



Early ACCESS Policies

Overview

Introduction This document contains the policies of [REDACTED] that are to be implemented in Region [REDACTED] in accordance with the federal Individuals with Disabilities Education Act, Part C (IDEA, Part C) and the Iowa Administrative Rules for Early ACCESS.

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Regional Early ACCESS System Requirements

The [REDACTED] as Regional Grantee provides a regional system of coordinated, comprehensive, multidisciplinary, interagency programs providing appropriate early intervention services based on scientifically-based research, to the extent practicable, to all eligible infants and toddlers and their families, including Indian infants and toddlers and their families residing on a reservation or settlement geographically located in the Region; infants and toddlers with disabilities who are homeless children and their families; and infants and toddlers with disabilities who are wards of the state. This system is in collaboration with other Regional Grantees and the Lead Agency, the Iowa Department of Education, in order to ensure a coordinated, comprehensive, multidisciplinary interagency statewide system of early intervention services.

In Iowa, this system is known as Early ACCESS and services are provided in accordance with Part C-Individuals with Disabilities Education Improvement Act of 2004. The required components of that system follow:

- Eligibility and state definition of developmental delay
- Public awareness program
- Comprehensive child find system
- Evaluation and assessment (child and family)
- Individualized family service plan (IFSP)
- Early intervention services in natural environments
- Regional system of personnel development (CSPD)
- Personnel standards
- Regional Grantee responsibilities
- Procedural safeguards
- Identification and coordination of available resources
- Financial matters, including timely reimbursement and services
- Interagency agreements
- Resolution of individual disputes
- Contracting policies
- Data collection

Legal Requirements Statewide System Requirements

Federal Requirements:

- 20 U.S.C. 1433 General Authority
- 20 U.S.C. 1434 Eligibility
- 20 U.S.C. 1435(a)(2) Requirements for Statewide System

EARLY INTERVENTION SERVICES POLICY

Policies Related to Availability of Services

It is [REDACTED]'s policy that early intervention services, based on scientifically based research to the extent practicable and consistent with federal IDEA Part C statute and regulations, are available to all infants and toddlers with disabilities and their families, including Indian infants and toddlers with disabilities and their families residing on a reservation or settlement geographically located in the Region; infants and toddlers with disabilities who are homeless children and their families; and infants and toddlers with disabilities who are wards of the State.

Early Intervention services include:

- Assistive technology devices and services
- Audiology services
- Family training, counseling and home visits
- Health services necessary to enable the infant or toddler to benefit from other early intervention services
- Medical services only for diagnostic or evaluation purposes
- Nursing services
- Nutrition services
- Occupational therapy
- Physical therapy
- Psychological services
- Service Coordination services
- Signed Language and Cued Speech services
- Social work services
- Special instruction
- Speech-language pathology services
- Transportation and other related costs that are necessary to enable an infant or toddler and the infant's or toddler's family to receive another early intervention service
- Vision services

Definition of Early Intervention Services

Early Intervention Services means developmental services that:

1. Are provided under public supervision (*see Regional Grantee responsibilities below*);
2. Are provided at no cost except where Federal or State law provides for a system of payments by families, including a schedule of sliding fees (*see Financial Matters policy – Payment for Services*);
3. Are designed to meet the developmental needs of an infant or toddler with a disability, as identified by the individualized family service plan team, in any 1 or more of the following areas:
 - a. Physical development, including vision and hearing;

- b. Cognitive development
 - c. Communication development;
 - d. Social or emotional development; or
 - e. Adaptive development (*see Evaluation and Assessment*);
4. Meet Iowa service standards and IDEA Part C requirements (*see Financial Matters policy – timely provision of services*);
 5. Include the services identified above;
 6. Are provided by qualified personnel (*see Personnel Standards policy*);
 7. To the maximum extent appropriate, are provided in natural environments, including the home, and community settings in which children without disabilities participate (*see Natural Environments policy*); and
 8. Are provided in conformity with an individualized family service plan that meets Part C requirements (*see IFSP*).

Legal References

Early Intervention Services

Federal Requirements:

- 20 U.S.C. 1432(4) Definition of early intervention services.
- 20 U.S.C. 1435(a)(2) Requirements for Statewide System – scientifically research based early intervention services available to eligible children.
- 20 U.S.C. 1437(a)(3)(B) State Application and Assurances – early intervention services provided.

ELIGIBILITY CRITERIA POLICY AND PROCEDURES

It is the policy of [REDACTED] that eligibility criteria and procedures of Region [REDACTED] are in accordance with the Iowa Administrative Rules for Early ACCESS. Children eligible for early intervention services within Region [REDACTED]'s Early ACCESS system include infants and toddler from birth to the age of three years who have been determined by a multidisciplinary team to meet one of the following criteria:

- Have a condition, based on informed clinical opinion, known to have a high probability of resulting in later developmental delays in growth and development if early intervention services are not provided; or
- Have a developmental delay, which is defined as a 25 percent delay as measured by appropriate diagnostic instruments and procedures and based on informal clinical opinion, in one or more of the following developmental areas: cognitive development, physical development including vision and hearing, communication development, social or emotional development, and adaptive development.

Use of informed clinical opinion is emphasized when determining eligibility and means the integration of the results of evaluations, direct observations in various settings, and varied activities with the experience, knowledge, and wisdom of qualified personnel. Informed clinical opinion is used in conjunction with best practice evaluation and assessment. A multidisciplinary team determines eligibility of children for early intervention services based on the definition of eligible children as stated above. The multidisciplinary team means the involvement of two or more disciplines or professions in the provision of integrated and coordinated early intervention services.

Consistent with 20 U.S.C. § 1432(5)(B), the State of Iowa elects to not include children considered to be at risk of having substantial developmental delays in its definition of eligible children for Part C under this application.

