

# Individualized Education Program (IEP) Implementation for Transfer Students



## **Policy in Practice Webinar Training Series**

OSSE Division of Elementary, Secondary and Specialized Education

# Training Objective

- This training provides an overview of the OSSE Individual Education Program (IEP) Implementation for Transfer Students Policy, effective December 17, 2014.
- This training video serves as a technical assistance resource for local and state level educators and administrators in understanding and implementing state special education policies.
- All users are encouraged to read the full policy, found at: <http://osse.dc.gov/service/specialized-education-local-policies>.



# AGENDA

Overview of LEA Responsibilities

Transfer of Student Records

Completion of Pending Evaluations

Evaluation of the Appropriateness of Existing IEPs

Expired and Expiring IEPs

Part C to B Transition



# **OVERVIEW OF LEA RESPONSIBILITIES**

# Overview of LEA Responsibilities

The IEP Implementation for Transfer Students Policy, **effective December 17, 2014**, outlines specific responsibilities for LEAs serving the following types of students:

- In-state LEA to LEA Transfers
  - Students who transfer from one LEA to another LEA within the District of Columbia with:
    - An existing IEP, or
    - With a pending referral or incomplete initial evaluation.
- Out of State Transfers
  - Students who transfer to the District of Columbia with:
    - An existing IEP from another state, or
    - A pending referral or incomplete initial evaluation.
- Private School Transfers
  - Students who transfer from a private school with an Individual Services Plan (ISP).

NOTE: Students who transfer between DCPS and District (Dependent) Charters are considered within-LEA transfers, not LEA-to-LEA transfers.



# **TRANSFER OF STUDENT RECORDS**

# Transfer of Student Records

When a transfer student officially enrolls in a new LEA, the new LEA shall:

- Specifically **ask the parents and the previous LEA** whether the student has been referred previously as a potential “child with a disability.”
- Request the student’s records from the previous LEA within **5 business days** of enrollment:
  - Includes any special education records, or documentation of referral.
- The previous LEA shall provide the student’s records to the new LEA within **10 business days** of the new LEA’s request.
  - If the existing IEP is from out of state, the LEA must upload the IEP into SED within 10 business days of its receipt.
  - If the new LEA is unable to obtain the IEP, it must fulfill its Child Find obligations if there is reason to suspect the child has a disability.

# Transfer of Student Records

- Currently OSSE facilitates the transfer of a student's SEDS records between two in-state LEAs:
  - The LEA Special Education Point of Contact (LEA SE POC) is responsible for regularly checking the “Events Not Transferred” (ENT) report in the OSSE Support Tool for any new students whose records in SEDS have not yet transferred.
  - The LEA SE POC submits a request for OSSE to transfer the SEDS records.
- The facilitation of a SEDS records transfer by OSSE does not excuse the new LEA from reaching out directly to the previous LEA to obtain other non-SEDS student records.
- The LEA SE POC and school registrar should work closely together to ensure all enrollment information is up to date, and all records are obtained.

# Transfer of Student Records

- Responsibilities of the previous LEA during the transition period:
  - Move forward with Child Find obligations, initial evaluations, annual IEP meetings, and reevaluations until the child is officially enrolled in a new LEA.
  - Do not stop the evaluation process, or provision of services, simply because the parent indicates a desire or plan to transfer.
- Responsibilities of the previous LEA upon official enrollment of the student in a new LEA:
  - Respond to requests for student records within 10 business days.
  - Provide all relevant information, including written referrals, parental consent, evaluation data, existing IEPs, etc.



# **COMPLETION OF PENDING EVALUATIONS**

# Completion of Pending Evaluations

## Student Transfers After Referral But Before Evaluation Begins

**Scenario:** Student was referred for evaluation, but the previous LEA did not start the actual evaluation process. The student has since enrolled at a new LEA.

**Responsibilities:** The new LEA has affirmative Child Find obligations and must complete an evaluation within the 120-day initial evaluation timeline.

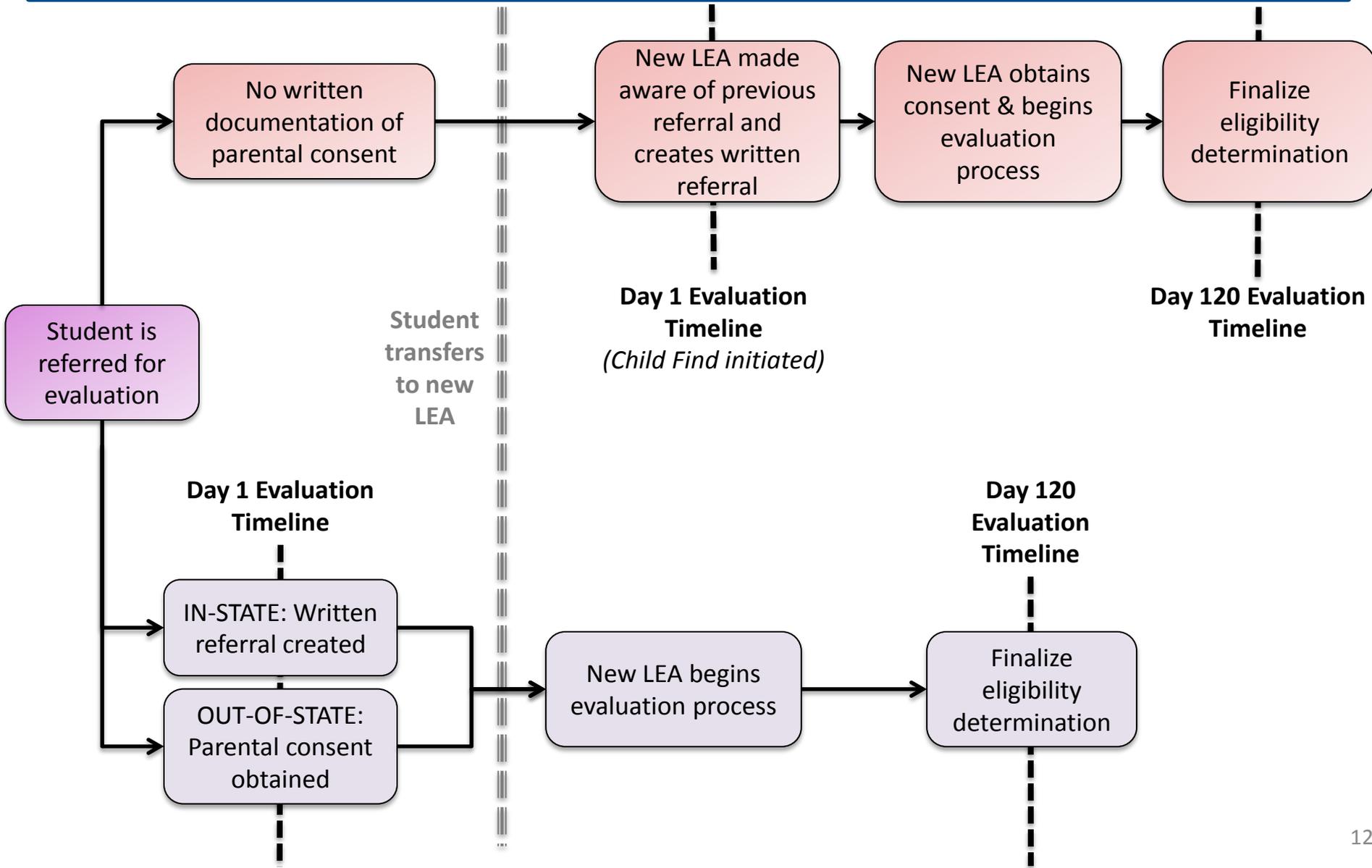
The start date of the timeline is:

