



FACT SHEET

EARLY INTERVENTION: QUESTIONS & ANSWERS

August 2025

Young children who experience delays in growth and development, even as young as newborn babies, are entitled to receive free educational services to help them develop and gain skills for later school success. Parents should be included in the planning and delivery of those services. This fact sheet provides information on how parents can make sure their young children get the services they need.

WHAT IS EARLY INTERVENTION?

Early Intervention (EI) is a free program for young children (birth to age 5) who have delays in growth and development or have disabilities.¹ The program provides services to help children grow and gain skills so that they are ready to go to school with their peers. EI's two programs are based on age: Infant/Toddler Early Intervention (Infant/Toddler EI) for ages 0-3 and Preschool Early Intervention (Preschool EI) for ages 3-5.

WHY ARE EARLY INTERVENTION SERVICES IMPORTANT?

Research has documented that early intervention services for children ages 0 through 5 produce positive outcomes on many levels, including improvements in cognitive, language, motor, and social-emotional development, as well as school outcomes.²

However, evidence also shows that Black and Brown children are less likely to receive developmental screenings and early intervention referrals due, in part, to continuing racial inequities in the availability of and access to pediatric and maternal health care.³ Black and Brown children are also less likely to be identified as eligible for services than their white peers despite similar prevalence rates of developmental disabilities.⁴ These racial disparities are widening over time.⁵ State and local data and national surveys also show disparities in service access for Black and Hispanic children, who are less likely to receive services for developmental delays than white children.⁶

HOW DO I GET EARLY INTERVENTION SERVICES FOR MY CHILD?

You have the right to ask for an evaluation of your child. The process differs slightly based on your child's age.

Ages 0-3:

- You should contact your county's mental health office and ask for an evaluation.⁷ Once you agree to the evaluation, it must be finished in 45 calendar days.⁸

Ages 3-5:

- If you live in Philadelphia or Chester, you should contact [Elwyn Early Learning Services](#) to ask for an evaluation.⁹ Once you agree to the evaluation, it must be finished in 60 calendar days.¹⁰ You will receive a written summary of the tests and recommendations.
- If you live anywhere else in Pennsylvania, you should contact your county's Intermediate Unit (IU) and ask for an evaluation.¹¹ Once you agree to the evaluation, it must be finished in 60 calendar days.¹² You will receive a written summary of the tests and recommendations.

If you need help finding the right office for Early Intervention, you can call the statewide CONNECT Helpline at 1-800-692-7288.

Your child's doctor or other service provider may also request an evaluation on your behalf.

IS MY CHILD ELIGIBLE FOR EARLY INTERVENTION SERVICES?

EI eligibility changes depending on your child's age.¹³

Infant Toddler EI

Age of your child: Birth to age 3

- Does your child have a developmental delay? OR
- Does your child have a long-term health problem? OR
- Does the evaluator believe your child needs EI services?

Preschool EI

Age of your child: 3 to school age

- Does your child have a developmental delay or disability? AND
- Because of that delay or disability, does your child need specialized instruction?

WHAT IF MY INFANT OR TODDLER DOES NOT HAVE A DIAGNOSED DEVELOPMENTAL DELAY?

To qualify for Infant/Toddler EI, your child does **not** need to have a diagnosed developmental delay or disability.¹⁴ The evaluator who tests your child for EI may use informed clinical opinion to qualify your child for Infant/Toddler EI.¹⁵ This involves the evaluator using their knowledge and experience about children to determine who should receive Infant/Toddler EI.¹⁶ This method is usually used when other testing produces confusing results.¹⁷

EXAMPLE: A 2-year-old plays normally when they are alone but hits and bites when around other children. Their testing does not show a developmental delay because their behavior differences are not fully measured by the testing. The evaluator uses their experience to find the child eligible for Infant/Toddler EI because these behaviors make it very hard for the child to play or interact with other children.

WHAT HAPPENS AFTER THE EVALUATION?

After the evaluation, you will meet with the evaluator and other professionals to decide whether your child is eligible for EI services using the questions listed above.¹⁸ If your child is eligible for EI services, the team will create a plan for providing them.

