

STATE ELIGIBILITY AND PUBLIC PARTICIPATION

Introduction

With the passage of Part C of the Individuals with Disabilities Education Act (IDEA) in 1986, Congress gave states an opportunity to develop services for infants and toddlers with developmental delays or disabilities and their families. The benefits of early intervention services have been demonstrated: the earlier intervention is started, the greater the ultimate dollar savings and the higher the rate of educational attainment for youngsters with developmental delays or disabilities. In addition, the quality of life for the child and the family is enhanced.

I. Statewide System of Services [34 CFR 303.101]

Kansas is committed to supporting a statewide, comprehensive, coordinated, multidisciplinary system of appropriate early intervention services for all infants and toddlers with developmental delays or disabilities and their families. Kansas seeks to enhance the capacity of KSITS, supporting state and local agencies and local tiny-k programs to identify, evaluate, and meet the needs of historically underrepresented populations (e.g., Native American infants and toddlers and their families residing on a reservation, children of immigrants, children of the homeless, and children in foster care). Additional emphasis includes minority, low-income, inner-city, and rural populations.

A. Principles used to guide the Kansas statewide system of services include:

- 1) The family is the most influential factor in their infant's or toddler's life.
- 2) The family is the most knowledgeable about their needs and their infant's or toddler's needs.
- 3) All infants and toddlers with developmental delays or disabilities should have the opportunity to achieve their maximum potential.
- 4) All infants and toddlers should be checked periodically to ensure that they are growing and developing normally.
- 5) Child and family needs change rapidly during the child's first three years of life, therefore, early intervention services should be flexible.
- 6) To be most effective, early intervention services must be individualized to meet the needs of the infant or toddler and her family.
- 7) The local community is the preferred place for an infant or toddler and his family to receive needed services.
- 8) An infant or toddler with a developmental delay or disability should be served, to the maximum extent appropriate, in natural environments, including the home and community settings in which children without developmental delays or disabilities participate.

- 9) No one agency or program can offer the full array of services that a child with a developmental delay or disability and the child's family may need.
 - 10) Comprehensive services can be achieved through coordinated efforts by various disciplines from multiple agencies.
- B. The minimum components of a statewide system as described in §34 CFR 303.111 through 303.126 are listed below:
- 1) A rigorous definition of developmental delay that will be used by Kansas' local tiny-k programs to appropriately identify infants and toddlers with developmental delays or disabilities who are in need of services under Part C of the IDEA
 - 2) A central directory of services, resources, experts, as well as research and demonstration projects, that is accessible to the general public and contains accurate, up-to-date information about KS ITS (*Kansas Resource Guide*. 1-800-332-6262. <http://ksresourceguide.org/index.htm>.)
 - 3) A timetable to ensure that early intervention services, based on scientifically-based research and evidence-based practices, to the extent practicable, are available to all Kansas infants and toddlers with developmental delays or disabilities and their families
 - 4) A public awareness program that focuses on early identification and that provides information to parents of infants and toddlers through primary referral sources
 - 5) A comprehensive child find and referral system
 - 6) Timely, comprehensive, multidisciplinary evaluations of the functioning of the infant or toddler and the needs of the family to appropriately assist in the development of their infant or toddler
 - 7) Individualized Family Service Plan (IFSP) and family service coordination services
 - 8) Policies and procedures to ensure that early intervention services, to the maximum extent appropriate, are provided in natural environments or in another setting only when early intervention services cannot be achieved satisfactorily in a natural environment
 - 9) A comprehensive system of personnel development
 - 10) Policies and procedures for personnel standards
 - 11) Procedural safeguards
 - 12) A single line of responsibility in a lead agency designated or established by the Governor
 - 13) A procedure for securing the timely reimbursement of funds
 - 14) A system for compiling and reporting timely and accurate data regarding program requirements of the local tiny-k programs

15) A policy pertaining to contracting or making other arrangements with local tiny-k programs, public or private individuals, or other agency service providers to provide early intervention services

16) A State Interagency Coordinating Council

In communities throughout Kansas, parents, local tiny-k programs, health and medical personnel, education agencies, child care centers, disability organizations, and other local entities are integral in the identification of, and successful service delivery to, infants and toddlers with developmental delays or disabilities. These entities are encouraged, by KSITS and Kansas' Coordinating Council on Early Childhood Developmental Services (CCECDS), to participate in their local interagency council to assist in the coordination of early intervention services within their community.

At the state level, the Kansas Department of Health and Environment (KDHE) as the lead agency, must assure (with the support of the CCECDS) the federal government that the statewide system of services is in place and functioning according to Part C of the IDEA and State laws and regulations to include application requirement federal regulations §§ 303.200 – 303.212 listed below:

- 1) Designation of a lead agency
- 2) Certification regarding financial responsibility
- 3) Description of services
- 4) Definition of and services for at-risk infants and toddlers
- 5) Use of funds
- 6) Referral policies
- 7) Availability of resources
- 8) Public participation policies
- 9) Transition of infants and toddlers
- 10) Coordination with other agencies
- 11) State option to make early intervention services available to children ages three and older
- 12) Equitable access and participation

II. Public Participation Procedures [34 CFR 303.208]

A. Part C Grant Application

Before submitting a Part C grant application to the Office of Special Education Programs (OSEP), Kansas Infant-Toddler Services (KSITS) places the application on the KSITS website, <http://www.ksits.org/>, during a designated 60-day comment period. Hard copies of the Grant are available upon request.

