

Early Intervention, Then and Now

Alert! Alert!

Because NICHCY's website will only remain online until September 30, 2014, most of its rich content has moved to a new home, the **Center for Parent Information and Resources** (CPIR), where it can be kept up to date.

The new address of *Early Intervention, Then and Now* at the CPIR is:

<http://www.parentcenterhub.org/repository/ei-history/>

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Early intervention services are designed to address the developmental needs of eligible infants and toddlers with disabilities, ages birth to the third birthday, and their families. Early intervention is authorized by Part C of the Individuals with Disabilities Education Act (IDEA).



This page takes a summary look at early intervention systems in the United States , as follows:

- [History of early intervention](#)
- [Early intervention now](#)
- [Statistics](#) (including the number of children currently receiving early intervention services)
- [Basic requirements that States must meet](#) in order to participate in the Part C program.

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A Wee Bit of History

In 1975, Congress passed Public Law 94-142, the landmark legislation that, today, we call IDEA. Back then, the law was called the **Education of All Handicapped Children Act** and focused on ensuring that all school-aged children would receive a free appropriate public education. Early intervention services for infants and toddlers with disabilities **were not part** of the legislation. The early intervention program for our youngest children with disabilities did not become part of the law until its reauthorization in 1986 (Public Law 99-457).

In 1986, Congress established the program of early intervention for infants and toddlers with disabilities in recognition of "an urgent and substantial need" to:

- enhance the development of handicapped infants and toddlers and to minimize their potential for developmental delay,
- reduce the educational costs to our society, including our Nation's schools, by minimizing the need for special education and related services after handicapped infants and toddlers reach school age,
- minimize the likelihood of institutionalization of handicapped individuals and maximize the potential for their independent living in society, and
- enhance the capacity of families to meet the special needs of their infants and toddlers with handicaps. (1)

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Early Intervention Now

We've come a long way since 1986. For one, we no longer use the term “handicapped” in IDEA!

But it's also startling to see **how virtually unchanged the findings of Congress are** in the most current authorization of IDEA—passed in 2004 as [Public Law 108-446](#). There are really only two differences between the Congressional findings of 1986 and those in 2004. The first is that the current law expressly acknowledges “the **significant brain development** that occurs during a child's first 3 years of life.” The second is that Congress **added one finding**, which is:

- to enhance the capacity of State and local agencies and service providers to identify, evaluate, and meet the needs of all children, particularly minority, low-income, inner city, and rural children, and infants and toddlers in foster care. (2)

Part H to Part C | As first authorized in 1986, the early intervention program was known as Part H of IDEA. It became Part C with the reauthorization of IDEA in 1997 and continues as Part C to the present day.

Regulations in 2011 | The field was quite excited in September of 2011 when new implementing regulations for the Part C program were published by the Office of Special Education Programs, U.S. Department of Education. States had been using previous regulations from 1999 as their guide to the requirements of the Part C legislation passed by Congress. For a copy of the 2011 regulations for the Part C program, visit:

<http://idea.ed.gov/part-c/regulations/1>

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Early Intervention Statistics

Currently, all States and eligible territories participate in the Part C program. Annual funding to each State is based upon census figures of the number of children, birth through 2, in the general population. Federal fiscal support via formula grants to States exceeds \$438.5 million annually. (3)

How many infants and toddlers with disabilities (and their families) receive early intervention services under Part C of IDEA? According to the [Data Accountability Center](#), in 2011, a total of **336,895** eligible infants and toddlers birth through age 2 received early intervention services under Part C of IDEA. This number is for all 50 states and the outlying areas of American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands. (4)

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Meeting Basic Requirements

The current statute for IDEA and the regulations for Part C contain many requirements that States have to meet in order to participate in the Part C program. These include but aren't limited to:

- assuring that early intervention will be **available to every eligible infant or toddler in the State** and those children's families;
- designating a **lead agency** (a duty of the Governor) to receive the grant and administer the program;
- appointing an **Interagency Coordinating Council** (ICC) that includes, among others, parents of young children with disabilities, to advise and assist the lead agency; and
- specifying the minimum components of the **comprehensive Statewide early intervention system** to be implemented, including operating a **public awareness program and referral system**.