- In-state transfer: the date of written referral from the previous LEA
- Out-of-state transfer: the date of documented parental consent
- In the case of no existing written documentation (written referral or parental consent), the new LEA shall submit a written referral on the same date it has knowledge of the existing referral
  - Verbal referral from previous LEA or verbal confirmation from parent

**Obtain Consent:** In any of the above circumstances, the new LEA should make reasonable efforts to obtain consent to evaluate (if not already obtained), and should document those efforts in SEDS.

# Completion of Pending Evaluations

## Student Transfers After Referral But Before Evaluation Begins



# Completion of Pending Evaluations

## Student Transfers After Initial Evaluation Has Begun

**Scenario:** The previous LEA began the initial evaluation process, but did not finish before the student enrolled in a new LEA.

**Responsibilities:** Both the previous LEA and the new LEA shall coordinate efforts to ensure prompt completion of the evaluation within the 120-day timeline.

- The new LEA shall request records within 5 business days
- The previous LEA shall provide any relevant evaluation data within 10 business days
- Start date of the timeline is the date of written referral (in-state transfer) or the date of documented parental consent (out-of-state transfer).

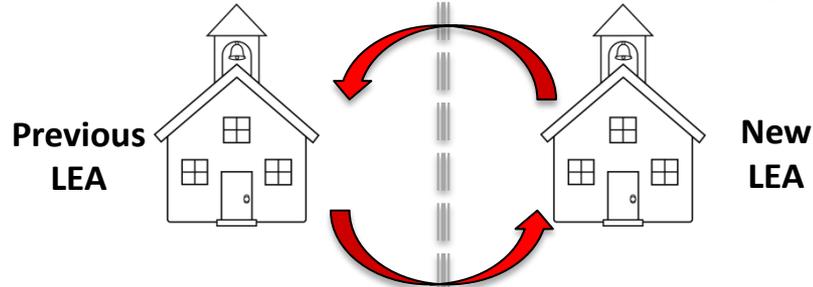
**Exception to the 120-day timeline:** The parent and the new LEA can agree to a new specific timeline, but only if the new LEA is making sufficient progress to ensure a prompt completion of the evaluation. 34 CFR § 300.301(d)(2) and (e).

# Completion of Pending Evaluations

## Student Transfers After Initial Evaluation Has Begun

Previous LEA provides any relevant evaluation data within 10 business days of New LEA's request

New LEA requests any relevant evaluation data within 5 business days of enrollment



Student transfers to new LEA

Student is referred for evaluation

Day 1  
Evaluation  
Timeline

IN-STATE: Written referral created

OUT-OF-STATE: Parental consent obtained

Previous LEA begins evaluation process

New LEA continues evaluation process

Day 120  
Evaluation  
Timeline

Finalize eligibility determination



# **EVALUATING THE APPROPRIATENESS OF EXISTING IEPS**

# Evaluating the Appropriateness of Existing IEPs

## Comparable Services

- A new LEA must provide FAPE, in the form of comparable services, to transfer students with existing IEPs.
- Comparable services:
  - Are similar or equivalent to those described in the IEP from the previous LEA.
  - Can include equitable services provided to parentally-placed private school students as documented in the Individual Services Plan (ISP).
  - Must be implemented as soon as possible, but no later than 20 calendar days of receipt of the transfer IEP.
  - Must be tracked and documented in SEDS:
    - In-state IEPs are transferred within the SEDS system upon request of the new LEA. The Comparable Services tab in SEDS is not used in this scenario.
    - Out-of-state IEPs and Private School ISPs must be manually uploaded into SEDS using the Transfer Student Intake process in the Comparable Services section of SEDS.