Infant/Toddler EI: The plan created for an infant or toddler is called an **individualized family service plan (IFSP)**. A meeting will be scheduled to decide which services your child needs within 45 calendar days from when you agreed to the evaluation.¹⁹

Preschool EI: The plan created for a preschooler is called an **individualized education program (IEP)**.²⁰ The IU or Elwyn must schedule a meeting within 30 calendar days to write the IEP with you.²¹

EI services must **start** within 14 calendar days of the completion of an IFSP or IEP.²²

WHAT IF MY INFANT OR TODDLER DOES NOT QUALIFY FOR EI?

Parents of children under age 3 who do not qualify but who may be “at risk” of developmental delays have a right to participate in a follow-up process where evaluators contact the family again in the future.²³ This program is supposed to catch developmental delays if and when they occur. Examples of children who qualify as “at risk” include those experiencing homelessness, living in foster care, cared for in neonatal care units of hospitals, born to mothers struggling with addiction, or with confirmed dangerous levels of lead poisoning.²⁴

WHERE WILL MY CHILD RECEIVE EI SERVICES?

The location of EI services is called **placement**.

- Infants and toddlers should receive EI services in the **natural environment**.²⁵ The natural environment is where your child would spend the day if they did not have a developmental delay.²⁶ Home-based programs are often considered the natural environment because the home is where many young children, with or without disabilities, are during the day.
- Preschoolers receive EI services in the **least restrictive environment**.²⁷ This means EI should be delivered in the early learning environment where your child would otherwise be. This is usually a day care, a public or private prekindergarten program, or a Head Start program.²⁸ Generally, Elwyn or the Intermediate Unit does not have to pay for a public preschool placement but must pay for a private preschool program if “placement in a private preschool program is necessary for the child” to participate in the least restrictive environment.²⁹

A special preschool or classroom for children with disabilities is only allowed if the nature or severity of your child’s developmental delay or disability would prevent them from doing well in a typical preschool.³⁰ For preschoolers, home-based programs may be used; however, early learning programs are usually the most appropriate.

Usually, Elwyn or an Intermediate Unit can be required to pay for a special program if chosen as a placement.³¹ Generally, placements focus on the **type** of environment in which the child will learn (for example, the structure, staff-to-student ratio, or other aspects that make the program different from a regular preschool).³² As a result, the IU can choose among multiple programs that can offer the same type of learning environment for your child. However, a special program cannot be chosen simply because it is the cheapest or most convenient for the county or IU. It must be based on your child’s needs. As a result, you do not necessarily get to choose the specific program, but you do get to help decide the type of program. If you disagree with the type of program chosen, you can dispute the decision as discussed below.

HOW MANY HOURS AND DAYS OF EI SERVICES CAN MY CHILD RECEIVE?

Infant/Toddler EI is usually year-round. For preschoolers, the length of the program depends on the needs of the child as determined by the IEP team, of which you are a part.³³

Most preschool agencies operate using “stretch calendars.” Stretch calendars spread the program (which usually ranges from around 160 to 200 days) over the year so that there is no long summer break.³⁴ Programs that run during breaks are called “extended school year” programs and should be considered if children would lose their skills during breaks.³⁵ If there is disagreement over whether a child can make meaningful progress without fewer breaks in programming, parents can use the dispute resolution options discussed below.

WHAT CAN I DO IF I DISAGREE WITH A DECISION OF MY EARLY INTERVENTION AGENCY?

You have several options if you disagree with a decision made by your county or Intermediate Unit about the EI services for your child. You can challenge these decisions by requesting:

- A **formal meeting**, which is only available for infants and toddlers and should be held with county administrative staff to discuss and resolve the disagreement.³⁶
 - This meeting will be offered to parents who request mediation or a due process hearing. If the parent agrees to participate, the meeting may not delay the processing of the request for mediation or request for a due process hearing.
- **IEP/IFSP facilitation** is a voluntary process that can be used when you and the county or Intermediate Unit think a neutral third party would help facilitate the drafting of the child's IEP or IFSP.³⁷
- **Mediation**, in which a trained mediator will try to help your family and the agency resolve the disagreement without the need for a formal hearing.³⁸
- An **impartial due process hearing** or an expedited due process hearing, which are conducted by a state-appointed hearing officer who is not connected with your Early Intervention agency.³⁹
 - For more information on IEP facilitation, mediation, or an impartial hearing, go to the website for the Office for Dispute Resolution. You can learn more about these steps in ELC's "Resolving Special Education Disagreements" fact sheet.
- A **Bureau of Early Intervention Services and Family Supports (BEISFS)** complaint, which could lead to an investigation. BEISFS is responsible for ensuring compliance with EI requirements (including investigating formal complaints) and managing the funding of EI programs.
 - You can submit a BEISFS complaint for any EI issue that has occurred in the last year by submitting [this complaint form](#).
 - The complaint may be mailed, emailed to ra-ocdintervention@pa.gov, or faxed. You can find contact information for BEISFS and more about complaint procedures [here](#).
 - Within 60 calendar days after a complaint is filed, BEISFS will issue a written decision that addresses the claims in your complaint.⁴⁰
 - If the investigation finds problems, the state will require the county, IU, or Elwyn to fix the problem.

WHAT HAPPENS WHEN MY CHILD TURNS 3 AND AGES OUT OF INFANT/TODDLER EI?

Transition Plan: To ensure a smooth transition, the IFSP for each toddler who is turning 3 should include a **transition plan**. The transition plan identifies the transition services that will be provided to the child and family.⁴¹ Transition services include support and training for how to prepare your child for changes in the learning environment and service delivery as a preschooler.

Evaluation: With your permission, your county will send evaluation and assessment data, IFSPs, and other information to the Intermediate Unit.⁴² Between 90 days and six months before your child turns 3, the county should schedule a "transition meeting" with you and the IU to plan for the child's future.⁴³ The meeting should be scheduled at a time and location that works for everyone.

If the Intermediate Unit proposes to change the child's program and you do not agree, you can use any of the steps above, including an impartial hearing. The preschool agency must provide the child with all the services from the prior IFSP while the dispute goes through the hearing process.⁴⁴

HOW DOES TRANSITION WORK WHEN MY CHILD IS READY TO START SCHOOL?

For children within one year of kindergarten, the IEP should contain goals and objectives to assist with that transition.⁴⁵

Transition Meeting: By the end of February prior to the child entering kindergarten, the IU, the family, and the school district should meet. This meeting is sometimes called a transition meeting. The transition meeting can, but does not have to be, an IEP team meeting, but it should involve the parent.

The meeting is meant to resolve two big decisions:

1. Whether the child should go to kindergarten or remain in EI for another year. You can use an "Intent to Register" form, which also gives the IU permission to send your child's records to the district.
2. Whether the child should keep the existing IEP for kindergarten or be reevaluated for school-age eligibility.⁴⁶ If a reevaluation is needed, you should be given a "Permission to Evaluate" form to sign and return. If English is not your preferred language, this form must be in the language you prefer.

Evaluation: After you agree, the district has 60 days to evaluate your child and give you the written evaluation report.⁴⁷ The district must then schedule an IEP meeting within the next 30 days to develop the IEP for the next school year. The process should be completed before the end of the district's school year.

During Transitions: Children who qualify for Early Intervention services **should not experience gaps** in the educational services they receive under federal and state law as they transition through programs, whether they are transitioning between counties, Infant and Toddler EI and Preschool EI, or Preschool EI to kindergarten.⁴⁸ For more information, see ELC's fact sheet on "[Transitioning Through Early Intervention](#)."

Right to Disagree: If, at the end of this process, the parents do not agree with the IEP that has been developed for the school year, they can dispute the decision. During the dispute, the district must follow the Preschool Early Intervention IEP.⁴⁹ Your child's Preschool EI IEP is valid even if you do not get a transition meeting or evaluation from the district.⁵⁰ The district must provide the services in your child's EI IEP until they find your child no longer eligible or develop a new IEP.⁵¹

WHAT ARE MY OPTIONS IF I DO NOT THINK MY CHILD IS READY TO TRANSITION?

Parents have the option of having their child remain in Early Intervention for an additional year, even if the child is eligible for kindergarten.⁵² However, it is the responsibility of the IEP team to

fully inform the parents of the advantages of transitioning to school-age programming with peers of the same age. If the child will remain in EI for an additional year, the child's IEP must reflect that the team will be providing an additional year of EI at the request of the family.⁵³

The Education Law Center-PA (ELC) is a nonprofit, legal advocacy organization with offices in Philadelphia and Pittsburgh, dedicated to ensuring that all children in Pennsylvania have access to a quality public education. Through legal representation, impact litigation, community engagement, and policy advocacy, ELC advances the rights of underserved children, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, multilingual learners, LGBTQ students, and children experiencing homelessness.

