State of California
DEPARTMENT OF DEVELOPMENTAL SERVICES

INITIAL STATEMENT OF REASONS

Proposed Amendments to the Regulations for Early Intervention Services

INTRODUCTION AND BACKGROUND

The Department of Developmental Services (Department) serves as California's lead agency for Early Start, the State's early intervention program. Early Start provides services to infants and toddlers who have a developmental delay or who have a condition with a high likelihood of resulting in a developmental delay or disability. Through the Department, the State receives federal funding to support the delivery of these early intervention services to eligible infants and toddlers and their families. As a condition of receiving this funding, the Department is required to align state policies with the requirements of Part C of the federal Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §1431 et seq.).

DESCRIPTION OF THE PROBLEM THAT THE PROPOSAL IS INTENDED TO ADDRESS

The proposed amendments to title 17, California Code of Regulations (CCR), division 2, chapter 2 (Early Intervention Services) implement statutory changes and maintain consistency with federal law. Specifically, the amendments incorporate changes enacted by Stats. 2022, ch. 49 (SB 188, 2022), which amended Government Code (Gov. Code) sections 95007, 95012, 95014, 95018, 95020, 95024 and 95028, relating to eligibility criteria and transition; and reflect the amendment to Gov. Code section 95020, as amended by Stats. 2024, ch. 47, (AB 162, 2024) regarding the frequency and modality of Individualized Family Service Plan (IFSP) meetings.

In addition, existing CCR provisions do not fully align with Part C of the IDEA and its implementing regulations in 34 C.F.R. part 303 (2024). Updating state regulations to conform with these federal requirements will reduce confusion among families and providers and improve the quality and consistency of Early Intervention services.

SPECIFIC PURPOSE AND RATIONALE FOR NECESSITY OF EACH ADOPTION, AMENDMENT, OR REPEAL

The proposed amendments summarized below align state regulations with federal requirements in the areas of service descriptions, eligibility criteria, timely notice and delivery of IFSP services, transition procedures, prior written notice, and consent to exchange information. These amendments apply to title 17,

division 2, chapter 1, subchapter 4; chapter 2, subchapters 1 through 5; and chapter 3, subchapters 2 through 4 of the CCR.

Non-Substantive Changes
The proposal also makes non-substantive revisions throughout the regulatory text. These include:

- Capitalizing defined terms and placing them in quotation marks;
- Standardizing the format of definitions in sections 52000(b) and 52106(a); and
- Renumbering subsections as necessary to maintain accurate cross-references following substantive amendments.

These formatting updates improve readability, enhance public understanding and promote consistency with other Department of Developmental Services regulations in title 17, division 2, CCR.

Additional non substantive changes include replacing the gendered pronouns "his," "her," "he," and "she" with gender-neutral pronouns. This revision is necessary to bring the regulatory text into compliance with Assembly Concurrent Resolution No. 260 (2018) (ACR 260), which directs state agencies should use gender-neutral pronouns and avoid gendered pronouns when drafting policies, regulations, and other guidance.

Section 50401(i) "Regional Center"
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 1, subchapter 4, article 1, section 50401(i) by revising the definition of "Regional Center" to align with current statutory language and improve clarity by directly referencing the applicable sections of the Welfare and Institutions Code (WIC). This amendment streamlines the definition by removing outdated and unnecessary descriptive language and replacing it with a precise statutory citation.

Rationale for Necessity
The proposed amendment is necessary to provide an accurate, clear, and consistent definition of "Regional Center" that reflects current law. The existing definition includes descriptive language that is no longer necessary and may create ambiguity or inconsistency with WIC. By referencing sections 4620 through 4669, the regulation clearly identifies the statutory authority governing regional centers. This approach promotes clarity, reduces the risk of misinterpretation, and maintains alignment with any future statutory updates within those sections without requiring additional regulatory changes.

Section 52000(b)(4) "Assessment"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(4) by replacing the term "child" with "infant or toddler" or "infant's or toddler's," as appropriate. This change clarifies the age group served under the definition of "Assessment" within Early Start.