Legal References

State Eligibility Criteria and Procedures

Federal Requirements:

20 U.S.C. 1435(a)(5)(A)	Comprehensive Child Find System
20 U.S.C. 1435(a)(1)	Definition of eligible children
34 CFR 303.16	Infants and toddlers with disabilities
34 CFR 304.300	State eligibility criteria and procedures
34 CFR 304.161	State definition of developmental delay

Iowa Requirements:

Iowa Administrative Rules for Early ACCESS:

281—120.4	Definitions: “Eligible Children,” “Informed Clinical Opinion,” and “Multidisciplinary Team”
281—120.8(1)(a-b)	Early ACCESS grantees
281—120.8(2)	Community partners
281—120.27(6)	Determination of eligibility

**COMPREHENSIVE CHILD FIND SYSTEM POLICY
INCLUDING CENTRAL DIRECTORY AND PUBLIC AWARENESS**

It is the policy of [REDACTED] that all infants and toddlers in Region [REDACTED], including Indian infants and toddlers with disabilities and their families residing on a reservation or settlement geographically located in the Region; infants and toddlers with disabilities who are homeless children and their families; and infants and toddlers with disabilities who are wards of the State, who are eligible for services under Part C are identified, located, and evaluated. A comprehensive coordinated child find system, consistent with Part B, exists in Region [REDACTED] that includes a system for making referrals to service providers that includes timelines and provides for participation by primary referral sources. [REDACTED] as Regional Grantee ensures rigorous standards for appropriately identifying infants and toddlers with disabilities for services under Part C that will reduce the need for future services. Referral to Early ACCESS is required for children under the age of three who are involved in a substantiated case of abuse or neglect or identified as affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure. The [REDACTED] as Regional Grantee has procedures in place for identifying these children, ensuring their referral to Early ACCESS.

[REDACTED] as Regional Grantee has in place a public awareness program focusing on early identification of infants and toddlers with disabilities who are eligible to receive early intervention services, including the dissemination of Lead Agency-prepared materials to all primary referral sources, especially hospitals and physicians, of information to be given to parents, especially to inform parents with premature infants, or infants with other physical risk factors associated with learning or developmental complications, regarding the availability of early intervention services under Part C-Individuals with Disabilities Education Improvement Act of 2004 and of services under Section 619, and procedures for assisting such sources in disseminating such information to parents of infants and toddlers with disabilities.

[REDACTED]'s public awareness and child find system includes the dissemination of information about the State's central directory of information (central point of entry for the statewide Early ACCESS system) to referral sources, families and the public.

Legal References

Comprehensive Child Find System
Including Central Directory and Public Awareness

Federal Requirements:

- 20 U.S.C. 1419 Availability of early intervention services
- 20 U.S.C. 1435(a)(5) Comprehensive child find system
- 20 U.S.C. 1435(a)(6) Public awareness program
- 20 U.S.C. 1435(a)(6) Requirements for a statewide system: public awareness program
- 20 U.S.C. 1435(a)(7) Central Directory
- 20 U.S.C. 1435(a)(10) Designated Lead Agency
- 20 U.S.C. 1437(a)(6) Referral for early intervention services

EVALUATION PROCEDURES

Evaluation of Infant, Toddler, and Family Needs

_____ as Regional Grantee assures that a timely, comprehensive, multidisciplinary evaluation will be provided for each referred infant or toddler, birth to age three, to identify the strengths, needs, and appropriate services of each child. Also, the Regional Grantee assures family-directed assessment of the resources, priorities and concerns of the family and the identification of the support and services necessary to enhance the family's capacity to meet the developmental needs of the child. More detailed descriptions of these procedures can be found in Region _____'s procedure documents.

Legal References Evaluation Procedures

IDEA 2004 Federal Requirements:

20 U.S.C. 1435(a)(3) Evaluation.

Iowa Requirements:

Iowa Administrative Rules for Early ACCESS:

281—120.4	Definitions...“Assessment” and “Evaluation”
281—120.8(1)(b)(5)	Early ACCESS Grantees
281—120.15(5)	Responsibilities of service coordinator
281—120.27(4)	Evaluation
281—120.27(5)	Family assessment
281—120.28	Nondiscriminatory procedures
281—120.30	Required timelines
281—120.34	IFSP process

Early ACCESS Memorandum of Agreement:

Early ACCESS Role and Responsibilities...Assessment/Eligibility

INDIVIDUALIZED FAMILY SERVICE PLANS (IFSPs)

Assessment and Program Development

_____ as Regional Grantee provides, at a minimum, for each infant or toddler with a disability, and the infant's or toddler's family:

- a multidisciplinary assessment of the unique strengths and needs of the infant or toddler and identifies appropriate services;
- a family-directed assessment of the resources, priorities, and concerns of the family and identifies supports and services necessary to enhance the family's capacity to meet the developmental needs of the infant or toddler; and
- a written individualized family service plan developed by a multidisciplinary team, including the parents, with a description of the appropriate transition services for the infant or toddler.

Periodic Review

The individualized family service plan will be evaluated once a year and the family provided a review of the plan every six months (or more often where appropriate, based on infant or toddler and family needs).

Promptness after Assessment

The individualized family service plan will be developed within a reasonable time after the assessment (within 45 days after the date of referral), in accordance with the Iowa Administrative Rules for Early ACCESS. Early intervention services may begin prior to the completion of the assessment with the parents' consent.

Content of an IFSP

_____ as Regional Grantee assures that contents of the IFSP will be in writing and include a statement of:

- The infant's or toddler's present levels of physical development; cognitive development; communication development; social or emotional development; and adaptive development, based on objective criteria;
- The family's resources, priorities, and concerns relating to enhancing the development of the family's infant or toddler with a disability;
- The measurable outcomes expected to be achieved for the infant or toddler and the family (including developmentally appropriate pre-literacy and language skills) criteria, procedures, and timelines to determine progress and whether modifications or revisions of the results or outcomes or services are necessary;

- The specific early intervention services (based on peer-reviewed research to the extent practicable), necessary to meet the unique needs of the infant and toddler and the family, including the frequency, intensity and method of delivering services;
- The natural environments in which early intervention services will be appropriately provided, including justification of the extent, if any, the services will not be provided in a natural environment;
- The projected dates for initiation of services and the anticipated length, duration, and frequency of the services;
- The identification of the service coordinator from the profession most immediately relevant to the infant's or toddler's or family's needs (or who is otherwise qualified to carry out all applicable responsibilities) who will be responsible for the implementation of the plan and coordination with other agencies and persons, including transition services;
- The steps to be taken to support the transition of the toddler with a disability to preschool or other appropriate services.

Parental Consent

The contents of the individualized family service plan will be fully explained to the parents and informed written consent from the parents obtained prior to early intervention services being provided. If the parents do not provide consent with respect to a particular early intervention service, then only the early intervention services to which consent is obtained shall be provided.

Procedures for the (1) development, review and evaluation for the IFSP, (2) who participates in the meetings and periodic reviews, (3) evaluation and assessment, and (4) contents of the IFSP are in accordance with Iowa Administrative Rules for Early ACCESS and can be found in Region []'s procedure documents.