# Evaluating the Appropriateness of Existing IEPs

## In-State LEA to LEA Transfers

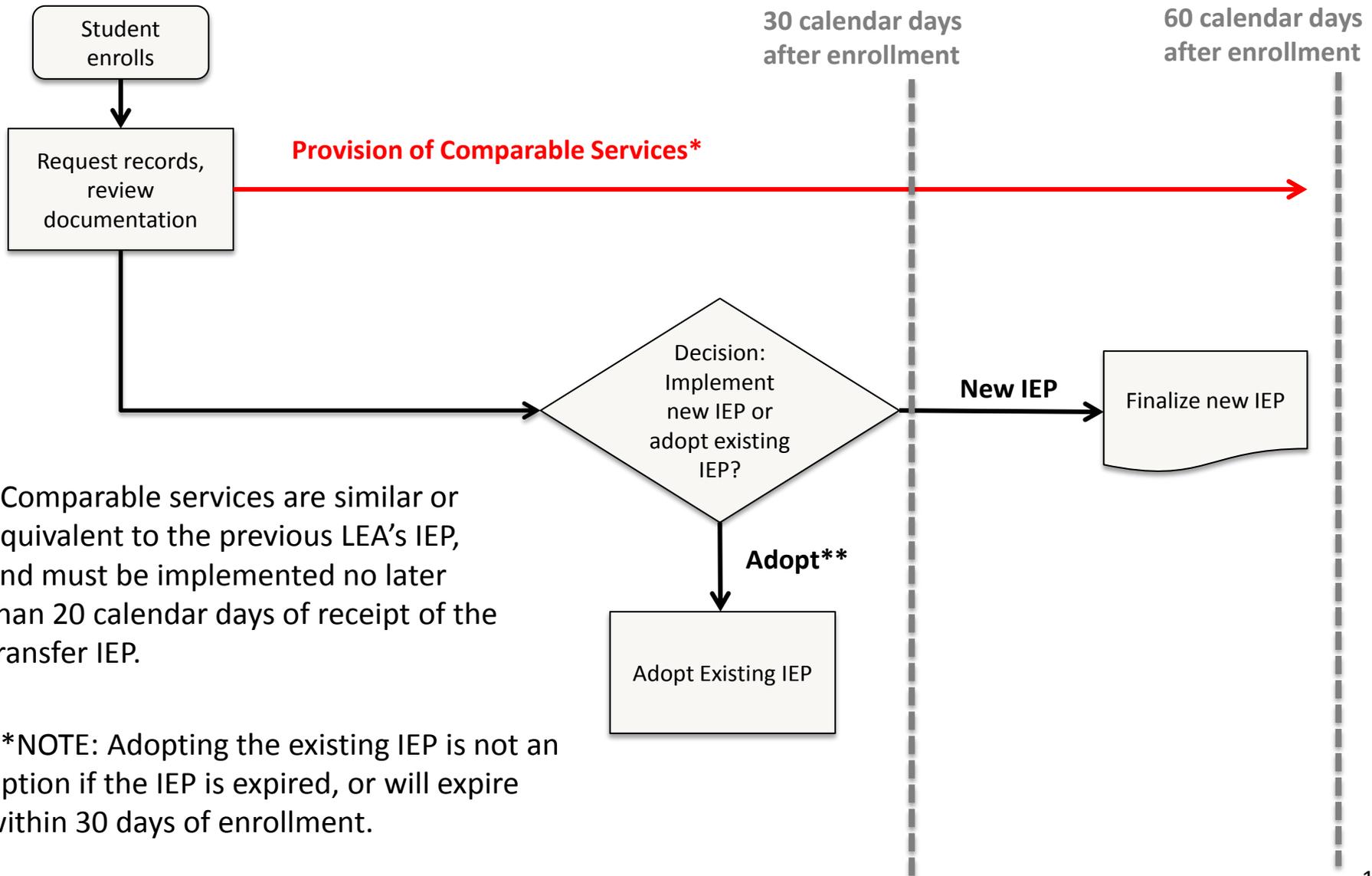
**Scenario:** Student with an existing IEP transfers from one LEA to another LEA within the District of Columbia.

**Responsibilities:** The new LEA must:

1. Request the transfer of the student's records in SEDS from the previous LEA within 5 business days of enrollment.
2. Implement comparable services as soon as possible:
  - Similar or equivalent services to those listed in current IEP from previous LEA.
3. Within 30 calendar days of enrollment, make a decision to either adopt the existing IEP or develop a new IEP.
  - If the new LEA chooses to develop a new IEP, it must be done within 60 calendar days of enrollment.

# Evaluating the Appropriateness of Existing IEPs

## In-State LEA to LEA Transfers



\*Comparable services are similar or equivalent to the previous LEA's IEP, and must be implemented no later than 20 calendar days of receipt of the transfer IEP.

\*\*NOTE: Adopting the existing IEP is not an option if the IEP is expired, or will expire within 30 days of enrollment.

# Evaluating the Appropriateness of Existing IEPs

## Out-of-State Transfers

**Scenario:** The new LEA receives information that an out-of-state transfer student was previously eligible under IDEA, or had previously received special education services.

**Responsibilities:** The new LEA must:

1. Treat the information as a referral and document the referral in writing in SEDS within 2 business days of receipt.
  - Both the knowledge of an existing IEP or of prior eligibility can trigger this event.
2. Request all relevant records from the previous LEA within 5 business days of enrollment.
3. Implement comparable services as soon as possible:
  - Similar or equivalent services to those listed in existing IEP.
  - Create a comparable services document using the Transfer Student Intake process in SEDS.
4. Begin collecting student-level data immediately upon referral to conduct an evaluation in the case that it does not receive records from the previous LEA. Information is captured in the Analyze Existing Data section of SEDS.

# Evaluating the Appropriateness of Existing IEPs

## Out-of-State Transfers

**Responsibilities (continued from previous slide):** The new LEA must:

5. Within 30 calendar days of referral the LEA shall use the data it has collected, and any data received from the previous LEA, to decide how to proceed with an eligibility decision. All existing data is captured in the Analyze Existing Data section of SEDS.

