

UTRGV - PSJA - EHS - CC Partnership Program



POLICY AND PROCEDURE FOR DISABILITY REFERRAL PROCESS, SERVICES, STAFFING AND PROVIDER REQUIREMENTS

Policy

A program must ensure enrolled children with disabilities, including but not limited to those who are eligible for services under IDEA19, and their families receive all applicable program services delivered in the least restrictive possible environment and that they fully participate in all program activities. (a) Programs must ensure the individualized needs of children with disabilities, including but not limited to those eligible for services under IDEA, are being met and all children have access to and can fully participate in the full range of activities and services. Programs must provide any necessary modifications to the environment, multiple and varied formats for instruction, and individualized accommodations and supports as necessary to support the full participation of children with disabilities. Programs must ensure all individuals with disabilities are protected from discrimination under and provided with all services and program modifications required by section 504 of the Rehabilitation Act (29 U.S.C. 794), the Americans with Disabilities Act (42 U.S.C. 12101 et seq.)18, and their implementing regulations. (b) While the local agency responsible for implementing IDEA determines a child's eligibility, a program must provide individualized services and supports, to the maximum extent possible, to meet the child's needs. Such additional supports may be available through a child's health insurance or it may be appropriate or required to provide the needed services and supports under section 504 of the Rehabilitation Act if the child satisfies the definition of disability in section 705(9)(b) of the Rehabilitation Act14. When such supports are not available through alternate means, pending the evaluation results and eligibility determination, a program must individualize program services based on available information such as parent input and child observation and assessment data and may use program funds for these purposes. (c) To ensure the individual needs of children eligible for services under IDEA are met, a program must: (1) Work closely with the local agency responsible for implementing IDEA, the family, and other service partners, as appropriate, to ensure: (i) Services for a child with disabilities will be planned and delivered as required by their IFSP or IEP, as appropriate; (ii) Children are working towards the goals in their IFSP or IEP; (iii) Elements of the IFSP or IEP that the program cannot implement are implemented by other appropriate agencies, related service providers and specialists; (iv) IFSPs and IEPs are being reviewed and revised, as required by IDEA; and, (v) Services are provided in a child's regular Early Head Start or Head Start classroom or family child care home to the greatest extent possible. (a) A program must coordinate with the local agency responsible for implementing IDEA to identify children enrolled or who intend to enroll in a program that may be eligible for services under IDEA, including through the process described in §1302.33(a)(3) and through participation in the local agency Child Find efforts. (b) A program must work to develop interagency agreements with the local agency responsible for implementing IDEA to improve service delivery to children eligible for services under IDEA, including the referral and evaluation process, service coordination, promotion of service provision in the least restrictive appropriate community-based setting and reduction in dual enrollment which causes reduced time in a less restrictive setting, and transition services as children move from services provided under Part C of IDEA to services provided under Part B of IDEA and from preschool to kindergarten. *Head Start Performance Standards 1302.60*

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Full participation in program services and activities, 1302.61 (a)(b)(c, i-v) Additional services for children, 1302.63(a-b) Coordination and collaboration with the local agency responsible for implementing IDEA.

Procedure

The UTRGV-PSJA-EHS-CCP Program will provide disability services to children with suspected disabilities enrolled in the program. The program will develop and establish a contract with a disability provider agency that can provide comprehensive services to children with suspected and/or identified disabilities enrolled in the program in which the Early Intervention Program (EI) and/or the Local Education Agency (LEA) is not able to evaluate and provide special education and related services to. The disability provider agency will have to meet all the requirements listed below:

- (1) Identification of Concern(s): A concern may be identified through screenings/assessments or expressed by parents/guardians, volunteers, staff members, consultant, medical authorities, dentist, registered dietitians, disability providers and others. Concerns may be addressed at any time from recruitment to departure from the program.
- (2) The Lead Teacher must fill out the referral forms (Referral Form and Easter Seals Referral Form) to send to the Disabilities Program Manager.
- (3) The Lead Teacher must notify the team members of the date, time, and place of any staffing related to a disabilities concern. Parents/Guardians must be notified in writing in advance of any staffing or meeting related to the services for their child's special needs. Written notice must be provided at least 24 hours before the meeting unless the parent/guardian requests a more expedited meeting. Staffing: The objective of this meeting is to discuss the child's strengths, needs, and behaviors. A plan of action will be developed if necessary. Team members and classroom staff members will revisit the plan as indicated in the agreement.
- (4) The Disabilities Program Manager must arrange for further, formal, evaluation of a child who has been identified as possibly having a disability.
- (5) The Disabilities Program Manager will send the keep the Teacher Referral Form and forward the Easter Seals Referral Form to Easter Seals when there is a need for evaluation
- (6) If Easter Seals is not able to evaluate the child, the UTRGV-PSJA-EHS-CCP Program is responsible for arranging or providing an evaluation. Using its own resources and accessing others. In this case, the evaluation must meet the following requirements:
 1. Testing and evaluation procedures must be selected and administered so as not to be racially or culturally discriminatory. Administered in the child's native language or mode of communication, unless it clearly is not feasible to do so.
 2. Testing and evaluation procedures must be administered by trained (State certified or licensed) personnel.
 3. No single procedure may be the sole criterion for determining an appropriate educational program for a child.
 4. The evaluation must be made by a multidisciplinary team or group of persons including at least one teacher or specialist with knowledge in the area of suspected disability.
 5. Evaluators must use only assessment materials which have been validated for the specific purpose for which they are used.
 6. Tests used with children with impaired sensory, manual or communication skills must be administered so that they reflect the children's aptitudes and achievement levels and not just the disabilities.

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7. Tests and materials must assess all areas related to the suspected disability.
8. In the case of a child whose primary disability appears to be a speech or language impairment, the team must assure that enough tests are used to determine that the impairment is not a symptom of another disability and a speech or language pathologist should be involved in the evaluation.
9. Parental consent in writing must be obtained before a child can have an initial evaluation to determine whether the child has a disability.
10. Confidentiality must be maintained in accordance with Grantee and State requirements. Parents must be given the opportunity to review their child's records in a timely manner and they must be notified and give permission if additional evaluations are proposed. Grantees must explain the purpose and results of the evaluation and make concerted efforts to help the parents understand them.
11. The multidisciplinary team provides the results of the evaluation, and its professional opinion that the child does or does not need special education and related services, to the Disabilities Program Manager. If it is their professional opinion that a child has a disability, the team is to state which of the eligibility criteria applies and provide recommendations for programming, along with their findings. Only children whom the evaluation team determines need special education and related services may be counted as children with disabilities.
12. The first initial contact to the campus will have to be to the Disabilities Program Manager and then it will be designated to the Lead Teacher. The Disability Providers are under the responsibility of the Lead Teacher at the campus level.
13. An orientation to all Disability Providers will be provided by the Lead Teacher prior to any service rendered. All Disability Providers need to report to the main office of the UTRGV-PSJA-EHS-CCP Program Campus upon arrival to the premises. The Disability Provider must sign in and sign out every time they are in the campus. The Disability Provider need to exit with the Lead Teacher or other UTRGV-PSJA-EHS-CCP staff assigned by the Director or Disabilities Program Manager in the event the Lead Teacher is not in the campus, every time services are rendered.
14. If the child is found eligible to receive services from Early Intervention Program Easter Seals or other Local Education Agencies (Part B), the parent/guardian and Lead Teacher and the team members will attend IFSP/IEP meetings with parent's/guardian's consent. Parent/Guardian will then sign a Parent/Guardian Consent for Special Services Form if the parent is in agreement. Services will be discussed and arranged for the child. If the parent/guardian is not in agreement, proper intervention is provided to the parent/guardian and documented. If parent/guardian continues not be in agreement, then parent/guardian will sign a Refusal or Services Form and the UTRGV-PSJA-EHS-CCP Program staff will discuss with parent/guardian the next types to follow.
15. IFSP/IEP will be implemented in the Classroom within 10 calendar days of the parent signing the IFSP/IEP, or within ten calendar days of entry if the child enters with a current IFSP/IEP. The child's CDP will include goals from the IFSP/IEP and the weekly lesson plans will document individualization in accordance with the IFSP/IEP/CDP goals.
16. If a child needs educational resources or coaching the Mentor Education coach will work with the Lead Teacher to provide scaffolding resources with guided support from the Disabilities Program Manager.