Legal References

Individualized Family Service Plan (IFSPs)

Federal Requirements:

20 U.S.C. 1436 Individualized Family Service Plans (IFSPs)

20 U.S.C. 1435(a)(4) Requirements for Statewide System

PERSONNEL STANDARDS POLICY

It is the policy of [REDACTED] that personnel standards are consistent with the following:

- ***Appropriate professional requirements*** means that entry-level requirements for qualified and skilled providers of Early ACCESS supports and services:
 1. Are based on the highest requirements in the state applicable to the profession or discipline in which a person is providing early intervention services and
 2. Establishes suitable qualifications for personnel providing early intervention services to eligible children and their families who are served by state, local and private agencies.
- ***Highest requirements in the state applicable to specific profession or discipline*** means the highest entry level academic degree needed for any state approval or recognized certification, licensing, registration or other comparable requirements that apply to that profession or discipline.
- ***Profession or Discipline*** means a specific occupational category that:
 1. Provides early intervention services to eligible children/families;
 2. Has been established or designated by the state; and,
 3. Has a required scope of responsibility and degree of supervision.
- ***State approved or recognized certification, licensing, registration, or other comparable requirements*** means the requirements that a state legislature either has enacted or has authorized a state agency to promulgate through rules to establish the entry-level standards for employment in a specific profession or discipline in that state.
- ***Qualified providers.*** Providers of early intervention services shall meet the certification and licensure requirements of the licensing body governing the type of support or service being provided as a part of the child's IFSP.

It is the policy of [REDACTED] to maintain Iowa Early ACCESS Personnel Standards to ensure that personnel necessary to carry out the requirements of the Iowa Administrative Rules for Early ACCESS, including paraprofessionals and assistants, are appropriately and adequately prepared and trained are required of regional Early ACCESS Grantees.

It is the policy of [REDACTED] to utilize the personnel standards of signatory agencies for the provision of early intervention services. This is consistent with the collaborative interagency nature of the Early ACCESS system. Licensure boards govern licensure in Iowa. There are state statutes and rules that govern the issuance of licenses to qualified individuals. Information required to determine the status of licensed personnel is on file in four locations:

- Iowa Department of Education's Bureau of Practitioner Preparation and Licensure
- Iowa Department of Public Health's Bureau of Professional Licensure
- Iowa Board of Medical Examiners
- Iowa Board of Nursing

The professional standards by discipline for the state of Iowa can be found at the end of this section.

The Board of Educational Examiners and Licensure allows for instructional personnel to obtain a conditional license for up to three years after which the applicant must be eligible for the endorsement and be recommended by the college/university to add to the provisional, education or professional teacher license. All of these persons have a least a four-year college degree and a license to teach, although they may not hold the appropriate endorsement in the area to which they are presently assigned.

It is the policy of [REDACTED] that paraprofessionals and assistants who provide early intervention services to eligible children are appropriately trained and supervised, in accordance with the highest standards within the state. As stated above, the personnel standards of signatory agencies for paraprofessionals and assistants are utilized for the provision of early intervention services.

Information about the status of personnel standards in Iowa is on file with the Lead Agency and available to the public.

**Iowa Personnel Standards
Updated May 2006**

DISCIPLINE	EDUCATIONAL QUALIFICATIONS	CERTIFICATE OR LICENSE	NOTE
Audiologist	Master's Degree or equivalent	Licensed by the Speech Pathology and Audiology Board of the Iowa Dept. of Public Health.	
Audiologist – Education	Master's Degree	Licensed by Board of Educational Examiners	
Audiology Assistant	Complete a high school education, or its equivalent; and complete one of the following: 1. A three-semester-hour (or four-quarter-hour) course in audiology from an accredited educational institution and 15 hours of instruction in the specific tasks which the assistant will be performing; or 2. A minimum training period comprised of 75 clock hours on instruction and practicum experience.	Licensed by the Speech Pathology and Audiology Board of the Iowa Dept. of Public Health.	
Consultant – Early Childhood Special Education	Master's Degree	Licensed by Board of Educational Examiners	
Counselor – Mental Health	Master's Degree	Licensed by the Iowa Board of Behavioral Science Examiners of the Iowa Dept. of Public Health.	
Dietitian	Bachelor's Degree	Licensed by the Iowa Board of Examiners for Dietetics of the Iowa Dept. of Public Health.	
Early Childhood Special Education	Bachelor's Degree	Licensed by the Board of Educational Examiners	
Early Childhood - Education (Unified)	Bachelor's Degree	Licensed by the Board of Educational Examiners	
Interpreter of the Deaf	National Certification or acceptable level on performance-based test.	Iowa Board of Interpreter for the Hearing Impaired Examiners of the Iowa Dept. of Public Health	
Nurse, LPN	1 year of training	Licensed by the Iowa Board of Nursing	
Nurse, RN		Licensed by the Iowa Board of Nursing	
School Nurse	Bachelor's degree	Licensed by Board of Educational Examiners and Licensed by the Iowa Board of Nursing	
Nurse – Special Education	Bachelor's degree.	Licensed by the Iowa Board of Nursing and Statement of Professional Recognition issued by Board of Educational Examiners	

DISCIPLINE	EDUCATIONAL QUALIFICATIONS	CERTIFICATE OR LICENSE	NOTE
Occupational Therapist	Complete the requirements for a degree in occupational therapy in an occupational therapy program accredited by the Accreditation Council for Occupational Therapy Education of the American Occupational Therapy Association. The transcript shall show completion of a supervised fieldwork experience.	Licensed by Iowa Board of Physical and Occupational Therapy Examiners of the Iowa Dept. of Public Health.	
Occupational Therapist - education	Bachelor's Degree	Licensed by the Iowa Board of Physical and Occupational and Therapy and Statement of Professional Recognition issued by Board of Educational Examiners	
Optometrist	Doctor of Optometry Degree	Licensed by the Iowa Board of Optometry Examiners of the Iowa Dept. of Public Health	
Orientation and Mobility Specialist	Certified Orientation and Mobility Specialist (COMS)		No licensure or statewide certification policy
Paraeducator	Completion of the paraeducator preparation program from a recognized and approved program.	Certificate issued by Board of Educational Examiners	
Physical Therapist	Graduation from a physical therapy program accredited by a national accreditation agency approved by the board. BS or BA or higher.	Licensed by Iowa Board of Physical and Occupational Therapy Examiners of the Iowa Dept. of Public Health	
Physical Therapist –Education	Bachelor's Degree	Licensed by Iowa Board of Physical and Occupational Therapy Examiners of the Iowa Dept. of Public Health and Statement of Professional Recognition issued by Board of Educational Examiners	
Physical Therapist Assistant	Graduation from a PTA program accredited by a national accreditation agency approved by the board.	Licensed by Iowa Board of Physical and Occupational Therapy Examiners of the Iowa Dept. of Public Health	
Physician	Medical Degree	Licensed by the Iowa Board of Medical Examiners of the Iowa Dept. of Public Health	
Psychologist	Doctoral Degree	Licensed by the Iowa Board of Psychology Examiners of the Iowa Dept. of Public Health	
Psychologist - Education	Master's Degree	Licensed by Iowa Board of Educational Examiners	
Social Worker	Bachelor Level – Bachelor's Degree Master Level – Master's Degree Independent Level – Master's Degree	Licensed by the Iowa Board of Social Work Examiners of the Iowa Dept. of Public Health	
Social Worker – education	Master's Degree	Licensed or Statement of Professional Recognition issued by Iowa Board of	