ELC's publications provide a general statement of the law. However, each situation is different. If questions remain about how the law applies to a particular situation, contact ELC's Helpline for information and advice – visit www.elc-pa.org/contact or call 267-436-6095 (Eastern and Central PA) or 412-258-2120 (Western PA) – or contact another attorney of your choice.

¹ *Early Intervention*, PENNSYLVANIA DEPARTMENT OF EDUCATION, <https://www.education.pa.gov/Early%20Learning/Early%20Intervention/Pages/default.aspx>.

² See e.g., Casto, G., & Mastropieri, M. A. (1986). The Efficacy of Early Intervention Programs: A Meta-Analysis. *Exceptional Children*, 52(5), 417-424. <https://doi.org/10.1177/001440298605200503>; Camilli, G., Vargas, S., Ryan, S., & Barnett, W. S. (2010). Meta-analysis of the effect of early education interventions on cognitive and social development. *Teachers College Record*, 112(3), 579-620.

³ *Advancing Racial Equity in Early Intervention and Special Education*, Early Childhood Technical Assistance Center (January 5, 2023), available at https://equity-coalition.fpg.unc.edu/wp-content/uploads/FactSheet_RacialEquity_2023.pdf.

⁴ *Id.*; see also, e.g., Zablotsky, Benjamin et al., *Diagnosed Developmental Disabilities in Children Aged 3-17 Years: United States, 2019-2021*, NCHS Data Brief (July 2023), at <https://www.cdc.gov/nchs/data/databriefs/db473.pdf>.

⁵ *Advancing Racial Equity in Early Intervention and Special Education*, Early Childhood Technical Assistance Center (January 5, 2023) available at https://equity-coalition.fpg.unc.edu/wp-content/uploads/FactSheet_RacialEquity_2023.pdf.

⁶ Khetani, M.A., Richardson, Z., & McManus, B.M. (2017). Social disparities in early intervention service use and provider-reported outcomes. *Journal of Developmental and Behavioral Pediatrics: JDBP*, 38(7), 501-509. <https://doi.org/10.1097/DBP.0000000000000474>; Magnusson, D., Palta, M., McManus, B., Benedict, R.E., & Durkin, M.S. (2016). Capturing unmet therapy need among young children with developmental delay using national survey data. *Academic Pediatrics*, 16(2), 145-153, [https://www.academicpedsjnl.net/article/S1876-2859\(15\)00171-0/abstract](https://www.academicpedsjnl.net/article/S1876-2859(15)00171-0/abstract).

⁷ 55 Pa. Code §§ 4226.1, 4226.3.

⁸ 55 Pa. Code § 4226.24(g)(2).

⁹ 22 Pa. Code § 14.101.

¹⁰ 22 Pa. Code § 14.153(4)(ii).

¹¹ 22 Pa. Code § 14.101.

¹² 22 Pa. Code § 14.153(4)(ii).

¹³ See 55 Pa. Code § 4226.22(a); 34 C.F.R. § 300.8(b); 22 Pa. Code § 14.101.

¹⁴ See 55 Pa. Code § 4226.22(a) (a diagnosed physical or mental condition is just one basis for eligibility).

¹⁵ 55 Pa. Code § 4226.22(b); see also comments to 34 C.F.R. § 303.321(a)(3)(ii).

¹⁶ 55 Pa. Code § 4226.22(b); see also comments to 34 C.F.R. § 303.321(a)(3)(ii).

¹⁷ EITA Professional Development Module, *Using Informed Clinical Opinion to Determine Eligibility for Infant-Toddler Early Intervention in Pennsylvania*, <https://www.eita-pa.org/course/using-informed-clinical-opinion-to-determine-eligibility-for-infant-toddler-early-intervention-in-pennsylvania/>.

¹⁸ 55 Pa. Code § 4226.71; 34 C.F.R. § 300.306.

¹⁹ 55 Pa. Code § 4226.24(g)(2).

²⁰ 22 Pa. Code § 14.154.