Rationale for Necessity

The proposed amendment is necessary to promote consistency with federal regulations and to eliminate potential confusion regarding the age range of individuals served by California's Early Start. 34 CFR section 303.21 defines an "infant or toddler with a disability" as an individual under three (3) years of age, while 34 CFR section 303.6 defines "child" as an individual under six (6) years of age. Although the term "child" technically includes infants and toddlers, its use in this context could be misinterpreted to suggest eligibility beyond age three (3). Replacing "child" with "infant or toddler" aligns the regulation with both federal terminology and the California Early Intervention Services Act, promoting clarity and supporting consistent interpretation and application.

Section 52000(b)(7)(A)-(F) "Audiology Services"

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(7)(A)-(F) to define the term "Audiology Services" within the list of early intervention service definitions. The new definition describes the scope and components of audiology services provided under Early Start and is consistent with federal regulations.

Rationale for Necessity

The proposed adoption is necessary because current California regulations do not define "audiology services." This amendment incorporates the federal definition in 34 C.F.R. § 303.13(b)(2), which identifies the types of audiology services authorized under Part C of IDEA. Incorporating and duplicating the federal definition into state regulations provides consistency, eliminates ambiguity, and supports the accurate implementation of services under the California Early Intervention Services Act. This clarification helps service coordinators, providers, and families understand the full scope of audiology services available to infants and toddlers eligible for early intervention services.

Section 52000(b)(17) "Early Intervention Services"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(17) to renumber this definition due to the addition of preceding new definitions added and to clarify

the definition of "Early Intervention Services." This amendment incorporates language to reflect that the types of early intervention services and qualified personnel, are not limited to those currently listed in the regulation.

Rationale for Necessity
The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to clarify that early intervention services and personnel are not limited to those specifically identified in the regulation. The proposed amendment also incorporates a reference to 34 CFR section 303.13(b), which provides a more comprehensive description of those types of services that may be eligible to infants or toddlers. Infants and toddlers may require unique services not included within this section. The proposed amendment clarifies that Early Start must make sure those services are included and provided as outlined in the IFSP in accordance with 34 CFR section 303.13(a). This clarification supports implementation of Early Start in accordance with federal law and promotes regulatory consistency and accuracy.

Section 52000(b)(18) "Early Start"
Specific Purpose
The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(18) to add a definition for the term "Early Start." This definition clarifies the meaning and scope of the term as it is used throughout the early intervention services regulations.

Rationale for Necessity
The proposed adoption is necessary to specify that "Early Start" is the term used when referring to early intervention services under Part C of IDEA and the California Early Intervention Services Act, in California.

Section 52000(b)(19) "Early Start Program"
Specific Purpose
The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(19) to add a definition for the term "Early Start Program". This definition will clarify the scope of the term as it is used throughout the early intervention services regulations.

Rationale for Necessity
The proposed adoption is necessary to clarify that references to the Early Start Program apply to both regional centers and local educational agencies (LEAs), which are responsible for delivering early intervention services under Part C of IDEA. Currently, the absence of a clear definition for "Early Start Program" can lead to confusion, particularly when determining the responsibilities of each

entity. By defining "Early Start Program" as inclusive of services provided by regional center(s), LEA(s), or both, the regulation promotes consistency and eliminates ambiguity regarding service delivery. Additionally, this definition helps distinguish the LEA's role under Part C from its separate responsibilities under Part B, ensuring that when the LEA is referenced in this context, it is understood to be acting in its Part C capacity. This definition supports accurate implementation of responsibilities and strengthens coordination across agencies serving infants and toddlers with disabilities.

Section 52000(b)(20) "Evaluation"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(20) to renumber this definition due to the addition of preceding new definitions added and to replace the term "child" with the more accurate term "infant or toddler" in the definition of "Evaluation." This change aligns the language with the age group served under California's Early Start.

Rationale for Necessity

The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to clarify that early intervention services provided through the regional center under Early Start are intended for individuals from birth up to their third birthday. The term "child," as defined in federal regulations, can apply to individuals up to age six, which may lead to confusion regarding eligibility and scope of services. Replacing "child" with "infant or toddler" more accurately reflects the population served under Part C of IDEA and supports consistent interpretation and implementation of early intervention services in California's Early Start.

Section 52000(b)(21) "Exceptional Family Circumstances"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(21) to renumber this definition due to the addition of preceding new definitions added and to revise the definition of "Exceptional Family Circumstances." This amendment replaces separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional

center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52000(b)(22) "Expressive Communication"

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(22) to add a definition for the term "Expressive Communication" to the list of definitions used in the implementation of California's Early Start.