DISCIPLINE	EDUCATIONAL QUALIFICATIONS	CERTIFICATE OR LICENSE	NOTE
		Educational Examiners - and-licensed by Board of Social Work Examiners of the Iowa Dept. of Public Health	
Speech/Language Pathologist	Master's Degree or equivalent	Licensed by the Speech Pathology and Audiology Board of the Iowa Dept. of Public Health	
Speech/Language Pathologist – Education	Master's Degree	1. License issued by Board of Educational Examiners or 2. Licensed by the Speech Pathology and Audiology Board of the Iowa Dept. of Public Health and a Statement of Professional Recognition issued by the Board of Educational Examiners	
Speech/Language Pathology Assistant I or II	Complete a high school education, or its equivalent; and complete one of the following: 1. A three-semester-hour (or four-quarter-hour) course in introductory speech and language pathology from an accredited educational institution and 15 hours of instruction in the specific tasks which the assistant will be performing; or 2. A minimum training period comprised of 75 clock hours on instruction and practicum experience.	Licensed by the Speech Pathology and Audiology Board of the Iowa Dept. of Public Health	
Targeted Case Manager	Bachelor's Degree or licensed Registered Nurse	Certified by Iowa Department of Human Services	
Teacher of Deaf and Hard of Hearing	Bachelor's Degree.	Licensed by Board of Educational Examiners.	
Teacher of Students with Visual Impairments	Bachelor's Degree.	Licensed by Board of Educational Examiners	

COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT (CSPD)

_____ as Regional Grantee has developed and is implementing a regional interagency comprehensive system of personnel development (CSPD) that is consistent with the requirements of IDEA Part B to ensure sufficient number of qualified and skilled providers of Early ACCESS supports and services.

This comprehensive personnel development system in collaboration with the Lead Agency:

1. Provides for pre-service and in-service training conducted on an interdisciplinary basis to the extent appropriate;
2. Provides for training of a variety of personnel needed to meet the requirements of IDEA, Part C, including public and private providers, primary referral sources, paraprofessionals, and persons who will serve as service coordinators; and
3. Ensures that the training provided relates specifically to:
 - Understanding the basic components of early intervention services available in Iowa;
 - Meeting the interrelated social/emotional, health, developmental, and educational needs of eligible children under IDEA, Part C; and
 - Assisting families in enhancing the development of their children, and in fully participating in the development and implementation of IFSPs.

_____ ensures that training is consistent with the CSPD and shall include:

1. Implementing innovative strategies and activities for the recruitment and retention of early intervention service providers;
2. Promoting the preparation of early intervention providers who are fully and appropriately qualified to provide early intervention services;
3. Training personnel to work throughout the state; and
4. Training personnel to coordinate transition services for eligible children from an early intervention program in Early ACCESS to a Part B preschool program or to other preschool or other appropriate services.

Legal References

Comprehensive System of Personnel Development (CSPD)

Federal Requirements:

20 U.S.C. 1435(a)(8)(A) and (B) Comprehensive system of personnel development

POLICY ON CONTRACTING OR OTHERWISE ARRANGING FOR SERVICES

In accordance with the Iowa Administrative Rules for Early ACCESS, it is the policy of _____ that all agency contracts or other arrangements with public or private service providers to provide early intervention services meet federal requirements, which include:

1. A requirement that all early intervention services from public or private providers meet state standards and be consistent with Part C.
2. The mechanisms that the Regional Grantee will use in arranging for these services, including the process by which awards or other arrangements are made; and
3. The basic requirements that must be met by any individual or organization seeking to provide these services for the Regional Grantee.

All agency contracts must also be in accordance with Iowa laws.

Legal References

Policy for Contracting or Otherwise Arranging for Services

IDEA 2004 Federal Requirements:

20 U.S.C. 1435(a)(11) Contracting

IDEA 1997 Federal Requirements:

34 CFR 303.175 Policy for contracting or otherwise arranging for services

34 CFR 303.526 Policy for contracting or otherwise arranging for services

Iowa Requirements:

Iowa Code:

28E.12 Contract with other agencies

Iowa Administrative Rules for Early ACCESS:

281-120.83(1) Policy for contracting or otherwise arranging for services

281-120.8(1) Early ACCESS grantees

281-120.12 Early intervention services

TRANSITION FROM PART C POLICY

It is a policy of the [REDACTED], as Regional Grantee/Area Education Agency that all children receiving early intervention services, experience a smooth and effective transition when exiting from Early ACCESS to Part B preschool (early childhood special education) or other services, in accordance with Federal Part C statute, Iowa Administrative Rules for Early ACCESS and Iowa Administrative Rules of Special Education.

Children Not Eligible for Part B

In the case of a child who may not be eligible for early childhood special education services under Iowa Administrative Rules for Special Education, with the approval of a parent of the child, the service coordinator shall make reasonable efforts to convene a transition planning meeting.

It is the procedure of [REDACTED] as Region [REDACTED] Grantee and AEA [REDACTED] to:

- Include families of children in the transition planning for their children;
- Convene a transition planning meeting among the Regional Grantee, the family and providers of other appropriate services not less than 90 days, and at the discretion of the parties, not more than 9 months before the child's third birthday,
 - To discuss the appropriate services that the child may receive, and
 - To review the child's service options for the period from the child's third birthday through the remainder of the school year; and
 - To establish a written transition plan, including, as appropriate, steps to exit from the Early ACCESS program.

Children Potentially Eligible for Part B

In the case of a child who may be eligible for early childhood special education services in accordance with Iowa Administrative Rules for Special Education, with the approval of a parent of the child, the service coordinator shall make reasonable efforts to convene a transition planning meeting.