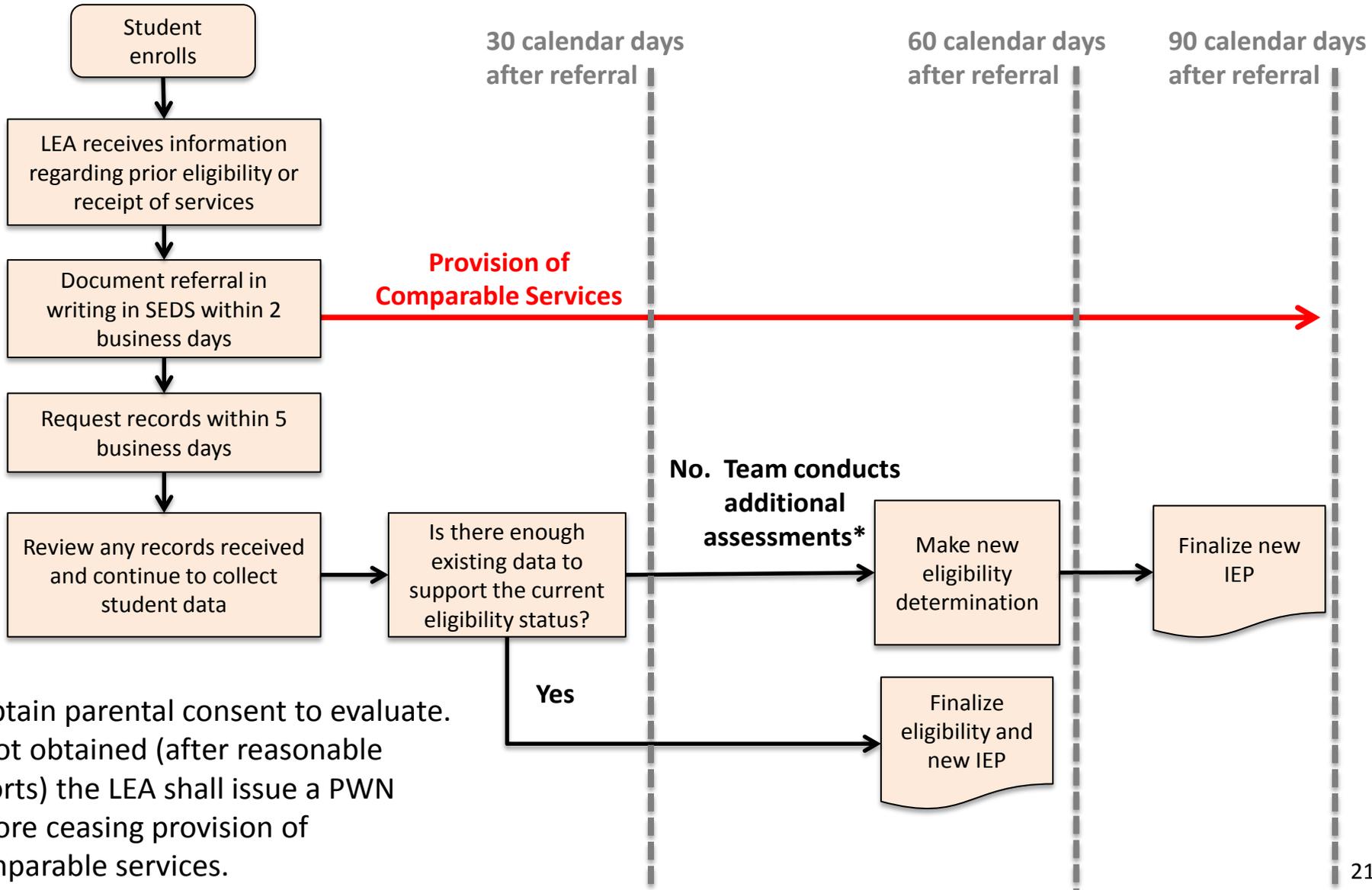
**Existing data not sufficient:** The LEA decides to conduct additional assessments, and completes the evaluation process and new eligibility determination within 60 calendar days of referral.

A new IEP is finalized within 90 calendar days of referral.

**Existing data sufficient:** Additional evaluation data is not necessary. The LEA finalizes the existing eligibility determination in SEDS, and finalizes a new IEP within 60 calendar days of referral.

# Evaluating the Appropriateness of Existing IEPs

## Out-of-State Transfers



\*Obtain parental consent to evaluate. If not obtained (after reasonable efforts) the LEA shall issue a PWN before ceasing provision of comparable services.