Rationale for Necessity

The proposed adoption is necessary to provide a clear and consistent definition of "expressive communication" as it is used in early intervention eligibility determinations (M. Nandakumar, personal communication, March 12, 2025; Wallace, 2023). Currently, the absence of a specific definition has resulted in inconsistent application of eligibility criteria, particularly in cases where infants or toddlers were evaluated for eligibility and demonstrated age-appropriate receptive communication skills but had significant delays in expressive communication. In such cases, reliance on the composite communication score prevented otherwise eligible children from qualifying for services, despite meeting the developmental delay threshold in expressive communication alone. Separating the two types of communication will support more accurate evaluations and eligibility determinations. This adoption aligns these regulations with recent amendments to Gov. Code section 95014, which recognizes expressive and receptive communication as distinct developmental domains for eligibility purposes.

Section 52000(b)(25) "Funded Capacity"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(25) to reflect current law and improve clarity. The definition is renumbered to accommodate newly added preceding definitions and revised to replace the obsolete citation to Education Code section 56728.8 with the current reference to Education Code section 56432. The proposed amendment also removes the outdated reference requiring "between 12 and 16 students per instructional unit."

Rationale for Necessity
The proposed amendments are necessary to maintain regulatory accuracy and consistency with current statutory requirements. Education Code section 56728.8 has been repealed and is no longer in effect. Updating the citation to Education Code section 56432, reflects the California Department of Education's current requirement that local education agencies (LEAs) serve children up to their funded capacity to maintain funding. Removing this outdated citation and class size reference eliminates provisions that are no longer operative and reduces the potential for confusion or misinterpretation by regulated entities. These revisions support alignment with current administrative practice and improve the clarity of the regulation text.

Section 52000(b)(27), (A)(1), and (C) "Health Services"
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(27), (A)(1), and (C) to renumber this definition due to the addition of preceding new definitions added and to replace the term "child" with "infant or toddler" or "infant's or toddler's", as applicable, in the definition of "Health Services." This change aligns terminology with the population served under Early Start.

Rationale for Necessity
The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to clarify that Early Start provides early intervention services only to individuals from birth up to their third birthday. While the term "child" may encompass a broader age range under federal definitions, its use in this context may cause confusion about eligibility criteria and the scope of services. Replacing "child" with the more precise term "infant or toddler" aligns the regulation with the age-specific requirements of Part C of IDEA and the California Early Intervention Services Act. This revision promotes consistency and supports accurate interpretation and implementation of early intervention services.

Section 52000(b)~~(28)~~ "Hypotonia" renumbered to (33)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(28) by renumbering the definition of "Hypotonia" to 52000(b)(33), to preserve proper alphabetical and numerical order within the list of definitions. The substance of the definition remains unchanged.

Rationale for Necessity
This proposed amendment is necessary to maintain alphabetical sequencing within section 52000, which contains definitions applicable to early intervention

services. Proper ordering of definitions enhances clarity, reduces confusion, and supports ease of reference for families, service providers, and members of the public. This organizational revision promotes consistency and usability of the regulatory text, in alignment with the clarity and accessibility standards required under the Administrative Procedure Act.

Section 52000(b)(36) "Individualized Education Program (IEP)"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(36), to renumber this definition due to the addition of preceding new definitions added and to correct the United States Code (U.S.C.) section cited.

Rationale for Necessity

The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to correct the U.S.C. citation from section 1401(b)(20) to section 1401(14). This correction provides an accurate statutory reference and supports proper interpretation and application of the regulation.

Section 52000(b)(37)(A) and (B) "Individualized Family Service Plan (IFSP)"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(37)(A) and (B), to renumber this definition due to the addition of preceding new definitions added and to revise the formatting of the text for improved structure and readability.

Rationale for Necessity

The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to standardize the formatting of the regulatory text. Consistent formatting improves readability, enhances accessibility for community partners, and supports accurate interpretation and application of the regulations.

Section 52000(b)(39) "Language of the Parent's Choice" (Inclusive Language)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(39) to renumber this definition due to the addition of preceding new definitions added and to replace the terms "native" and "normally" with a more inclusive term "preferred" in the definition of "Language of the Parent's Choice." This change is intended to align the regulatory language with current inclusive language.