It is the procedure of [REDACTED] as Region [REDACTED] Grantee and AEA [REDACTED] to:

- Include families of children in the transition planning for their children;
- Notify the Area Education Agency for the area in which such a child resides that the child will shortly reach the age of consideration for eligibility for early childhood special education services under Part B of IDEA.
- Convene a transition planning meeting among the Regional Grantee, the family and providers of other appropriate services not less than 90 days, and at the discretion of the parties, not more than 9 months before the child's third birthday,
 - To discuss the appropriate services that the child may receive, and
 - To review the child's service options for the period from the child's third birthday through the remainder of the school year; and

- Establish a written transition plan, including, as appropriate, steps to determine eligibility for early childhood special education services or exit from the Early ACCESS program.

Children Eligible for Part B

In the case of a child who is eligible for early childhood special education services in accordance with Iowa Administrative Rules for Special Education, with the approval of a parent of the child, the service coordinator shall make reasonable efforts to convene a transition planning meeting.

It is the procedure of [REDACTED] as Region [REDACTED] Grantee and AEA [REDACTED] to:

- Follow the procedures described above for children who may be eligible for early childhood special education services; and to
 - Consider the child's service options for the period from the child's third birthday through the remainder of the school year, including determination of the need for extended school year services during the summer in order to receive a free and appropriate public education;
 - Invite the service coordinator or other representatives of the Early ACCESS system to the individualized education program (IEP) meeting at the request of the parent to assure a smooth transition; and
 - Develop and implement an IEP in accordance with Administrative Rules for Special Education by the child's third birthday.

Release of Records

Furthermore, it is a policy of the [REDACTED], as Regional Grantee/Area Education Agency that service coordinators will release a child's record to the AEA or local education agency (LEA), without parental consent, in order to facilitate the child's smooth transition to early childhood special education services under Part B. Records that will be transmitted include:

1. Evaluation and assessment information; and
2. Copies of IFSPs that have been developed and implemented.

Parental consent will be obtained prior to transmitting any records of the child to other applicable agencies or programs.

More detailed descriptions of these procedures can be found in Regional Grantee [REDACTED]'s /AEA [REDACTED]'s procedures documents.

Legal References

Transition to Preschool Programs and Other Appropriate Services

Federal Requirements:

- 20 USC 1412(a)(9).....Requirements for a transition plan from Part C to Part B
- 20 USC 1414(d)(D)(B).....Individualized Education Programs
- 20 USC 1436(a)(8).....Individualized Family Service Plan
- 20 USC 1437(a)(9)(A-C)State transition policies
- 20 USC 1438(3).....Use of funds

Iowa Requirements:

Iowa Administrative Rules for Early ACCESS:

- 281-120.56 Transition process
- 281-120.57 Transition plan and continuity of services
- 281-120.58 Family involvement and notification of the local education agency
- 281-120.60 Transition planning for students not eligible for Part B preschool services
- 281-120.61 Transition planning for students eligible for Part B preschool

Iowa Administrative Rules of Special Education

- 281-41.18Responsibilities of agencies
- 281-41.75Transition from Part C to Part B

EQUITABLE DISTRIBUTION OF RESOURCES

Services to All Geographic Areas

Services to all eligible children and families in Region [REDACTED] are assured through the existence of a region wide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services in coordination with the statewide Early ACCESS system.

[REDACTED] has established policies and procedures that will ensure the appropriate provision of early intervention services statewide including providing services to Indian infants and toddlers and their families residing on a reservation or settlement geographically located in the state; infants and toddlers with disabilities who are homeless children and their families; and infants and toddlers with disabilities who are wards of the State.

Legal References

Equitable Distribution of Resources

Federal Requirements:

20 U.S.C. 1437(a)(7) Services in all geographic areas

PROCEDURAL SAFEGUARDS

It is the policy of [REDACTED] as Regional Grantee that eligible infants and toddlers and their parents are afforded the procedural safeguards required under Individuals with Disabilities Education Act, Part C, as amended in 2004. Public agencies have procedural safeguards material included within their IFSP procedures for each family. A copy of procedural safeguards available to the parents of an infant or toddler with a disability shall be given to the parents only one time a year, except that a copy also shall be given to the parents upon initial referral or parental request for evaluation, upon the first occurrence of the filing of a complaint, and upon request by a parent.

Confidentiality of Information

Personally identifiable information maintained by [REDACTED] as Regional Grantee, and service providers in Region [REDACTED] for eligible infants and toddlers is protected and confidential and complies with FERPA requirements. This includes the right of parents to written notice of and written consent to the exchange of such information among agencies.

Parent Consent; Right to Decline Service

The contents of the IFSP shall be fully explained to the parents and informed written consent from the parents shall be obtained prior to the provision of early intervention services described in the IFSP. If parents do not provide consent with respect to a particular early intervention service, then only the services to which consent is obtained shall be provided. The parents of an eligible infant or toddler have the right to determine whether they, their child, or other family members will accept or decline any early intervention service without jeopardizing other early intervention services.

Opportunity to Examine Records

The parents of an eligible infant or toddler must be afforded the opportunity to inspect and review records relating to assessment, screening, eligibility determination, development and implementation of the IFSP.

Educational Surrogate

Regional Grantees shall ensure that the rights of an infant or toddler are protected whenever the parents of the infant or toddler are not known or cannot be found or if the infant or toddler is a ward of the State under the laws of Iowa. This includes the assignment of an individual (who shall not be an employee of the Lead Agency, or other State agency, and who shall not be any person, or any employee of a person, providing early intervention services to the infant or toddler or any family member of the infant or toddler) to act as a surrogate for the parents.

Written Prior Notice; Native Language

The parents of an eligible infant or toddler must be provided written prior notice whenever the State agency or service provider proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or placement of the infant or toddler with a disability, or the provision of appropriate early intervention services to the infant or toddler. The notice must inform the parents, in the parents' native language, unless it clearly is not feasible to do so.

Mediation

Mediation must be available to all parties to resolve disputes involving any matter, including matters arising prior to the filing of a complaint. Procedures shall ensure that the mediation process is:

- voluntary on the part of all parties;
- not used to deny or delay a parent's right to a due process hearing or to deny other rights afforded; and
- conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

_____ as Regional Grantee has procedures to offer to parents and local service providers that choose not to use the mediation process, an opportunity to meet, at a time and location convenient to the parents, with a disinterested party who is under contract with a parent training and information center or community parent resource center or an appropriate alternative dispute resolution entity, to encourage the use, and explain the benefits, of the mediation process to parents.