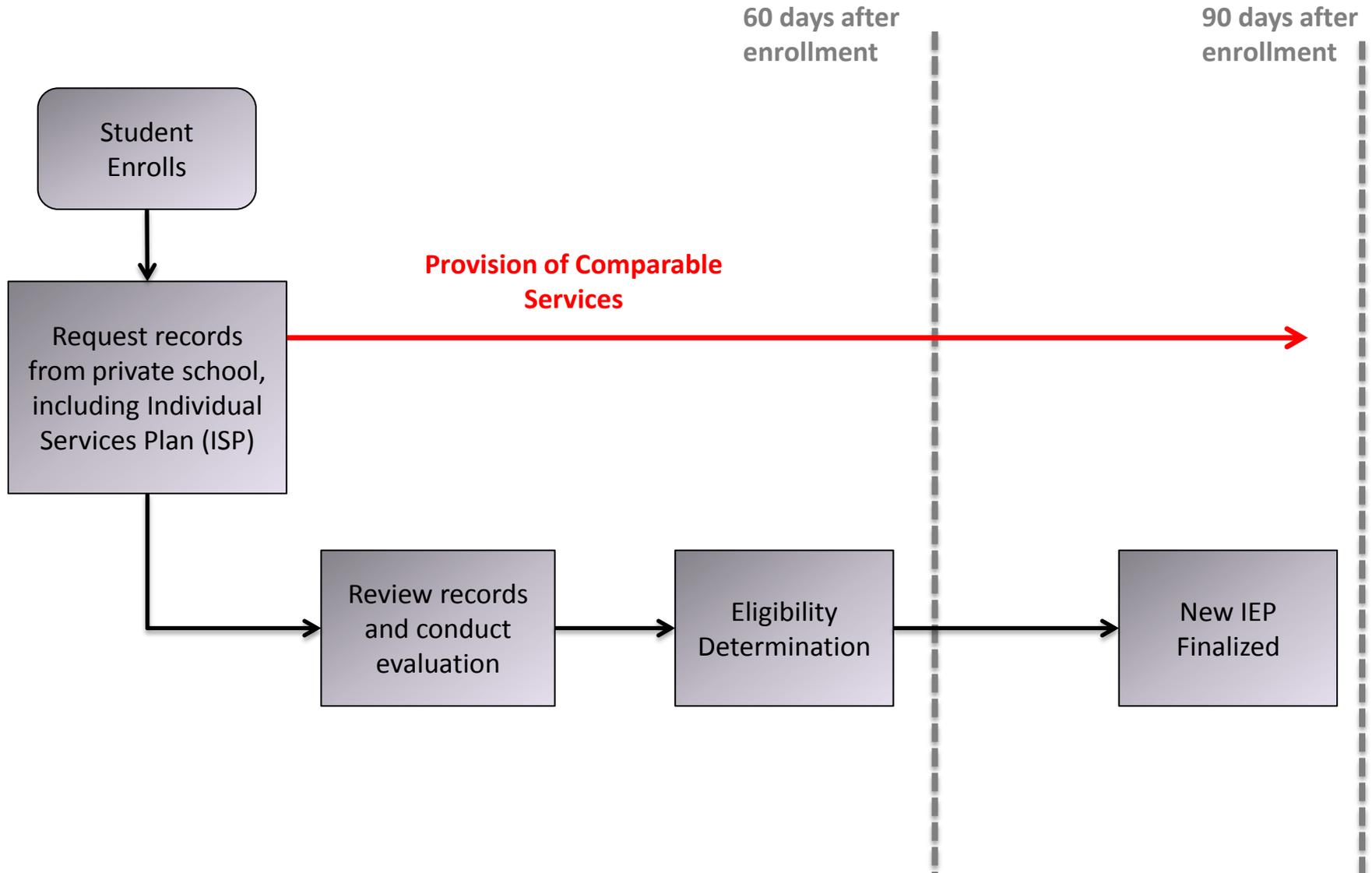
# Evaluating the Appropriateness of Existing IEPs

## Private School Transfers

- Students with disabilities enrolled at a private school (parentally placed) are entitled to equitable services in the form of an Individual Services Plan (ISP).
  - The ISP is less comprehensive than an IEP.
- When a student with an ISP transfers to an LEA, the LEA must conduct an evaluation (within 60 calendar days of enrollment) to determine if the student continues to be eligible under the IDEA.
  - If found eligible, the new LEA must develop a full IEP for the student within 90 calendar days of enrollment.

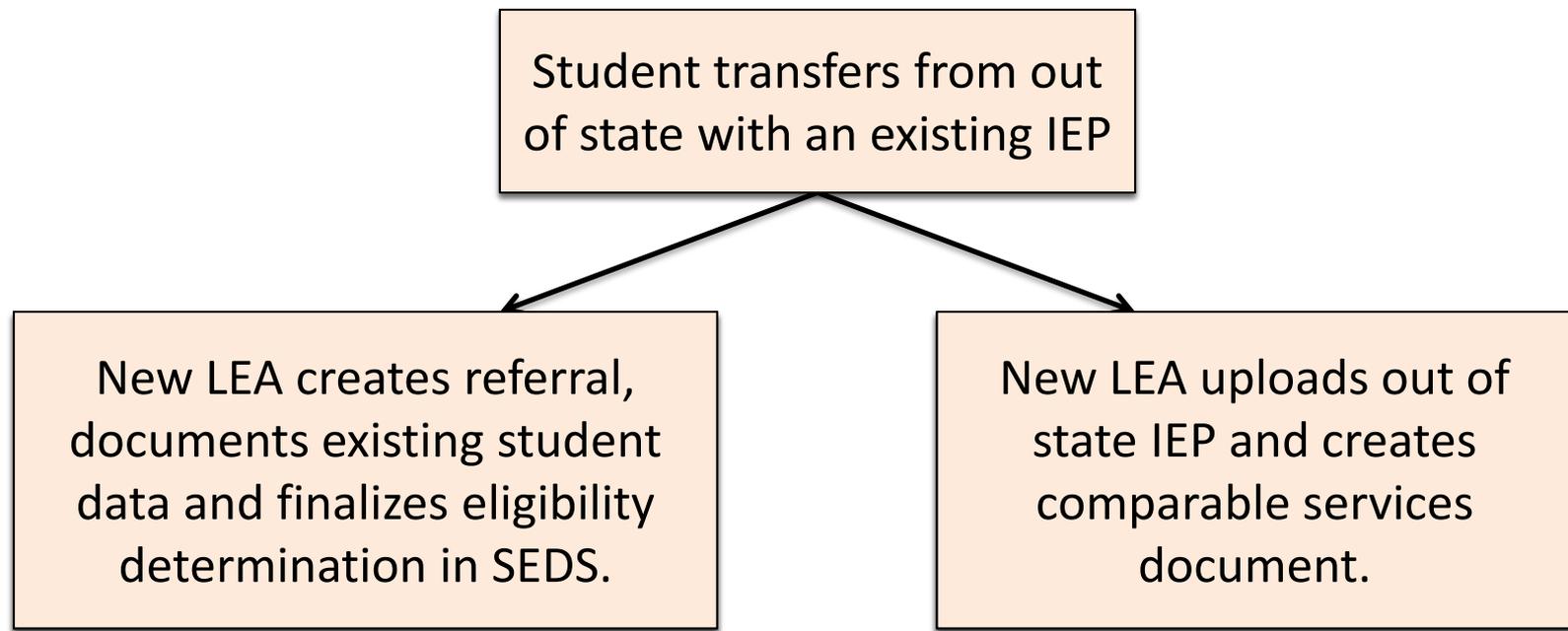
# Evaluating the Appropriateness of Existing IEPs

