**24:14:13:05.  Transition from Part C program.** An individualized family service plan (IFSP) team shall ensure the transition of a child participating in the Part C program under this article who is eligible for participation in preschool programs under Part B. This requirement includes the transition of a child to other appropriate services if the child will not be receiving preschool services, to the extent those services are appropriate, under Part B. The IFSP must include the following steps and services to support the transition of the child pursuant to § 24:14:13:05.01:

 (1)  Describe how the child's family will be included in the transitional plans;

 (2)  Discuss with and train the child's parents, as appropriate, regarding future placements, and other matters relating to the child's transition;

 (3)  Notify the appropriate local education agency in which the child resides that the child will shortly reach the age of eligibility for preschool services under Part B, as determined in accordance with state law, and of the need for transitional planning;

 (4)  With the approval of the family, convene a conference between the child's IFSP team, family, and local educational agency at least 90 days and at the discretion of the parties, and not more than nine months before the child is eligible for the preschool program under Part B, in accordance with state law. In the case of a child who may not be eligible for preschool services under Part B, service coordinators, with the approval of the family, make reasonable efforts to convene a conference among the child's IFPS team, the family, and providers of other appropriate services for children who are not eligible for preschool services under Part B, to discuss the appropriate services that the child may receive;

 (5)  Review the child's program options for the period beginning on the day the child turns three and through the remainder of the school year; and

 (6)  Prepare the child for changes in service delivery, including steps to help the child adjust to, and function in, a new setting.

 The local education agency must provide the family with information on the eligibility and evaluation requirements under Part B, including the parent's and education agency's rights regarding procedural safeguards. Information may be transmitted upon consent of the parent or guardian.

 **Source:** 20 SDR 223, effective July 7, 1994; 26 SDR 153, effective May 22, 2000; 28 SDR 105, effective January 31, 2002; 35 SDR 82, effective October 22, 2008; 39 SDR 109, effective December 17, 2012; 49 SDR 7, effective July 31, 2022.

 **General Authority:** SDCL 13-37-1.1.

 **Law Implemented:** SDCL 13-1-23, 13-14-1, 13-37-1.1.

 **Cross-Reference:** Transition to preschool program, § 24:05:27:21.