

Policy:

Intake, Screening, and Initial Eligibility Evaluation

Date Effective:

Approved: July 8, 2019

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Federal Authority:

Title 34 of the U.S. Code of Federal Regulations, Vol. II, Chapter III, Parts 300-399:

§§ 303.310; 303.320; 303.321(a)(2)(i); 303.321(a)(3)(1)-(ii); 303.321(a)(4)-(6); 303.321(b)(1)-(5); 303.322

Title 20 of the U.S. Code of Law, Chapter 33. §§1400-1499:

§§ 1432(4)(E)(ix), 1433, 1434(1), 1435(a), 1435(a)(2), 1435(a)(3), 1435(a)(5) and (a)(6), 1435(c)(2)(G), 1436(a)(1)-(2), 1436(c), 1437(a)(6), 1439(a)(6).

All referred families electing to engage with the state's early intervention system will receive a detailed explanation of all child and family rights under Part C of the Individuals with Disabilities Education Act, and the opportunity to provide informed consent to all processes related to determination of IDEA/Part C eligibility and as appropriate, provision of Early Intervention Services (EIS).

South Carolina's eligibility criteria for IDEA/Part C are either a diagnosis known to result in lifelong disability, or significant delays in development as follows: delay of at least 40% in one area, or delays of at least 25% in two areas.

Once consent is obtained, each referred child may receive a screening for developmental delays and disabilities. Families may elect to accept the results of screening or may, at any time, request a full eligibility evaluation. The evaluation must include state-approved instruments or processes to determine if the child meets state eligibility criteria for IDEA/Part C. A child may be determined ineligible for IDEA/Part C services only if all areas of development have been evaluated. The parent(s) have the right to appeal the results of the eligibility evaluation or may re-refer an ineligible child any time before the child's third birthday.