent, guardian, an individual acting in the place of a biological parent with whom the child lives or is legally responsible for the child’s welfare, or a surrogate parent as defined in [34 CFR § 300.519](#)

For purposes of this document, “ECI (Part C) Role” and “LEA (Part B) Role” refer to the responsibilities of the respective agencies and the personnel acting on their behalf, as defined in federal regulations and Texas guidance. Specific individuals responsible for carrying out these activities may vary by local program or district and may include the following:


ECI (Part C)	LEA (Part B)
<ul style="list-style-type: none"> • ECI service coordinators • ECI evaluators and providers • ECI program or transition staff • Other ECI personnel designated by the local ECI program 	<ul style="list-style-type: none"> • Special education administrators • Child Find personnel • Evaluation staff and related service providers • Members of the ARD committee • Other LEA staff designated to carry out Part B responsibilities

Responsibility for completing each action rests with the agency, regardless of how duties are assigned locally.


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<p>Shared Responsibilities</p> 	<ul style="list-style-type: none"> • Understand and fulfill defined roles and responsibilities. • Coordinate across agencies to ensure smooth transitions. • Maintain consistent communication with partners and parents. • Focus on smooth transition experience for all exiting children and their parents. 	
<p>Transition Plan</p> 	<ul style="list-style-type: none"> • Ensure a transition plan is included in the IFSP of all children no fewer than 90 days and not more than 9 months before the child's 3rd birthday. [34 CFR 303.209(d)(2)] • Ensure the plan includes steps to exit the Part C program, and any transition services necessary to support the transition to preschool or other appropriate services. [34 CFR 303.209(d)] • Ensure steps include discussions and parent training regarding future placements; procedures to prepare the child for service delivery changes; transmitting child find information to the LEA; and identification of the services and activities necessary to support the transition. [34 CFR 303.344(h)] 	<ul style="list-style-type: none"> • Coordinate with ECI providers to fully inform the parent of the possible services available under Part B and support parent involvement in the transition planning process. [MOU VII.B]



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<p style="text-align: center;">Transition Notification</p> 	<ul style="list-style-type: none"> • At least 10 calendar days before notifying the LEA that a child is potentially eligible for Part B services, provide written notification to the child's parent advising the parent of: <ol style="list-style-type: none"> a) The information that will be disclosed to the LEA, including the limited personally identifiable information (child's name, child's date of birth, parent's name, address, and telephone number), the service coordinator's name, and the home language of the child; b) The scheduled LEA notification date; and c) The right to opt out of the disclosure in writing at any time up until the time of the scheduled LEA notification date. [MOU V.A.2.] • Provide TEA and the LEA with notification of toddlers <i>potentially eligible</i> for Part B preschool services no fewer than 90 days before the toddler turns 3. [34 CFR 303.209(b)(1)(i)] • When ECI provides notification of a potentially eligible child fewer than 90 calendar days before the child's 3rd birthday, ECI must provide a written explanation to the LEA stating the reason for the delay. [MOU V.4] 	<ul style="list-style-type: none"> • Initiate the evaluation process to determine whether the child is eligible for Part B services when receiving notification. [MOU V.B.1] • Provide the parent with a copy of the Part B procedural safeguards notice. [34 CFR 300.504(a)(1)] • Request parental consent to conduct an initial evaluation to determine a child's eligibility for Part B services, if a disability is suspected. [34 CFR 300.300(a)] • Provide the parent with prior written notice of LEA: <ul style="list-style-type: none"> ○ proposal to conduct an initial evaluation, if suspected that a child has a disability under Part B. [34 CFR 300.503(a)(1)] ○ refusal to evaluate that explains, among other things, the basis for its decision, if the LEA does not suspect that a child has a disability under Part B. [34 CFR 300.503(a)(2)]


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<p>Transition Conference</p> 	<ul style="list-style-type: none"> • Convene a transition conference not fewer than 90 days and not more than 9 months before the child’s 3rd birthday. [34 CFR 303.209(c)(1)] • Provide written notice of the conference to the parent and other participants early enough to ensure attendance. [34 CFR 303.342(d)(2)] • Invite the LEA to the transition conference at least 14 calendar days in advance of the conference. [MOU VI.A.2] • Hold the conference to provide the parent with information about Part B preschool services, if the LEA fails to attend after receiving timely notice. • Ensure reasonable efforts to convene a conference (with parent approval) among the LEA, the parent, and providers of other appropriate services, if determined that a toddler is not potentially eligible for preschool services or if the parent wants to explore community options in addition to preschool services. [34 CFR 303.209(c)(2)] 	<ul style="list-style-type: none"> • Participate in transition conferences arranged by the local ECI program, which may include participation by telephone or video conference. [MOU VI.B.1] • In the event of school or district closure where all relevant staff may not be available (e.g., summer break, winter break), have procedures for an alternate staff member(s) to receive transition conference invitations and participate in the transition conference. [MOU VI.B.2] • Provide the parent with procedural safeguards at the transition conference, if not already provided. • Request consent for evaluation, if not already obtained. • Explain to the parent the Part B eligibility requirements and evaluation procedures. • Provide information about Part B program options, as appropriate, to inform the parent in their decision-making. • If the parent consents, invite the ECI service coordinator to the initial ARD committee meeting. [MOU VI.B.4]