## Private School Transfers



# Evaluating Appropriateness of Existing IEPs

- When a student with an existing IEP transfers to a new LEA, the new LEA must undertake two separate processes simultaneously:



# Documentation of Comparable Services

**Case Scenario:** Gina transferred from out-of-state to an LEA in DC.

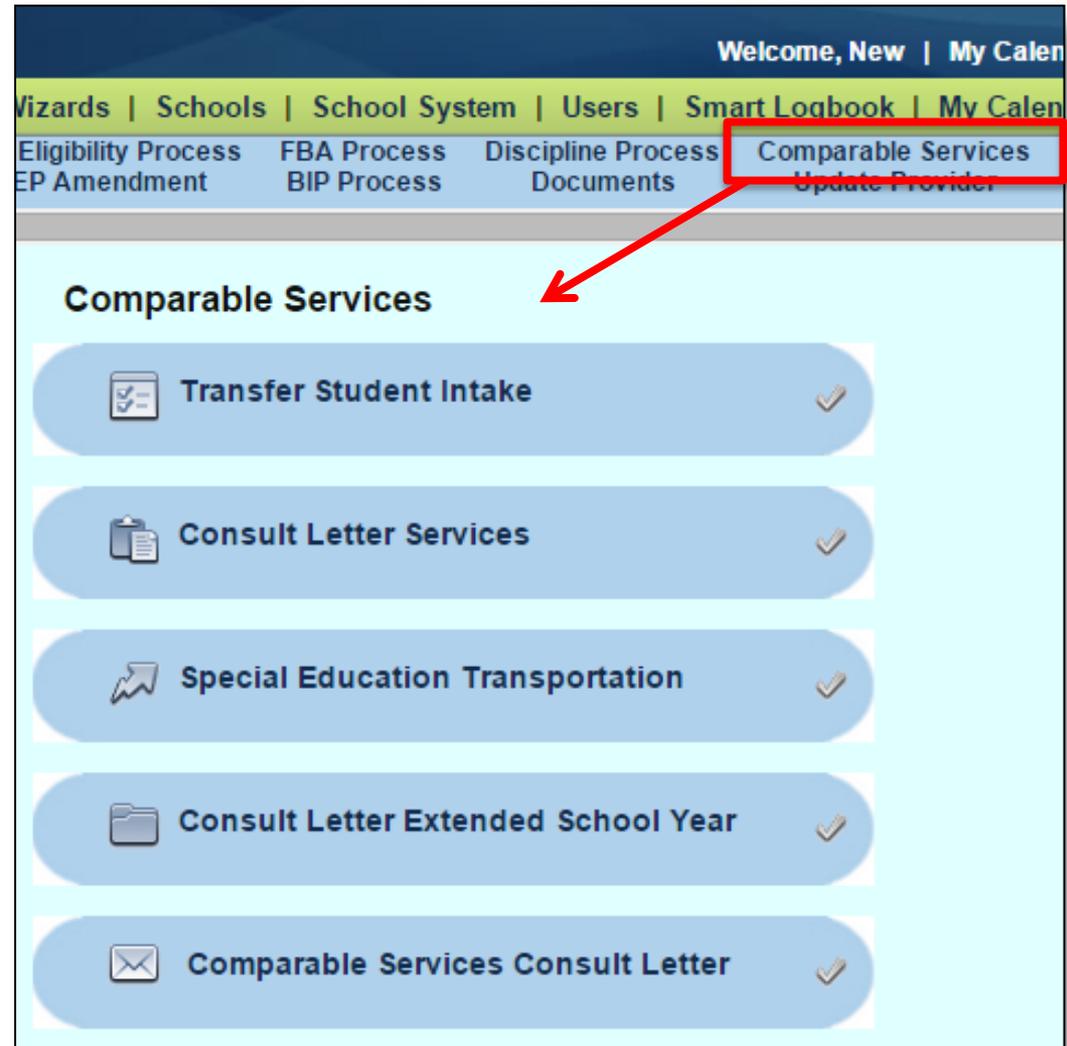
Gina's mom told the school that Gina was receiving IEP services at her previous school.

The new LEA immediately reached out to the previous school and was able to receive a copy of Gina's existing out-of-state IEP.

The new LEA wants to begin implementing comparable services as soon as possible.

# Documentation of Comparable Services

1. Work with the school registrar to ensure the transfer student is properly enrolled (and thereby shows up in SEDS).
2. Go to the “Comparable Services” tab to begin the Transfer Student Intake process.
3. Complete all 5 sections of this process.



# Documentation of Comparable Services

**PART 1: Transfer Student Intake:** Once the out-of-state IEP is obtained, upload it to SEDS by creating a cover sheet. This same process can be used for private school Individual Services Plans (ISPs).

**Transfer Student Intake** **Gina General1101**

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**Student Information**

Student Name	Local ID	State USI	Date of Birth	Student Grade
Gina General1101	GINA1101	TRN0016644	06/01/1999	5th Grade

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**LEA / School Information**

LEA of Enrollment	School / Site	Case Manager
Docs Demo	1st Street Academy	Lea Admin101

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Transfer Student Existing Program:

Create EasyFAX Cover Sheet for Out-Of-State IEP

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Date Generated	Document Type	Attachments	Date Received	Upload
12/29/2014	<a href="#">EasyFAX External IEP Cover Sheet</a>	<a href="#">Gina Out-of-State IEP</a>	12/29/2014	<div style="border: 1px solid green; padding: 2px 10px; display: inline-block;">Upload Files</div>

Permitted file extensions are: PDF, DOC, XLS, TXT, RTF, PPT, TIF, JPG, PNG, XLSX, PPTX, and DOCX  
No file may be greater than 3.00 MB in size.



# Documentation of Comparable Services

**PART 2: Consult Letter Services:** Create a comparable services document by adding specialized instruction and related services that are similar or equivalent to what is listed in the existing out-of-state IEP.

