
Determination of Eligibility for Michigan Mandatory Special Education for Infants and Toddlers, Birth to Age Three

Introduction

Purpose

In Michigan, *Early On*[®] early intervention services for infants and toddlers, birth to age three, with a significant developmental delay and/or a disability, are governed by the regulations of Part C the Individuals with Disabilities Education Act (IDEA) (34 CFR part 303) and the Michigan Administrative Rules for Special Education (MARSE). This document is intended to provide clarity for the determination of eligibility of infants and toddlers for Michigan Special Education. Guidance for use of specific categories of eligibility under MARSE is provided for practitioners, administrators, and compliance personnel.

Procedural Requirements

MARSE R 340.1862 requires:

1. Evaluations conducted to determine eligibility for Michigan special education services shall meet the requirements of 34 CFR part 303 and R 340.1705 to R 340.1717.
2. Determination of eligibility for Michigan special education services, for a child birth to 3 with a disability shall follow all time lines and requirements pursuant to 34 CFR part 303.

Accordingly, the Michigan State Plan for Part C requires the following for every determination of eligibility, ***regardless of the type of suspected developmental delay or eligibility category:***

- Administering an evaluation instrument or instruments that include all developmental domains, i.e., cognitive, physical, communication, social or emotional and adaptive development.
- Taking each child's history (including a parent interview).
- Identifying each child's level of functioning, or child assessment, in each of the statutorily-established developmental areas.
- Gathering information from other sources such as family members, other caregivers, medical providers, social workers, and educators, if necessary, to understand the scope of the child's unique strengths and needs.
- Reviewing medical, educational, or other records.

Details about these requirements, specific to each category of eligibility, are provided in the following chapters.

Evaluation Team Members

According to MARSE R 340.1701b(b), evaluations to determine eligibility for special education must be conducted by a multidisciplinary evaluation team of at least two people. The expertise required of each team member is defined in MARSE and differs according to the needs of each eligibility category.

For example:

- *Speech and Language Impairment*: The team shall include a teacher of students with speech and language impairment under R 340.1796 or a speech-language pathologist qualified under R 340.1792.
- *Early Childhood Developmental Delay*: Team members should be selected based on the child's suspected areas of disability.

Parent Involvement

Particularly for infants and toddlers, parents play an essential role in the assessment, planning and service delivery related to their child's developmental progress and eligibility determination. Written and dated parental consent must be obtained before conducting the initial evaluation and assessment of a child and any subsequent reevaluation or ongoing assessment.

Practitioners are required to provide prior written notice to parents at a reasonable time before proposing or refusing to initiate or change the eligibility, evaluation or placement of a child or the provision of services to the child and the child's family.

Parent/family support and engagement are crucial to the achievement of desired outcomes.

For additional information, please reference [Michigan's Part C State Plan](http://www.michigan.gov/documents/mde/Michigan_State_Plan_-_Final_3-2016_518546_7.pdf) (http://www.michigan.gov/documents/mde/Michigan_State_Plan_-_Final_3-2016_518546_7.pdf) and/or [the Michigan Alliance for Families Note web page](http://www.michiganallianceforfamilies.org/education/notice/) (<http://www.michiganallianceforfamilies.org/education/notice/>).