The State shall maintain a list of individuals who are qualified as mediators and knowledgeable in laws and regulations relating to the provision of early intervention services. Also, the State shall bear the cost of the mediation process, including the costs of meetings with a disinterested party who is under contract with a parent training and information center or community parent resource center or an appropriate alternative dispute resolution entity, to encourage the use, and explain the benefits, of the mediation process to parents.

Each session in the mediation process shall be scheduled in a timely manner and held in a location that is convenient to the parties to the dispute.

In the case that a resolution is reached to resolve the complaint through the mediation process, the parties shall execute a legally binding agreement that sets forth the resolution and that:

- states that all discussions that occurred during the mediation process are confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding;
- is signed by both the parent and a representative of the agency who has the authority to bind such an agency; and
- is enforceable in any State court of competent jurisdiction or in a district court of the United States.

Discussions that occur during the mediation process are confidential and shall not be used as evidence in any subsequent due process hearing or civil proceeding.

Dispute Resolution: Complaints and Due Process Hearings

Complaints.

The Iowa Department of Education as Lead Agency shall adopt written procedures for:

- resolving any complaint, including a complaint filed by an organization or individual from another state, that any public agency or private service provider is violating a requirement of Part C of IDEA or of applicable rules;
- providing for the filing of a complaint with the Lead Agency or, at the Lead Agency's discretion, providing for the filing of a complaint with a public agency and the right to have the Lead Agency review the public agency's decision on the complaint; and is signed by both the parent and a representative of the agency who has the authority to bind such an agency; and
- widely disseminating the complaint procedures to parents and other interested individuals, including parent training centers, protection and advocacy agencies, independent living centers and other appropriate entities.

In resolving a complaint in which it finds a failure to provide appropriate services, the Iowa Lead Agency, pursuant to its general supervisor authority under Part C, must address:

- how to remediate the denial of those services, including, as appropriate, the awarding of monetary reimbursement or other corrective action appropriate to the needs of the child and the child's family; and
- appropriate future provision of services for eligible children and their families.

An individual or organization may file a written signed complaint with the Lead Agency that includes a statement that the Lead Agency or a Regional Grantee has violated a requirement of Part C of IDEA or Iowa Administrative Rules for Early ACCESS and the facts on which the complaint is based. The alleged violation must have occurred not more than one year before the date that the complaint is received by the Lead Agency, unless a longer period is reasonable because the alleged violation continues for that child or other children, or the complainant is requesting reimbursement or corrective action for a violation that occurred not more than three years before the date on which the formal complaint is received.

There shall be a time limit of 60 calendar days after a formal complaint is filed with the Iowa Lead Agency in which the Lead Agency shall:

- carry out an independent on-site investigation, if the Lead Agency determines that an investigation is necessary;
- give the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint;
- review all relevant information and make an independent determination as to whether the public agency is violating a requirement of Part C of IDEA or these rules; and

- issue a written decision to the complainant that addresses each allegation in the complaint and contains:
 - (1) Findings of fact and conclusions; and
 - (2) The reasons for the Lead Agency's final decision.

The Lead Agency's complaint procedures shall permit an extension of the time limit only if exceptional circumstances exist with respect to a particular complaint, and must include procedures for effective implementation of the Lead Agency's final decision, if needed, including technical assistance activities, negotiations, and corrective actions to achieve compliance.

Due Process Hearings.

Whenever a request for a due process hearing [complaint] has been received relating to the identification, evaluation, educational placement, or provision of early intervention services to an eligible infant or toddler or family, the parents or Regional Grantee involved in such a complaint shall have the opportunity for an impartial due process hearing conducted by the Iowa Department of Education. When a hearing is initiated, [REDACTED] as Regional Grantee must inform the parents of the availability of mediation.

The hearing shall be conducted by the Lead Agency, and shall have procedures that require the parent of an eligible infant or toddler or the attorney representing the infant or toddler to provide a due process complaint notice (which must remain confidential) to the Regional Grantee in a request for a hearing. The notice must include:

1. The name of the infant or toddler;
2. The address of the residence of the infant or toddler;
3. A description of the nature of the problem of the infant or toddler relating to the proposed or refused initiation or change, including facts relating to the problem; and
4. A proposed resolution of the problem to the extent known and available to the parents at the time.

The Lead Agency has developed a model form to assist parents in filing a request for a due process hearing. The Lead Agency or [REDACTED] as Regional Grantee shall not deny or delay a parent's right to a due process hearing for failure to provide notice.

Not less than five business days prior to a hearing, each party must disclose to all other parties all evaluations completed by that date and recommendations based on the offering party's evaluations that the party intends to use at the hearing. A hearing officer (referred to in Iowa practice as an administrative law judge) may bar any party that fails to comply from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.

A hearing may not be conducted by a person who is an employee of the State agency or an agency that is involved in the provision of early intervention services, or by any person having a personal or professional interest that would conflict with his or her objectivity in the hearing. The hearing officer must possess knowledge of and the ability to understand the provisions of IDEA, Federal and State regulations, and legal interpretations by Federal and State courts;

conduct hearings in accordance with appropriate, standard legal practice; and render and write decisions in accordance with appropriate, standard legal practice. A person who otherwise qualifies to conduct a hearing is not an employee of the Lead Agency solely because he or she is paid by the agency to serve as a hearing officer. The Lead Agency will keep a list of persons who serve as administrative law judges. The list must include a statement of the qualifications of each of those persons.

The party requesting the due process hearing shall not be allowed to raise issues at the hearing that were not raised in the notice unless the other party agrees otherwise.

A parent or agency shall request an impartial due process hearing within two years of the date the parent or agency knew or should have known about the alleged action that forms the basis of the complaint. The timeline shall not apply to a parent if the parent was prevented from requesting the hearing due to specific misrepresentation by [REDACTED] as Regional Grantee that it has resolved the problem forming the basis of the complaint, or [REDACTED]'s as Regional Grantee withholding of information from the parent that was required to be provided to the parent.

A decision made by an administrative law judge shall be made on substantive grounds based on a determination of whether the infant or toddler has received appropriate early intervention services. In matters alleging a procedural violation, an administrative law judge may find that a infant or toddler did not receive appropriate early intervention services only if the procedural inadequacies impeded the infant or toddler's right to appropriate early intervention services; significantly impeded the parents' opportunity to participate in the decision-making process regarding the provision of appropriate early intervention services; or caused a deprivation of educational benefits.