**Consult Letter Services**
**Gina General1101**

**Special Education Services**

Del	Special Education Service	Setting	Amount of Time	Begin Date *	End Date *	Provider *	
<input type="checkbox"/>	Specialized Instruction	General Education ▼	15 hr per wk ▼	01/05/2015	01/04/2016	Lea Admin101 ▼	<a href="#" style="background-color: #d9ead3; padding: 2px 5px; border: 1px solid #ccc;">Details</a>

[Add Special Education Service](#)

**Related Services**

Del	Related Service	Setting	Amount of Time	Begin Date *	End Date *	Provider *	
<input type="checkbox"/>	Speech-Language Pathology	Outside General Education ▼	60 min per wk ▼	01/05/2015	01/04/2016	Art Articulate ▼	<a href="#" style="background-color: #d9ead3; padding: 2px 5px; border: 1px solid #ccc;">Details</a>

[Add Related Service](#)

# Documentation of Comparable Services

**PART 3: Special Education Transportation:** This page allows an IEP team to quickly determine if a transfer student qualifies for transportation services (without waiting for the full IEP process to be completed 60 or 90 days later).

- This page replicates the transportation page in the regular IEP process, and requires all of the same information, including a transportation eligibility worksheet.

Special Education Transportation				Gina General1101
Student Information				
Student Name	Local ID	State USI	Date of Birth	Student Grade
Gina General1101	GINA1101	TRN0016644	06/01/1999	5th Grade
LEA / School Information				
LEA of Enrollment	School / Site		Case Manager	
Docs Demo	1st Street Academy		Lea Admin101	

**Eligibility Criteria for Special Education Transportation Services**

 The student's IEP Team is required to apply the established state-level criteria to determine eligibility for special education transportation services. IEP Teams should consider eligibility under the following category order: Medically Fragile Student (MFS), Structured Transportation Supports (STS), and Accessing Specialized Program (ASP).

# Documentation of Comparable Services

**PART 4: Extended School Year (ESY) Services:** This page allows an IEP team to quickly determine if a transfer student qualifies for ESY services (without waiting for the full IEP process to be completed 60 or 90 days later).

- This page replicates the ESY page in the regular IEP process, and requires all of the same information, including the ESY eligibility worksheet.

Extended School Year Services				Gina General1101
Student Information				
Student Name	Local ID	State USI	Date of Birth	Student Grade
Gina General1101	GINA1101	TRN0016644	06/01/1999	5th Grade
LEA / School Information				
LEA of Enrollment	School / Site		Case Manager	
Docs Demo	1st Street Academy		Lea Admin101	
ESY Eligibility ?				
 The IEP Team is required to review the Extended School Year (ESY) Policy requirements prior to making a decision about the student's ESY eligibility. Follow the link to the Criteria Worksheet. Complete the worksheet to determine whether the student is eligible for ESY. Fax in the worksheet using the coversheet within five (5) business days of the ESY eligibility determination.				

# Documentation of Comparable Services

**PART 5: Comparable Services Consult Letter:** This last section of the process captures additional information needed to generate the comparable services consultation letter.

- LEA designee signs the letter.
- Letter and copy of the out-of-state IEP are provided to the parent.
- PWN for Initial Provision of Services is provided to the parent.

Comparable Services Consult Letter				Gina General1101
Student Information				
Student Name	Local ID	State USI	Date of Birth	Student Grade
Gina General1101	GINA1101	TRN0016644	06/01/1999	5th Grade
LEA / School Information				
LEA of Enrollment	School / Site		Case Manager	
Docs Demo	1st Street Academy		Lea Admin101	
 The LEA must provide the parent with a copy of the draft Consult Letter document and the Out-of-State IEP prior to creating the final Consult Letter.				
Create Transfer Comparable Services Document				
Classroom Accommodations	<input type="text"/>			
Procedural Safeguards Notice given to parent?	<input type="text"/>			



# **EXPIRED AND EXPIRING IEPS**

# Addressing Expired and Expiring IEPs

## In-State LEA to LEA Transfers

**Scenario:** An in-state transfer student's IEP is expired, or will expire within 30 days of enrollment in the new LEA.

**Responsibilities:** The new LEA must:

1. Presume that the student remains eligible for services under IDEA (unless documentation exists showing formal exit from special education).
2. Request SEDS records from previous LEA within 5 business days of enrollment.
3. Implement comparable services as soon as possible:
  - Similar or equivalent services to those listed in the expired/expiring IEP
4. Conduct an evaluation, if appropriate.
5. Develop a new IEP within 60 calendar days of enrollment.
6. Resolve any noncompliance in the student's record as soon as possible.

# Addressing Expired and Expiring IEPs

## Out-of-State Transfers

**Scenario:** An out-of-state transfer student's IEP is expired, or will expire within 30 days of enrollment in the new LEA.

**Responsibilities:** The new LEA must:

1. Presume that the student remains eligible for services under IDEA (unless documentation exists showing formal exit from special education).
2. Request SEDS records from previous LEA within 5 business days of enrollment.
3. Implement comparable services as soon as possible:
  - Similar or equivalent services to those listed in the expired/expiring IEP
4. Conduct an evaluation within 60 calendar days of enrollment.
5. Develop a new IEP within 90 calendar days of enrollment.
6. Resolve any noncompliance in the student's record as soon as possible.

# Effectuating an IEP Until Graduation

- LEAs are responsible for continuing to implement an IEP until formal exit or graduation with a diploma:
  - Formal exit from special education could include:
    - Student is determined no longer eligible under Part B
    - Parent withdraws consent for services
- If the student is on a non-diploma alternative certification track, the LEA must provide special education and related services to eligible students until the end of the semester that the student turns 22 years old.