Who is eligible for early intervention? | Eligibility requirements for the Part C program vary from State to State, because States have flexibility in the criteria they set for child eligibility. At a minimum, each State must establish a rigorous definition of the term “developmental delay” and specify how it will be measured. If you'd like to know

more about developmental delay, visit:

[Federal requirements for State definition of developmental delay](#)

[Developmental delay fact sheet](#)

[Overview of early intervention](#)

Eligibility for early intervention services also varies from State to State due to two options States have regarding the populations of children they will serve in early intervention. The regulations allow States to *choose* whether or not they will serve:

“at-risk” infants and toddlers | This term refers to infants and toddlers who are considered to be *at risk of having a developmental delay*, if not provided with early intervention services, because of conditions such as low birth weight, respiratory distress as a newborn, lack of oxygen, brain hemorrhage, infection, or a history of abuse or neglect. States have the option of choosing to serve at-risk infants and toddlers, but most do not.

children beyond their third birthday | This refers to a new option called the **Part C extension option**, which allows States to continue providing Part C services to children past their third birthday. Traditionally, Part C has addressed the developmental needs of children *up to but not beyond* their third birthday. While States are not required to serve this population of children, they may choose to do so. And many States do.

About lead agencies | The Governor of each State designates which agency in the State will serve as the “lead agency” for the early intervention system. Not surprisingly, this means that lead agencies vary from State to State. In Alaska, for example, the current lead agency is the Department of Health and Social Services, while in Iowa, the lead agency is the Department of Education.

To find out which agency in your State is considered the lead agency for early intervention, you’ll be pleased to know that the National Early Childhood Technical Assistance Center (NECTAC) maintains a list of Part C Lead Agencies, at: <http://www.nectac.org/partc/ptclead.asp>

About ICCs | Another minimum requirement for State participation in the Part C program is to appoint an Interagency Coordinating Council to advise and assist the lead agency. The ICC has specific duties to perform and is comprised of specific membership that must reasonably represent the population of the State. For an instant appreciation for the crucial role that **interagency collaboration** plays in early intervention, just read what the Part C regulations require, **membership-wise**, of the ICC that each State must appoint.

To say that Part C of IDEA has a huge impact on early childhood policy and practice is to understate the reality. This page has barely scratched the surface of all there is to know about early intervention in the United States for eligible infants and toddlers with disabilities and their families. We cordially invite you to continue exploring the [Babies and Toddlers](#) section of our website!

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References

1 | Findings of Congress as stated in Public Law 99-457 (1986). P.L 99-457 is the statute of the Education of the Handicapped Act Amendments of 1986, passed by Congress on October 8, 1986. Available online at: <http://www.eric.ed.gov/PDFS/ED314927.pdf>

2 | Findings of Congress as stated in Public Law 108-446 (2004). P.L. 108-446 is the Individuals with Disabilities Education Improvement Act of 2004, passed by Congress on December 3, 2004. Available online at: <http://nichcy.org/wp-content/uploads/docs/PL108-446.pdf>

3 | U.S. Department of Education. (2011). *Department of Education fiscal year 2011 Congressional action*. Washington, DC: Author. Online at: <http://www2.ed.gov/about/overview/budget/budget11/11action.pdf>

4 | Data Accountability Center. (2012, September). *Number of infants and toddlers ages birth through 2 and 3 and*

older, and percentage of population, receiving early intervention services under IDEA, Part C, by age and state: Fall 2011 [Table C1-1]. Retrieved October 5, 2012, from: <https://www.ideadata.org/TABLES35TH/C1-1.xls>

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