



Performance Office / Bureau of Special Education

Connecticut State Department of Education | July 9, 2020

Updated Guidance for Children Turning Three during COVID-19

This is a working document, which may be updated frequently due to the rapidly changing response to this pandemic emergency and ongoing federal guidance updates.

Birth to Three Evaluations

Governor Lamont's Executive Order 7DD and the Office of Early Childhood's implementing order allowed for children who turned three on or after March 16, 2020, and who had not yet been determined eligible for Individuals with Disabilities Education Act (IDEA) Part B services, to continue to receive early intervention services with their Birth to Three provider. This expansion of coverage was intended to ensure that all children and families receive the necessary support services where, as a result of school closure and public health mandates, there may have been a delay in completing comprehensive evaluations to determine a child's eligibility to transition to services under the IDEA Part B. Although this executive order expanded early intervention services, it did not alleviate a school district's responsibility to provide a free appropriate public education by the child's third birthday (FAPE at 3).

Children who turned three during the school closure period, and for whom eligibility for IDEA Part B services have not yet been determined because a comprehensive evaluation involving in-person evaluations was delayed due to public health orders, are able to receive early intervention services after age 3 implemented by Birth to Three providers through August 31, 2020.

As of July 6, 2020, Governor Lamont permitted school districts to resume in-person Extended School Year (ESY) Services and/or summer school classes if the school districts were able to comply with current CDC requirements. If school districts are providing in-person ESY services and/or classes, evaluators should make every attempt to conduct in person evaluations. Even if the school district has chosen not to offer in-person ESY services, evaluators are still able to conduct in-person evaluations using all available guidance to maintain health and safety of the students and staff. In order to avoid a gap in services, school districts must complete comprehensive evaluations and determine eligibility for children transitioning from Birth to Three prior to August 31, 2020, and if eligible, develop and implement the IEP no later than September 1, 2020.

Data Reporting Update

With regard to reporting "FAPE at Age 3" for these students whose third birthday falls between March 16th and August 31st – we will be adding an eighth reporting option to the field 'Reason FAPE at 3 Not On Time' in SEDAC. This option will read as follows: "During

the Covid-19 School Closure, the PPT convened to review the referral (PPT 1) and the team designed a comprehensive evaluation plan to determine Part B eligibility. However, due to public health mandates the evaluation was delayed. Early Intervention Services (EIS) over age 3 were offered to this student.”

NOTE: The reported Start Date for Services (page 11 of IEP) must be on or before September 1, 2020. Students who meet the rules for using this new FAPE at Age 3 reporting option will be counted as ON TIME for Indicator 12 on the school district’s Annual Performance Report (APR) for the applicable reporting year.

It is important to recognize that reporting for these students regarding FAPE at Age 3 and reporting for Evaluation Timelines are not the same. For all new referrals, school districts must be assessing compliance with the State’s 45-school day evaluation timeline. If an IEP for students referred from Birth to Three was implemented on or before the student’s third birthday, please report Reason for Delay 06 – Child referred from the Birth to Three System, had a 90-day transition conference, and either had an IEP in place by their third birthday or was found not eligible. If an IEP for students referred from Birth to Three was implemented *after* the student’s third birthday, determine if the State’s 45-school day timeline was met. Report using Reason for Delay 07 – Met the State’s 45-school day timeline or select one of the other reason for delay options if applicable. Students reported with Reason for Delay 08 – Other will be counted as Not On Time for Indicator 11 on the school district’s APR for the applicable reporting year.

Please contact Andrea Brinnel, Bureau of Special Education Consultant andrea.brinnel@ct.gov, Laura Guerrero, Performance Office Consultant laura.guerrera@ct.gov or Diane Murphy, Performance Office Consultant diane.murphy@ct.gov with any questions regarding this guidance.