# **PART C TO B TRANSITION**

# Part C to B Transition

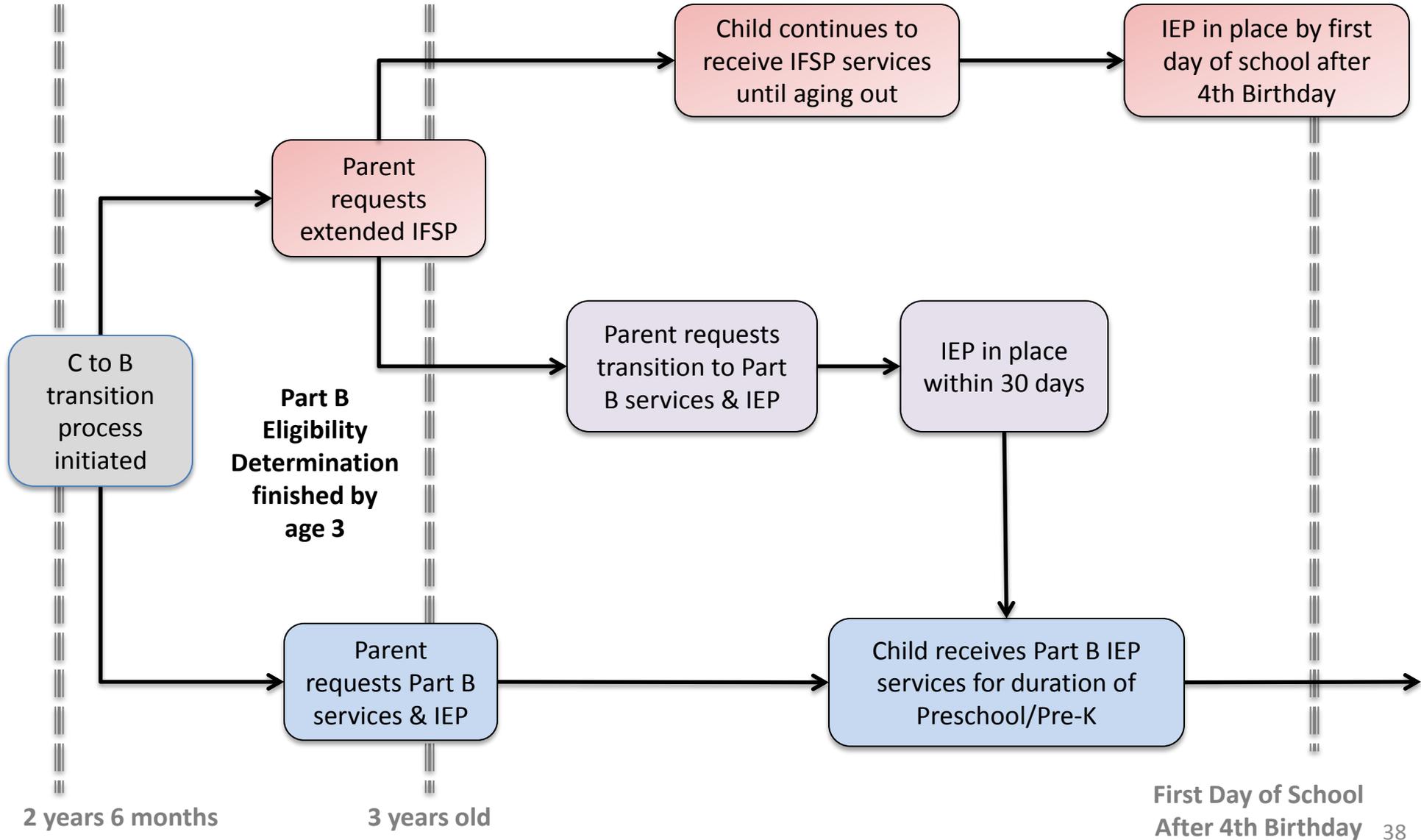
Infants and toddlers with disabilities receive early intervention services through an Individualized Family Service Plan (IFSP)

- Prior to the 3rd birthday, DC EIP and the LEA will hold a transition conference with the parent to explain all options.

## Extended IFSP Option

- LEA will conduct Part B eligibility determination prior to 3rd birthday for all children with current IFSPs.
- If the child is eligible for Part B services, the parent may elect to extend the IFSP beyond the 3rd birthday, in lieu of Part B IEP services.
- The child will continue to receive IFSP services until a transition event is triggered:
  - Parent requests to begin Part B IEP services at an LEA, OR
  - First day of school after the child's 4th birthday
- Once a child begins IEP services, an IFSP is no longer an option.

# Part C to B Transition



# Part C to B Transition

## Part C Extended IFSP Option

- Child must be found eligible under Part B in order to qualify to receive the Extended IFSP Option.
- Parent may choose to terminate the extended option at any time and transition to IEP services under Part B.
- Reestablishing eligibility upon transition is not necessary unless the LEA determines additional assessments are needed
  - If no additional assessments are needed, the LEA must develop an IEP within 30 calendar days of receiving notice of the parent's decision to transition to Part B.
  - If additional assessments needed, the LEA must complete an evaluation within 60 calendar days of notice.
  - In either case, the IEP shall be developed no later than 30 calendar days prior to the beginning of the school year after the child's 4th birthday.

# Part C to B Transition

## Individualized Family Service Plan (IFSP)\*

- Birth to 4 years old
- Early intervention services for the child and the family
- Focused on developmental needs and functional outcome areas:
  - Social, cognitive, communication, physical, emotional, adaptive
- Emphasizes natural environment (home, child care, etc.)
- Service coordinator assists family with IFSP process

## Individualized Education Program (IEP)

- Ages 3 to 21
- Specialized education & related services
- Focused on educational needs and present levels of academic achievement
- Emphasizes least restrictive environment (LRE)
- Enables student to access and make progress in general education curriculum

\*An Extended IFSP will include an educational component promoting school readiness, pre-literacy, language, and pre-numeracy.



# CONCLUSION

For questions about this policy, contact:

[OSSE.DSEpolicy@dc.gov](mailto:OSSE.DSEpolicy@dc.gov).

For questions about trainings and technical assistance,

contact: [OSSE.TTA@dc.gov](mailto:OSSE.TTA@dc.gov).