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<p>Initial Evaluation & Eligibility</p> 	<ul style="list-style-type: none"> With written parental consent, transmit information needed by the LEA to ensure continuity of services, including the ECI enrollment date and a copy of the most recent evaluation and assessments of the child and the parent and most recent IFSP developed. [MOU VII.A.4.iii] 	<ul style="list-style-type: none"> Comply with Part B Child Find responsibilities to conduct a timely evaluation and convene an ARD committee meeting to make an eligibility determination. [34 CFR 300.301] Provide the parent with notice of procedural safeguards and prior written notice if not already provided with the Transition Notification. [34 CFR 300.504, 34 CFR 300.503(a)(1)] Conduct the initial evaluation within the established timeline (see <i>Late Referrals to ECI</i>). [34 CFR 300.301(c)(1)] Provide the parent of a child who has been identified as having an intellectual disability or a developmental delay with information about services and public benefits provided by the local intellectual and developmental disability authority (LIDDA). [TEC §29.030]
<p>Late Referrals to ECI</p> 	<ul style="list-style-type: none"> For children with at least 90 days of ECI services, the LEA completes the evaluation, determines eligibility, and finalizes all IEP processes by the child's 3rd birthday. For children with fewer than 90 days of ECI services, the LEA follows standard Part B timelines beginning with the date of parental consent. For children referred to ECI fewer than 45 days before the child 3rd birthday, ECI must, with parental consent, refer the child directly to the LEA as soon as possible. [MOU VII.A.1] As a best practice, the LEA should make every attempt to ensure the child has an IEP in place by his or her 3rd birthday. 	

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<p data-bbox="228 581 485 646">IEP Development & Implementation</p> 		<ul data-bbox="1276 256 1955 1203" style="list-style-type: none"> • Send initial IEP meeting invitation to Part C representative to assist with the smooth transition of services, upon parent request. [34 CFR 300.321(f)] • Convene an ARD committee meeting to develop the IEP within 30 days of a determination that the child needs special education and related services. [34 CFR 300.323(c)(1)] • Ensure that an IEP is developed and implemented for Part B eligible children (who received at least 90 days of ECI services) by the child's 3rd birthday in accordance with 34 CFR §300.124 regarding timely IEP development and implementation. [MOU VIII.1] • Determine the start date of the IEP if the child's birthday occurs during the summer. Services will begin on the first day of school, or earlier as determined and stated on the IEP. If the ARD committee determines services should begin before the school year starts, the LEA must ensure service delivery. [MOU VIII.2]

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<p>Responsibilities for Children who are Blind/VI & DHH</p> 	<ul style="list-style-type: none"> • Identify, locate, and evaluate all infants and toddlers (birth–36 months) who have or are suspected of being DHH or having a VI. [MOU IV.A.1] • With parental consent, help children (birth-36 months) suspected of having a VI access an evaluation by a licensed ophthalmologist or optometrist; [MOU IV.A.6.a] • With parental consent, help children (birth-36 months) suspected of being DHH access an audiological evaluation by a licensed audiologist. [MOU IV.A.6.b] • With parental consent, refer all children within 5 business days to the LEA for evaluation by appropriately certified personnel: <ul style="list-style-type: none"> ○ A teacher certified to teach children who are DHH when receiving documentation that a child is DHH or a condition likely to result in DHH. [MOU IV.A.7] ○ A teacher certified to teach children with VI and a COMS when receiving documentation of VI or a condition likely to result in VI. [MOU IV.A.8] • Invite and provide 10-day written notice to appropriate DHH/VI personnel (teacher of the DHH, teacher of the VI, COMS) to the child’s IFSP meetings. [MOU IV.A.10] • Coordinate service delivery with LEAs for services listed in the IFSP. [MOU IV.A.11] 	<ul style="list-style-type: none"> • Provide necessary sensory impairment evaluations for children birth–36 months referred by ECI, including: <ul style="list-style-type: none"> a) Functional vision evaluation; b) Learning media assessment; c) Orientation & mobility evaluation for suspected VI; [MOU IV.B.5] d) Communication assessments required for DHH services or adaptive equipment. [MOU IV.B.6] • Ensure participation by the appropriate teacher of students who are DHH, teacher of students who have a VI, and a COMS at initial and annual IFSP meeting, and any IFSP meeting addressing DHH/VI needs. [MOU IV.B.7] • Provide hearing and vision services to children birth–36 months who are DHH or have a VI as planned in the IFSP, including during times the LEA may be closed (e.g. summer break, winter break). [MOU IX.B.3] • Provide transportation for children birth–36 months to receive hearing and vision services. [MOU IX.B.3]