

## EARLY INTERVENTION STEP-BY-STEP GUIDE & TIMELINES

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Early intervention (EI) services and supports are available to babies and young children with developmental delays and disabilities. These services are designed to address the needs of the child and their family. Parents are included in the planning and delivery of such services. This fact sheet provides information on the steps you can take as a parent or caregiver to make sure young children receive the services they need. To learn more about EI services, see ELC's [Early Intervention Questions & Answers](#).

### STEP 1: REQUEST AN EVALUATION

**Infant/Toddler Program:** If your child is under the age of 3, you should contact [your county's mental health office](#) and ask for an evaluation to see if your child is eligible.<sup>1</sup> You can also call the CONNECT Helpline at 1-800-692-7288 for help.<sup>2</sup> Once you agree to the evaluation, it must be finished in **45 days**.<sup>3</sup>

**Preschool Program:** If your child is 3 or older, but not old enough to attend kindergarten or first grade:

- Parents and caregivers in Philadelphia or Chester City should contact Elwyn Early Learning Services to ask for an evaluation.<sup>4</sup>
- Parents and caregivers anywhere else in Pennsylvania should contact the county's Intermediate Unit (IU) and ask for an evaluation.<sup>5</sup>

Once you give permission for the evaluation, it must be completed within **60 days**.<sup>6</sup>

### STEP 2: FIND OUT IF YOUR CHILD IS ELIGIBLE

**Infant/Toddler Program:** If your child is under 3 years old, you should get a report within 30 days of their evaluation, describing your child's needs and saying if they are eligible for early intervention services.<sup>7</sup> If they are eligible, you will need to sign permission for services to begin.<sup>8</sup> If the evaluators decide your child is not eligible, you should receive a notice with the reasons for this decision and information about how you can challenge it.<sup>9</sup>

**Preschool Program:** If your child is preschool age (3 or older), you should get a report within 60 days after you give permission for the evaluation.<sup>10</sup> The report will describe your child's needs and say if they are eligible for early intervention services.<sup>11</sup> If they are eligible, you will need to sign permission for services to begin.<sup>12</sup> If the evaluators decide your child is not eligible, you should get a notice with the reasons for this decision and information about you can challenge it.<sup>13</sup>

### STEP 3: MAKE A PLAN (IFSP OR IEP)

**Infant/Toddler Program:** If your child is under 3 years old, a meeting will be scheduled to decide which services your child needs. **This meeting should happen within 45 days from when you agreed to the evaluation.**<sup>14</sup> You should be invited to this meeting and it should be scheduled at a time when you are available. The meeting must be conducted in the native language of the parent unless it is clearly not feasible to do so.<sup>15</sup> The plan created based on this meeting is called an [individualized family service plan \(IFSP\)](#). **EI services must start within 14 days of the completion of an IFSP.**<sup>16</sup>

**Preschool Program:** If your child is preschool age (3 or older), your IU or Elwyn will schedule a meeting to make a plan for your child.<sup>17</sup> This meeting should happen within 30 days after completion of the evaluation.<sup>18</sup> You should be invited to this meeting and it should be scheduled at a time when you are available.<sup>19</sup> The plan created based on this meeting is called an individualized education program (IEP). **EI services must start within 14 days of the completion of an IEP.**<sup>20</sup>

## STEP 4: REVIEW AND REVISE THE PLAN

### **Infant/Toddler Program:**

- Infants and toddlers must be evaluated **at least once a year** to see how they are progressing. Parents should get a report from each evaluation within **30 days** after the evaluation is done.<sup>21</sup>
- The IFSP team will also hold a meeting at least every year to review the IFSP and make changes as necessary. You should always be invited to these meetings and they should be held at a time when you are available.<sup>22</sup>

### **Preschool Program:**

- The IEP team will hold a meeting at least every year to review the IEP and make changes as necessary.<sup>23</sup> You should always be invited to these meetings and they must be scheduled at a time when you are available.<sup>24</sup>
- Preschoolers should be evaluated at least **once every two years**. Parents should get a report from each new evaluation within **60 days from when they sign permission for the evaluation.**<sup>25</sup>

## STEP 5: PLAN THE NEXT TRANSITION

**Infant/Toddler Program:** The county's mental health office works with the Intermediate Unit (IU) or Elwyn to help plan the transition from toddler IE to preschool IE.<sup>26</sup>

- Between **90 days and six months** before your child turns 3, the county mental health office should schedule a "transition meeting" with you and the IU to plan for the child's future. The meeting should be scheduled at a time and place that works for everyone.<sup>27</sup>
- After the meeting, the county mental health office will make a transition plan.<sup>28</sup>

**Preschool Program:** By the end of February before your child starts kindergarten, the IU, the family, and the school district should meet.<sup>29</sup> This meeting is sometimes called a "transition meeting." A few things might happen at the meeting:

- You may decide that your child is ready for kindergarten the next year, or you may decide that your child needs another year before they will be ready.<sup>30</sup>
- If your child is ready for kindergarten next year, the group may decide to keep your child's IEP from the preschool early intervention program, or the group may decide that your child should be evaluated again.<sup>31</sup> Based on the new evaluation, your child may get a new IEP, or the evaluation team may decide that your child no longer needs an IEP.<sup>32</sup>

If your child is switching from preschool to kindergarten in the next year, their IEP must include a plan for this transition.<sup>33</sup>

## ADDITIONAL RESOURCES

- For more about the services provided through Early Intervention, see [Early Intervention Questions and Answers](#).
- If you disagree with decisions made about your child's education plan, you can find information about challenging these decisions in [Early Intervention Questions and Answers](#).

- If you think your child is not receiving the support they need with behavior problems, and they might be suspended or expelled, you can find more information in [Preventing Suspension and Expulsion in Preschool Settings](#) and OCDEL’s [Resources for Promoting Inclusion & Reducing Expulsion and Suspension](#).
- For more about Early Intervention and other programs that may help your child, see [ELC Guide to Inclusive Early Education and Early Intervention in PA](#).

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, English 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](http://www.elc-pa.org/contact) or call 215-238-6970 (Eastern and Central PA) or 412-258-2120 (Western PA) – or contact another attorney of your choice.

<sup>1</sup> 55 Pa. Code § 4226.61.

<sup>2</sup> *Early Intervention*, PENNSYLVANIA DEPARTMENT OF EDUCATION, <https://www.education.pa.gov/Early%20Learning/Early%20Intervention/Pages/default.aspx>.

<sup>3</sup> 55 Pa. Code § 4226.24(g)(2).

<sup>4</sup> 22 Pa. Code § 14.153; *Early Learning Services*, ELWYN, <https://www.elwyn.org/services/early-learning-services>.

<sup>5</sup> 22 Pa. Code § 14.153; *PAIU Brochure*, PENNSYLVANIA ASSOCIATION OF INTERMEDIATE UNITS, [https://www.paiu.org/resources/Documents/PAIU\\_Brochure.pdf](https://www.paiu.org/resources/Documents/PAIU_Brochure.pdf).

<sup>6</sup> 22 Pa. Code § 14.153(4)(i).

<sup>7</sup> 55 Pa. Code § 4226.61.

<sup>8</sup> Early Intervention Announcement EI-12 #03 (April 11, 2012), 4; 55 Pa. Code § 4226.76.

<sup>9</sup> Early Intervention Announcement EI-12 #01 (April 11, 2012), 3; 34 C.F.R. Sec. 303.421; 34 C.F.R. Sec. 303.322.

<sup>10</sup> 22 Pa. Code § 14.153(4)(i).

<sup>11</sup> 22 Pa. Code § 14.153(3); 22 Pa. Code § 14.123.

<sup>12</sup> 34 C.F.R. § 300.300.

<sup>13</sup> 34 C.F.R. § 300.503.

<sup>14</sup> 55 Pa. Code § 4226.24(g)(2).

<sup>15</sup> 55 Pa. Code § 4226.72(d).

<sup>16</sup> 55 Pa. Code § 4226.75(b).

<sup>17</sup> 34 C.F.R. § 300.323(c)(1) (noting that a meeting must take place); 34 C.F.R. § 300.324 (clarifying that the IEP team must develop the IEP); 34 C.F.R. § 300.321 (defining the IEP team). *See also* 22 Pa. Code § 14.154.

<sup>18</sup> 34 C.F.R. § 300.323(c)(1).

<sup>19</sup> 34 C.F.R. § 300.322.

<sup>20</sup> 22 Pa. Code § 14.154(d)(1).

<sup>21</sup> 55 Pa. Code § 4226.61(a).

<sup>22</sup> 55 Pa. Code § 4226.72.

<sup>23</sup> 22 Pa. Code § 14.154(d)(2).

<sup>24</sup> 34 C.F.R. § 300.322.

<sup>25</sup> 22 Pa. Code § 14.153.

<sup>26</sup> 55 Pa. Code § 4226.77.

<sup>27</sup> 55 Pa. Code § 4226.77(b)(2).

<sup>28</sup> 55 Pa. Code § 4226.77(b)(5).

<sup>29</sup> Early Intervention Announcement EI-09 #19 (October 20, 2009), 2.

<sup>30</sup> Early Intervention Announcement EI-09 #19 (October 20, 2009), 2.

<sup>31</sup> Early Intervention Announcement EI-09 #19 (October 20, 2009), 3.

<sup>32</sup> 34 C.F.R. § 300.303; *see also* 34 C.F.R. § 300.306; 34 C.F.R. § 300.8; 34 C.F.R. § 300.323.

<sup>33</sup> 22 Pa. Code § 14.154(e).