Rationale for Necessity
The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to promote the use of inclusive, person-centered language. Terms such as "native" and "normally," may carry unintended connotations or be perceived as exclusionary. Replacing these terms with more inclusive alternatives, such as "preferred" and "typically" maintains the intended meaning of the regulation, identifying the language most commonly used by the parent, while reflecting respectful and inclusive terminology. This change preserves the substance of the regulation and supports clearer communication with families, while aligning the language with current standards for inclusivity and accessibility.

Section 52000(b)(43) "Medical Services"
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(43) to renumber this definition due to the addition of preceding new definitions added and to replace the term "child" to "infant's or toddler's" in the definition of "Medical Services". This revision aligns the terminology with the specific population served under California's Early Start.

Rationale for Necessity
The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to clarify that Early Start services provided through the regional center system are intended for individuals from birth up to their third birthday. The term "child" may suggest a broader age range than is eligible under Early Start, potentially leading to confusion regarding service eligibility and applicability. Replacing "child" with "infant's or toddler's" aligns the regulation with the statutory definition of the Early Start population and supports accurate interpretation and implementation of early intervention services in accordance with state and federal law.

Section 52000(b)(45) "Natural Environments"
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(45) to renumber this definition due to the addition of preceding new definitions added and to replace the term "child" to "infant's or toddler's" in the definition of "Natural Environments". This revision aligns the terminology with the specific population served under California's Early Start.

Rationale for Necessity
The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to clarify that Early Start services provided through the regional center system are intended for individuals from birth up to their third birthday. The term "child" may suggest a broader age range than is eligible under Early Start, potentially leading to confusion regarding service eligibility and applicability. Replacing "child" with "infant's or toddler's" aligns the regulation with the statutory definition of the Early Start population and supports accurate interpretation and implementation of early intervention services in accordance with state and federal law.

Section 52000(b)(46)(A-C) "Nursing Services"
Specific Purpose
The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(46) to add a definition for the term "nursing services" to the list of definitions. This definition describes the scope of nursing services available under Early Start.

Rationale for Necessity
The proposed adoption is necessary because current early intervention regulations do not define "Nursing Services." This definition is referenced as it appears in Part C of IDEA, section 303.13(b)(6). Duplicating the federal regulation is necessary to provide clarity regarding the types of nursing services that may be delivered through Early Start. Codifying this definition in state regulations promotes alignment with federal law, provides consistent implementation across regional centers and providers, and helps families understand the full range of available services under California's Early Intervention Services Act.

Section 52000(b)(47)(A)(1-4), (B), & (C) "Nutrition Services"
Specific Purpose
The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(47) to add a definition for the term "Nutrition Services" to the list of definitions. This definition will clarify the scope of nutrition services available under California's Early Start.

Rationale for Necessity
The proposed adoption is necessary because the current early intervention regulations do not include a definition for "Nutrition Services." This definition is referenced as it appears in Part C of IDEA, section 303.13(b)(7). Duplicating the federal regulation is necessary to provide clarity regarding the types of nutrition services that may be delivered through Early Start. Codifying this definition in state regulations promotes alignment with federal law, provides consistent

implementation across regional centers and providers, and helps families understand the full range of available services under California's Early Intervention Services Act.

Section 52000(b)~~(43)~~ "Physical Therapy" renumbered to (b)(53)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(43) by renumbering the definition of "Physical Therapy" to 52000(b)(53), to preserve proper alphabetical order within the list of definitions. The substance of the definition remains unchanged.

Rationale for Necessity

This proposed amendment is necessary to maintain alphabetical sequencing within section 52000, which contains definitions applicable to early intervention services. Proper ordering of definitions enhances clarity, reduces confusion, and supports ease of reference for families, service providers, and members of the public. This organizational revision promotes consistency and usability of the regulatory text, in alignment with the clarity and accessibility standards required under the Administrative Procedure Act.

Section 52000(b)(49)(A), (B), (C), (D), (E), (F), and (G) "Parent"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(49)(A) – (G) to renumber this definition due to the addition of preceding new definitions added and to revise and clarify the definition of "parent" as used in Early Start and to replace the term "child" with the more accurate term "infant or toddler" in the definition of "Parent." This change aligns the language with the age group served under California's Early Start. This amendment also updates the term "natural or adoptive parent of a child" to "biological or adoptive parent of an infant or toddler" and explicitly includes "foster parent" within the definition. It also clarifies that a "surrogate parent" is "appointed" rather than "assigned" and refines the definition of "guardian" to reflect that a guardian is someone legally authorized to act as a parent or to make early intervention, education, health, or developmental decisions on behalf of the infant or toddler, consistent with 34 CFR section 303.27. In addition, these changes increase the access of early intervention services to infants and toddlers who are placed in a foster home, as foster parents will be afforded increased rights in educational decision making when a biological parent is not available. These revisions improve clarity and align the terminology with current law and practice.