The Lead Agency shall ensure that no later than 30 days after the receipt of a request for a hearing, a final decision is reached in the hearing, and a copy of the decision is mailed to each of the parties. An administrative law judge may grant specific extensions of time at the request of either party. Each hearing must be conducted at a time and place that is reasonably convenient to the parents and infant or toddler involved. Any party to a hearing has the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of eligible infants and toddlers;
2. Present evidence and confront, cross-examine, and compel the attendance of witnesses;
3. Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five business days before the hearing;
4. Obtain a written, or at the option of the parents, electronic, verbatim record of the hearing; and
5. Obtain written, or at the option of the parents, electronic findings of fact and decisions.

The Lead Agency, after deleting any personally identifiable information, shall transmit the finding and decisions to the State Interagency Coordinating Council, and make those findings and decisions available to the public.

Any party aggrieved by the findings and decision made by an administrative law judge has the right to bring a civil action in State or Federal court under section 639(a)(1) of the Act. The action may be brought in any State court of competent jurisdiction or in a district court of the United States without regard to the amount in controversy. In any action, the court shall receive the records of the administrative proceedings; shall hear any additional evidence at the request of a party; and basing its decision on the preponderance of the evidence, shall grant the relief that the court determines to be appropriate.

In any action or proceeding brought under IDEA laws governing procedural safeguards, the court, in its discretion, may award reasonable attorneys' fees as part of the costs to the prevailing party who: is the parent of an infant or toddler with a disability; or the Lead Agency or [REDACTED] as Regional Grantee against the attorney of a parent who files a complaint or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of a parent who continued litigation after the litigation clearly became frivolous, unreasonable, or without foundation; or the Lead Agency or [REDACTED] as Regional Grantee against the attorney of a parent, or against the parent, if the parent's complaint or subsequent cause of action was presented for any improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation.

A court award for reasonable attorney's fees is subject to the following:

1. The award must be based on prevailing rates in the community in which the action arose for the kind and quality of services furnished. No bonus or multiplier may be used in calculating the fee award.
2. Attorney fees and related costs may not be reimbursed for services performed subsequent to the time of a written offer of settlement to a parent if: the offer is made within the time prescribed by Federal Rule of Civil Procedure 68, or in the case of an administrative proceeding, at any time more than 10 days before the proceeding begins; the offer is not accepted within 10 days; and the court or hearing officer finds that the relief finally obtained is not more favorable to the parents than the offer of settlement. However, if the parent prevails and was substantially justified in rejecting the settlement offer an award of attorney fees and related costs may be made.
3. Attorney fees may not be awarded related to any meeting of the IFSP team unless the meeting is convened as a result of an administrative proceeding or judicial action.
4. The court may reduce the amount of attorney fees awarded if: the parent or parent's attorney unreasonably protracted the final resolution of the controversy, the amount unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation and experience; the time spent and legal services furnished were excessive considering the nature of the action/proceeding; or, the attorney representing the parent did not provide to [REDACTED] as Regional Grantee the appropriate information in the due process hearing request required by regulation.

Attorney fees may not be reduced if the court finds the state or local agency unreasonably protracted the final resolution, or there was a violation of the Procedural Safeguards.

Services During Pendency of Proceedings

During the pendency of any proceeding or any action involving a complaint by the parents of an infant or toddler with a disability, unless the State agency and the parents agree otherwise, the infant or toddler shall continue to receive the appropriate early intervention services currently being provided or, if applying for initial services, shall receive the services not in dispute.

Legal References
Procedural Safeguards

Federal Requirements:

20 U.S.C. 1439(a)	Minimum Procedures (Procedural Safeguards
20 U.S.C. 1439 (b)	Service During Pendency of Proceedings
20 U.S.C. 1415(d)	Procedural safeguards notice
20 U.S.C. 1415(e)	Mediation
20 U.S.C. 1415(f)	Impartial due process hearing
20 U.S.C. 1415(g)	Appeal
20 U.S.C. 1415(h)	Safeguards
20 U.S.C. 1415(i)	Administrative Procedures

Iowa Requirements:

Iowa Code, Chapter 256B—Special Education

Iowa Administrative Rules for Early ACCESS:

281—120.4	Definition “Public Agency”
281—120.65	Records
281—120.66	Prior written notice
281—120.67	Parental consent
281—120.68	Surrogate parents
281—120.69	Complaints
281—120.70	Mediation
281—120.71	Due process hearings
281—41	Iowa Administrative Rules of Special Education

Directory Information Designation

It is the policy of the [REDACTED] that directory information is designated for eligible children and families in accordance with the Federal Education Records Protection Act (FERPA).

Ordinarily, student (child) records may not be disclosed to a third party without the written prior permission of a parent or guardian of the student (child). However, student's (child's) records may be disclosed in limited circumstances without parental permission. Directory information is one circumstance that allows such disclosure.

It is the policy of [REDACTED] as Regional Grantee that designated directory information for children birth to age three includes only the eligible child's name.

Annual Notice

[REDACTED] must annually notify parents of Early ACCESS eligible children that their child's name is included as directory information. The notice must also inform parents that they may instruct the Regional Grantee to not release their child's directory information without written prior permission. After receiving the notice, parents have the responsibility to inform [REDACTED] that the parents do not want directory information to be released without permission. The notice may be distributed in a letter, newsletter, parent handbook, or other means that will reach parents.

Legal References

Directory Information

Federal Requirements:

20 USC 1232g(a) Family Educational Rights and Privacy Act (FERPA)
34 CFR 99.37 FERPA

POLICY ON TIMELY RESOLUTION OF DISPUTES

It is the policy of [REDACTED] that the following are implemented in the Region [REDACTED] Early ACCESS system.

Timely Administrative Resolution of Complaints (Child)

Any party aggrieved by the findings and decision regarding an administrative complaint has the right to bring civil action with respect to the complaint in any State court of competent jurisdiction or in a district court of the United States without regard to the amount in controversy. The court shall receive the records of the administrative proceedings, shall hear additional evidence at the request of the party, and, basing its decision on the preponderance of evidence, shall grant such relief as the court determines is appropriate.

Services During Pendency of Proceedings (Child)

During the pendency of any proceeding or any action involving a complaint by the parents of an infant or toddler with a disability, unless the State agency and the parents agree otherwise, the infant or toddler shall continue to receive the appropriate early intervention services currently being provided or, if applying for initial services, shall receive the services not in dispute.

