

**Special Education-Early Intervention  
Program (EIP) Transition/IEP Implementation by  
Third Birthday**

*Regulations Follow*

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**2460.9 SPECIAL EDUCATION-EARLY INTERVENTION  
PROGRAM (EIP) TRANSITION/IEP IMPLEMENTATION BY  
THIRD BIRTHDAY**

Early Intervention Programs (EIP), serving children between birth and age three are administered by the Department of Health and Senior Services as the lead agency in collaboration with the Departments of Human Services and Education in accordance with P.L.1992, c.155.

When an Individualized Education Program (IEP) is developed by the school district for a child age three who has been enrolled in an EIP, and it is determined that the school district shall provide a free appropriate public education for that pupil by continuing the program in the EIP for the balance of that school year, the following requirements shall apply:

1. The Board shall be responsible to ensure that the requirements of N.J.A.C. 6A:14-1.1(d) shall be met;
2. A contractual agreement shall be provided between the school district and the EIP;
3. Personnel shall be appropriately certified and, if required, licensed; and
4. Applications for exceptions in accordance with N.J.A.C. 6A:14-4.10 shall be made whenever necessary.

When the Board determines that the child who has been enrolled in the EIP requires an extended year program, the school district may contract with the EIP for the provision of that program.

The school district administration shall make available to parent(s), legal guardian(s), and/or adult pupils with disabilities, and to the general public all documents relating to the eligibility of the school district under Part B of the Individuals with Disabilities Education Act (IDEA). Words and terms shall be defined in the same manner as those words and terms used in the IDEA and in accordance with N.J.A.C. 6A:14-1.3.

N.J.S.A. 18A:46-1 et seq.  
N.J.S.A. 1:6A-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. §1400 et seq.

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**R 2460.9 SPECIAL EDUCATION**  
**TRANSITION FROM EARLY INTERVENTION PROGRAMS**  
**TO PRESCHOOL PROGRAMS**

Children with disabilities participating in early intervention programs (EIP) assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14-1.1 et seq. will experience a smooth transition and will have an Individualized Education Program (IEP) developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

Procedure for Child Study Team (CST) Member Attendance at the Pre-School Transition Planning Conference

1. The district will make available a CST member to participate in the preschool transition planning conference arranged by the designated Part C service coordinator from the early intervention system and will:
  - a. Review the Part C Individualized Family Service Plan for the child;
  - b. Provide the parent(s) written district registration requirements;
  - c. Provide the parent(s) written information with respect to available district programs for preschool pupils, including general education placement options; and
  - d. Provide the parent(s) a form to use to request that the Part C service coordinator be invited to the child's initial IEP meeting.
2. The district will work collaboratively with the EIP designated Part C service coordinator or early intervention system to eliminate barriers regarding meeting times and locations.
3. School district officials shall adhere to all procedures contained in N.J.A.C. 6A:14-1.1 et seq. for transitioning children with disabilities from EIP to preschool programs.
4. The Part C service coordinator shall be invited to the initial IEP meeting for a pupil transitioning from Part C to Part B.

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