Rationale for Necessity

The proposed adoption is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to align the state's regulatory definition of "Parent" with federal requirements under Part C of IDEA, specifically 34 CFR section 303.27. The proposed amendment also clarifies that early intervention services provided through the regional center under Early Start are intended for individuals from birth up to their third birthday. The term "child," as defined in federal regulations, can apply to individuals up to age six, which may lead to confusion regarding eligibility and service scope. By using the more specific term "infant or toddler", the regulation more accurately reflects the population served under Part C of IDEA and supports consistent interpretation and implementation of early intervention services in California known as Early Start. It also supports timely access to early intervention services for infants and toddlers in foster care by explicitly recognizing foster parents as individuals who may assume the role of parent in educational decision-making when a biological parent is unavailable. Under current regulations foster parents may only act in this capacity after the courts formally limit the biological parent's educational rights, which can delay service access. This amendment removes the burden and delay of the courts granting educational rights to foster parents. Such delays restrict access to early intervention services as these services are only offered in a narrow window of time.

Section 52000(b)(50) "Payor of Last Resort"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(50) to renumber this definition due to the addition of preceding new definitions added and to revise the definition of "Payor of Last Resort." This amendment replaces separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to provide consistent terminology and eliminate ambiguity throughout the regulations. By consolidating the references to "regional center" and "LEA" into the term "Early Start Program", the regulation more clearly conveys that either entity, or both, may be responsible for providing early intervention services, depending on the individual case. This clarification reduces redundancy and supports a uniform understanding of the roles and responsibilities within the service delivery system. It also aligns with the broader regulatory intent to streamline and simplify language for ease of implementation and compliance across the Early Start system.

Section 52000(b)(53) "Physical Therapy" renumbered from (b)(43)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(53), to renumber the definition of "Physical Therapy" which was previously located in section 52000(b)(43). This renumbering was made to preserve proper alphabetical order within the list of definitions. The content of the definition remains unchanged.

Rationale for Necessity

This proposed amendment is necessary to maintain proper alphabetical and numerical sequencing within section 52000, which contains definitions applicable to early intervention services. Proper ordering of definitions enhances clarity, reduces confusion, and supports ease of reference for families, service providers, and members of the public. This organizational revision promotes consistency and usability of the regulatory text, in alignment with the clarity and accessibility standards required under the Administrative Procedure Act.

Section 52000(b)(55)(A), (B), (C), and (D) "Psychological Services"

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(55)(A) through (D) to add a definition for the term "Psychological Services" to the list of definitions. This definition describes the scope of psychological services available under Early Start and includes activities such as assessments, interpretation of results, behavioral evaluations, and counseling services for infants, toddlers, and their families. The content of the definition remains unchanged.

Rationale for Necessity

The proposed adoption is necessary because current early intervention regulations do not define "Psychological Services." This definition is referenced as it appears in Part C of IDEA, section 303.13(b)(10). Duplicating the federal regulation is necessary to provide clarity regarding the types of psychological services that may be delivered through Early Start. Codifying this definition in state regulations promotes alignment with federal law, supports consistent implementation across regional centers and providers, and helps families understand the full range of available services under California's Early Intervention Services Act.

Section 52000(b)(56) "Qualified"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(56) to renumber this

definition due to the addition of preceding new definitions added and to revise the definition of "Qualified" as it relates to personnel providing early intervention services. Specifically, this amendment adds "registered dieticians", "teachers of children with hearing impairments (including deafness)" and "teachers of children with visual impairments (including blindness)" to the list of personnel recognized as qualified under Early Start.

Rationale for Necessity

The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions and to align California's definition of "Qualified" personnel with the federal definition in 34 CFR section 303.13(c)(9) and (11) (2024) under Part C of IDEA. The current regulation does not explicitly include certain personnel categories referenced in federal law, which may cause confusion about eligibility to provide early intervention services. Including these additional provider types promotes consistency and reflects the full range of qualified professionals who may deliver services under Early Start. This clarification also helps families understand who may be involved in their child's early intervention services and supports informed decision-making regarding service planning and provider selection.