Resolution of Intra and Interagency Disputes (System)

The Iowa Department of Education as Lead Agency in collaboration with [REDACTED] as Regional Grantee are responsible for resolving disputes. In Iowa, system-level disputes are defined as those that involve conflicts over the roles or responsibilities of an agency partner within the Early ACCESS system and may involve financial matters.

Whenever there is a system level dispute that involves the services provided by a single agency, dispute resolution procedures of that agency will be utilized to resolve the concern(s). In such instances, that agency's Signatory Agency representative may inform the State Early ACCESS Coordinator and Signatory Agencies of the dispute. Technical assistance from the Early ACCESS Regional Grantee, State Early ACCESS Coordinator or the Signatory Agency can be requested to resolve intra-agency disputes, as appropriate.

During a dispute, the state ombudsman must assign financial responsibility to the appropriate Signatory Agency or the Lead Agency as payor of last resort pursuant to the interagency agreement. The Lead Agency must make arrangements for reimbursement of any expenditures incurred by the agency originally assigned the responsibility and for reimbursement of the agency assigned responsibility by the ombudsman if a different agency is assigned responsibility upon final resolution of the dispute. To the extent necessary to ensure compliance with this provision, the Lead Agency shall refer the dispute to the Council or to the Governor and implement the procedures to ensure the delivery of services in a timely manner.

Part C funds may not be used to satisfy a financial commitment for services that would otherwise have been paid for from another public or private source, including any medical program

administered by the Secretary of Defense, but for the enactment of Part C. Early ACCESS funds, state and federal, shall be used only for early intervention services that an eligible child needs but is not currently entitled to under any other federal, state, local or private source.

Delivery of Services in a Timely Manner

Early intervention services are provided to children eligible for Early ACCESS in a timely manner, pending the resolution of disputes among public agencies or service providers.

_____ has procedures in accordance with the Iowa Administrative Rules for Early ACCESS for the timely provision of services, ensuring that no service to which a child is entitled is delayed or denied because of disputes between agencies regarding financial or other responsibilities.

Legal References

Timely Resolution of Disputes

Federal Requirements:

20 U.S.C. 1439(a)(1)	Minimum procedures (Procedural Safeguards)
20 U.S.C. 1439(b)	Services during pendency of proceedings
20 U.S.C. 1435(a)(10)(E)	Resolution of intra and interagency disputes
20 U.S.C. 1435(a)(10)(D)	Timely provision of services pending resolution of disputes
34 CFR 303.524	Resolution of disputes
34 CFR 303.525	Delivery of services in a timely manner

FINANCIAL MATTERS POLICY

Payor of Last Resort

- **Nonsubstitution.** It is [REDACTED]'s policy that Part C funds may not be used to satisfy a financial commitment for services that would have been paid for from another public or private source, including any medical program administered by the Secretary of Defense, but for the enactment of IDEA, Part C, except when considered necessary to prevent a delay in the receipt of appropriate early intervention services by an infant, toddler, or family in a timely fashion. Part C funds may be used to pay the provider of services pending reimbursement from the agency that has ultimate responsibility for the payment.

Establishing Financial Responsibility for Services

- **Obligations Related to and Methods of Ensuring Services.** An Early ACCESS Memorandum of Agreement (MOA), as ensured by the Governor of Iowa (or whomever is the designee), has been developed between Iowa's Lead Agency, the Iowa Department of Education, and the Signatory Agencies which include: Iowa Department of Public Health, Iowa Department of Human Services, and University of Iowa's Child Health Specialty Clinics. The agreement is effective for a time period of five years, and ensures the provision of, and financial responsibility for early intervention services that are consistent with Part C-Individuals with Disabilities Education Improvement Act of 2004.
- **Reimbursement for Services by Public Agency.** If a public agency other than an education agency fails to provide or pay for the services pursuant to the MOA, the [REDACTED] shall provide or pay for the provision of such services to the child. [REDACTED] is authorized to claim reimbursement for the services from the public agency that failed to provide or pay for such services and such public agency shall reimburse [REDACTED] pursuant to the terms of the interagency agreement or other mechanism as required (see *Timely Resolution of Disputes* policy).
- **Methods of Meeting Requirements.** These requirements are met through a signed agreement between Early ACCESS Signatory Agencies that clearly identify the responsibilities of each agency relating to the provision of services.

Reduction of Other Benefits.

Nothing in Part C-Individuals with Disabilities Education Improvement Act of 2004 shall be construed to permit the State to reduce medical or other assistance available or to alter eligibility under Title V of the Social Security Act (relating to maternal and child health) or Title XIX of the Social Security Act (relating to Medicaid for infants or toddlers with disabilities) within the State.

Legal References Financial Matters

Federal Requirements:

20 U.S.C. 1440 Payor of last resort

INTERAGENCY AGREEMENTS

An Early ACCESS Memorandum of Agreement (MOA) has been developed between the Lead Agency (Iowa Department of Education) and the Signatory Agencies which include the Iowa Department of Public Health, Iowa Department of Human Services, and University of Iowa's Child Health Specialty Clinics. The agreement is effective from June 2002 through May 2007 and meets the requirements under Part C-Individuals with Disabilities Education Improvement Act of 2004.

_____, as Regional Grantee, shall implement the Lead Agency's interagency agreement embodied in the MOA. _____, shall also enter into such other agreements as may be necessary to provide early intervention services to all eligible infants and toddlers and their families, including Indian infants and toddlers and their families residing on a reservation or settlement geographically located in the Region; infants and toddlers with disabilities who are homeless children and their families; and infants and toddlers with disabilities who are wards of the state.

Legal References

Interagency Agreements

Federal Requirements:

20 U.S.C. 1435(a)(10)(F) Interagency agreement

NATURAL ENVIRONMENTS POLICY

It is the policy of _____, as Regional Grantee, provides, to the maximum extent appropriate, early intervention services in natural environments. The provision of early intervention services for any infant or toddler with a disability occurs in a setting other than a natural environment that is most appropriate, as determined by the parent and the individualized family service plan team, only when early intervention cannot be achieved satisfactorily for the infants or toddler in a natural environment. The IFSP contains a statement of the natural environments in which early intervention services will be appropriately provided, including justification of the extent, if any, the services will not be provided in a natural environment.

Legal References

Natural Environments

Federal Requirements:

- | | |
|-----------------------|---|
| 20 U.S.C. 1432(4)(G) | Definition of early intervention services – provided in natural environments. |
| 20 U.S.C. 1435(a)(16) | Requirements for statewide system – natural environments |
| 20 U.S.C. 1436(d)(5) | Content of IFSP – natural environment statement and justification. |