A notification for a Request for Comments is published in the Kansas Register. In addition, local tiny-k program coordinators, the CCECDS, the local ICC, and Families Together, Inc. are notified of the request. Comments are accepted in writing by submitting them to KSITS through U.S. Mail, or email. (See sample notice at end of this Section.)

B. State Policies and Procedures

The KSITS Part C grant application includes a description of policies and procedures used by them to ensure that, before adopting any new policy or procedure, including any revisions to existing policies or procedures needed to comply with Part C of the Act and its regulations, KSITS carries out the following activities:

- 1) Holds public hearings on the new policy or procedure (including any revision to an existing policy or procedure
- 2) Provides notice of the hearings at least 30 days before the hearings are conducted to enable public participation
- 3) Provides an opportunity for the general public, including individuals with disabilities, parents of infants and toddlers with disabilities, early intervention service providers, and the members of the state and local coordinating councils, to comment for at least 60 days on the new or revised policy and procedure. (See sample notice at end of this Section.)

C. Approval Before Implementation [34 CFR 303.101(c)]

The lead agency (KDHE) must obtain approval by the Secretary of the U.S. Department of Education before implementing any policy or procedure required to be submitted as part of the Kansas Infant-Toddler Services Part C grant application in §§ 303.203, 303.204, 303.206, 303.207, 303.208, 303.209, and 303.211.

III. Example Notices

**State of Kansas
Department of Health and Environment
Notice of Meeting**

A public meeting will be conducted by the Kansas Department of Health and Environment, as lead agency for Part C of the Individuals with Disabilities Education Act (IDEA), to receive comments from the public on the revision of the *Procedure Manual for Kansas Infant-Toddler Services/tiny-k*. The manual has been updated and revised to conform to federal regulations regarding the administration of Part C of IDEA in Kansas.

The public meeting will be conducted from 1:30 to 2:30 p.m. Thursday, March 28, utilizing video conferencing at the following sites:

Topeka – KS State Department of Education

120 S.E. 10th Avenue
(785) 296-3201

Salina - Smoky Hills Service Center

605 East Crawford Street (Room #2)
(785) 825-9185

Dodge City - The Learning Center

308 W. Frontview Road
(620) 227-1763

Clearwater – South Central KS Educational Service Center

13939 Diagonal Road
(620) 584-3300

Girard – Southeast KS Education Service Center, Greenbush

947 W. 47 Highway
(620) 724-6281

Complete copies of the draft procedure manual are available for review at www.ksits.org or a hard copy may be requested by calling (785) 296-6135 or 1-800-296-6262 (V/TTY). Comments are welcome at the public meeting or in writing by April 15, to KDHE, Kansas Infant Toddler Services, Bureau of Family Health, Suite 220, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1274. Comments may also be sent by email to swalters@kdheks.gov.

**Robert Moser, M.D.
Secretary
Department of Health and Environment**

State of Kansas
Department of Health and Environment
Request for Comments

The Kansas Department of Health and Environment, as lead agency for Part C of the Individuals with Disabilities Education Act (IDEA), is soliciting comments from the public on the revision of the *Procedure Manual for Kansas Infant-Toddler Services/tiny-k*. The manual has been updated and revised to conform to federal regulations regarding the administration of Part C of IDEA in Kansas.

The manual may be reviewed for 60 days from the publication of this notice on the KDHE website at www.ksits.org, or a hard copy may be requested by calling (785) 296-6135 or 1-800-332-6262 (V/TTY).

In order to be assured consideration in this process, comments will be accepted during this 60 day period. Recommendations or comments must be submitted on or before April 15 to the Kansas Department of Health and Environment, Kansas Infant Toddler Services, Bureau of Family Health, Suite 220, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1274. Comments also may be sent by email to swalters@kdheks.gov.

Robert Moser, M.D.
Secretary
Department of Health and Environment

State of Kansas
Department of Health and Environment
Request for Comments

The Kansas Department of Health and Environment, as lead agency for Part C of the Individuals with Disabilities Education Act (IDEA), is soliciting comments from the public on the revision of the *Procedure Manual for Kansas Infant-Toddler Services/tiny-k*. The manual has been updated and revised to conform to federal regulations regarding the administration of Part C of IDEA in Kansas.

The manual may be reviewed for 60 days from the publication of this notice on the KDHE website at www.ksits.org, or a hard copy may be requested by calling (785) 296-6135 or 1-800-332-6262 (V/TTY).

In order to be assured consideration in this process, comments will be accepted during this 60 day period. Recommendations or comments must be submitted on or before April 15 to the Kansas Department of Health and Environment, Kansas Infant Toddler Services, Bureau of Family Health, Suite 220, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1274. Comments also may be sent by email to swalters@kdheks.gov.

Robert Moser, M.D.
Secretary
Department of Health and Environment