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17. If the child receives services from a private provider, the plan of care will be obtained from the private provider once the Authorization for Release and Exchange Information Form is signed by parent/guardian. The child's (CDP) will include goals from the plan of care and the weekly lesson plans will document individualization in accordance with the plan of care. The anecdotal notes in the classroom will track progress on meeting the plan of care / CDP goals.
 - If the child is receiving services out of the campus, part of the plan must include:
 - The reporting process to the campus and parents/guardian.
 - Documentation Instruments
 - Staffing report
 - Authorization for Release and Exchange Information Form
 - Parent/Guardian Consent for Evaluation Form
 - Parent/Guardian Consent for Special Services Form
 - Parent/Teacher Conference Form
 - Home Visit Form
 - CDP

Procedure for Staffing Report

1. A Staffing Notice form needs to be sent to the parent/guardian at least 24 hours prior to the scheduled staffing. Parent/guardians will then need to respond to the staffing notice and send back the staffing notice signed and dated with a response to the scheduled staffing to the UTRGV-PSJA Early Head Start and Child Care Partnership Program staff.
2. Once a staffing notice is received and a date and time has been agreed upon by both parties, then the staffing will be held with all the team members.
3. If there is a concern by the parent/guardian and/or the UTRGV-PSJA-Early Head Start-Child Care Partnership (UTRGV-PSJA-EHS-CCP) Program staff of the child's development or any other concerns; then the authorization of release and exchange of information, and the consent for evaluation forms will need to be signed and dated by the parent/guardian, with parent/guardians consent. The consents will then be valid and referrals can be made to appropriate agencies.
4. Original consents will be filed in the family file disability section and a copy will be provided to the parent/guardian for their records.
5. If the child qualifies for services after an evaluation has been conducted, then the parent/guardian will sign a consent for special services. The consent will give the UTRGV-PSJA-EHS-CCP Program authorization for the child to receive special education and related series. The consent will be valid for one school year.
6. Original consent will be filed in the family file disability section and a copy will be provided to the parent/guardian for their records.

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Easter Seals Referral Form

1. The name of the campus/center, the child's name, the child's date of birth, and the child's address will be completed on the form.
2. All possible services and evaluations that pertain to the child will be selected.
3. The name of the provider to which the child will be referred to for further evaluation and the description of the service the provider will provide for the child.
4. The parent/guardian will initial next to (I Do or Do Not) for both of the following: Giving consent for further evaluation of what was documented above and the exchange of information from and to the agencies.
5. After the parent/guardian has agreed, then they will sign and date the consent along with the UTRGV-PSJA-EHS-CCP Program staff.
6. A copy of the signed consent will be provided to the parent/guardian for their records and the original copy will be placed in the family file in the disability section.

Requirements for Disability Providers

- A valid criminal background check including FBI fingerprint check (updated every two years) using the appropriate State form Child Care Criminal History Form). For the State of Texas, every 4 years. (All expenses will be paid by the provider)
- A current record of Tuberculosis examination, showing the Disability Provider is free of contagious TB.
- A notarized form declaring that the Disability Provider had not been involved in criminal activity especially criminal activity with a child (Affidavit for Applicants for Employment with Facility or Registered Family Home or notarized statement).
- A statement that the Disability Provider has completed orientation to the Child Care Center. (Orientation provided by the Lead Teacher-(Disability) and under the responsibility of the Lead Teacher (at the campus level). The initial contact will be the Disabilities Program Manager and then they will be directed to the Lead Teacher for follow up.
- A current resume showing education and experience with children from Birth to Compulsory School Age and their families.
- Only Licensed Speech Pathologists authorized to provide services to children 0-3 years old by the State of Texas and in accordance with American Speech-Language Hearing Association may respond to this RFQ. Only Licensed Audiologists authorized to provide services to children 0-3 years old by the State of Texas in accordance with the American Speech Language-Hearing-Association (ASHA) may respond to this RFQ. Licensed Occupational Therapist (OT) and Physical Therapist (PT) by the Texas State Board of Texas Licensing authorized to provide services to children 0-3 years old by the State of Texas.
- A current First Aid and CPR certification for all Disability Providers for infants and toddlers.
- W-9 Form Completed for the Disability Provider Agency.
- Commercial General Liability insurance, including Blanket Contractual Liability, Broad Form Property Damage, Personal Injury, Premises Medical Payments, Interest of Employees as additional insured's, and Broad Form General Liability Endorsements, for at least Five

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- Hundred Thousand Dollars (\$500,000) Combined Single Limit Bodily Injury and Property Damage on an occurrence basis.
- Professional Malpractice Insurance for at least One Million Dollars (\$1,000,000).
- Worker's Compensation Insurance Coverage.
- A Conflict of Interest Questionnaire will be completed by each provider.