²¹ 34 C.F.R. § 300.323(c)(1).

²² 55 Pa. Code § 4226.75(b); 22 Pa. Code § 14.154(d)(1).

²³ 55 Pa. Code § 4226.25; 55 Pa. Code § 4226.26.

²⁴ 55 Pa. Code § 4226.5 (definition of “at-risk child”).

- ²⁵ 34 C.F.R. § 303.126.
- ²⁶ 34 C.F.R. § 303.26.
- ²⁷ 22 Pa. Code § 14.155(b).
- ²⁸ 22 Pa. Code § 14.155(b)(1); *Dear Colleague Letter* (OSEP 2017), https://sites.ed.gov/idea/files/policy_speced_guid_idea_memosdcltrs_preschool-lre-dcl-1-10-17.pdf.
- ²⁹ 71 Fed. Reg. 46,540 (2006); *Dear Colleague Letter* (OSEP 2017), https://sites.ed.gov/idea/files/policy_speced_guid_idea_memosdcltrs_preschool-lre-dcl-1-10-17.pdf; see also *In re Early Intervention of A.S.*, ODR File No. 26134-21-22 (PA SEA, 9/9/22) (awarding preschool tuition reimbursement).
- ³⁰ 34 C.F.R. § 300.114(a)(2); 22 Pa. Code § 14.155(b).
- ³¹ 71 Fed. Reg. 46,540 (2006); *Letter to Anonymous*, 50 IDELR 229 (OSEP 2008); 22 Pa. Code § 14.155(b).
- ³² 71 Fed. Reg. 46,588 (2006).
- ³³ 22 Pa. Code § 14.155(c)(1).
- ³⁴ Early Intervention Announcement EI-08 #03 (April 2008).
- ³⁵ 22 Pa. Code § 14.155(c)(2).
- ³⁶ 55 Pa. Code § 4226.97(a).
- ³⁷ See ODR IEP/IFSP Facilitation Fact Sheet, <https://odr-pa.org/facilitation/iep-ifsp-facilitation/>.
- ³⁸ 34 C.F.R. § 300.506.
- ³⁹ 22 Pa. Code § 14.162(b); 34 C.F.R. § 300.511; See ODR Due Process Information Page, <https://odr-pa.org/due-process/>; 34 C.F.R. § 300.151.
- ⁴⁰ 34 C.F.R. § 300.153(c).
- ⁴¹ 34 C.F.R. § 300.152(a).
- ⁴² 34 C.F.R. § 303.209(d); 55 Pa. Code § 4226.77(b)(5).
- ⁴³ 55 Pa. Code § 4226.77(b)(2).
- ⁴⁴ *Pardini v. Allegheny Intermediate Unit*, 420 F.3d 181 (3d Cir. 2005).
- ⁴⁵ 22 Pa. Code § 14.154(e).
- ⁴⁶ Early Intervention Announcement EI-09 #19 (October 20, 2009).
- ⁴⁷ 34 C.F.R. § 300.303.
- ⁴⁸ 55 PA. CODE § 4226; See also 20 U.S.C. § 1419 (IDEA).
- ⁴⁹ 34 C.F.R. § 300.518(a).
- ⁵⁰ 34 C.F.R. § 300.323(e); Early Intervention Announcement EI-09 #19 (October 20, 2009).
- ⁵¹ 34 C.F.R. § 300.323(e); Early Intervention Announcement EI-09 #19 (October 20, 2009).
- ⁵² 22 Pa. Code §14.101.
- ⁵³ Pa. Dep't of Educ., Basic Education Circular: Early Intervention Transition: Preschool Programs to School-Aged Programs (July 1, 2003, rev. Apr. 4, 2025), [https://www.pa.gov/agencies/education/resources/policies-acts-and-laws/basic-education-circulars-beccs/purdons-statutes/early-intervention-transition-preschool-programs-to-school-aged-programs.html#:~:text=Act%2012%20of%201990%2C%20the,%1419%20\(IDEA\).](https://www.pa.gov/agencies/education/resources/policies-acts-and-laws/basic-education-circulars-beccs/purdons-statutes/early-intervention-transition-preschool-programs-to-school-aged-programs.html#:~:text=Act%2012%20of%201990%2C%20the,%1419%20(IDEA).)