Section 52000(b)(57) "Receptive Communication"

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(57) to add a definition for the term "Receptive Communication" to the list of definitions. This definition will clarify the meaning of receptive communication as it is used in Early Start, and distinguish it from other forms of communication, such as expressive communication.

Rationale for Necessity

The proposed adoption is necessary to provide a clear and consistent definition of "Receptive Communication" (M. Nandakumar, personal communication, March 12, 2025; Wallace, 2023) to support accurate eligibility determinations under Early Start. Currently, the absence of a distinct definition may lead to reliance on a composite communication score, which can result in the exclusion of infants or toddlers who show age-appropriate expressive communication but exhibit a significant delay in receptive communication. By recognizing receptive and expressive communication as separate types of communication, this amendment supports more precise evaluation of developmental needs. This distinction allows eligibility determinations to more accurately reflect areas of delay and supports appropriate access to early intervention services for infants and toddlers who demonstrate significant receptive communication delays. This amendment aligns the regulations with recent amendments to Gov.

Code section 95014, which recognize the importance of separately identifying receptive communication in early intervention assessments.

Section 52000(b)~~(51)~~ "Regional Center" renumbered to Section (b)(60) "Regional Center"

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(51) to update and streamline the definition of "Regional Center" within the regulations by aligning it with current statutory language in WIC. The amendment removes outdated and unnecessary descriptive language and replaces it with a direct citation to the governing statutory provisions. Additionally, the amendment renumbers and reorders the definition to maintain consistency with the overall regulatory structure, including correcting its placement to align with alphabetical order, and reflects conforming changes made throughout title 17 to standardize the definition of "Regional Center.".

Rationale for Necessity

The amendment is necessary to provide a clear and accurate definition of "Regional Center" that reflects current law and terminology. The existing definition includes descriptive language referencing a "private nonprofit community agency/corporation acting as a contractor," which is duplicative of, and less precise than, the statutory framework set forth in WIC sections 4620 through 4669. By revising the definition to reference the specific statutory sections, the regulation more clearly identifies the legal authority governing regional centers and reduces the potential for confusion or misinterpretation. Removing unnecessary descriptive language also improves readability and consistency across the regulatory scheme. Conforming amendments have also been made throughout title 17 to revise all definitions of "Regional Center" to the same standardized language. This is necessary to maintain consistency across the regulatory framework, avoid conflicting or duplicative definitions, and support uniform interpretation and application of the term. Standardizing this definition across all sections improves clarity for community partners and aligns all references with the same statutory authority in WIC sections 4620 through 4669. The renumbering of the definition from subsection (51) to subsection (60), and its repositioning to correct alphabetical order, are necessary to maintain proper organization, logical sequencing, and usability of the section as additional definitions have been added or revised.

Section 52000(b)~~(56)~~ "Speech-Language Pathology" renumbered to (b)(68)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(56) by renumbering the definition of "Speech-Language Pathology" to 52000(b)(68), to preserve proper

alphabetical and numerical order within the list of definitions. The substance of the definition remains unchanged.

Rationale for Necessity
This proposed amendment is necessary to maintain alphabetical sequencing within section 52000, which contains definitions applicable to early intervention services. Proper ordering of definitions enhances clarity, reduces confusion, and supports ease of reference for families, service providers, and members of the public. This organizational revision promotes consistency and usability of the regulatory text, in alignment with the clarity and accessibility standards required under the Administrative Procedure Act.

Section 52000(b)(65)(A), (B), (C), (D), and (E) "Social Work Services"
Specific Purpose
The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(65)(A) through (E) to define the term "Social Work Services" as it applies to the provision of early intervention services under Early Start. This definition outlines the scope and types of social work services that may be provided to eligible infants and toddlers and their families.

Rationale for Necessity
The proposed adoption is necessary because existing early intervention regulations do not currently define "Social Work Services." The proposed definition reflects the federal description in 34 CFR section 303.13(b)(13), which identifies the categories of social work services authorized under Part C of the IDEA. Incorporating this definition into state regulations aligns state requirements with federal law, promotes consistency across service providers, and supports accurate and uniform implementation of the California Early Intervention Services Act. Including the federal definition within state regulations also provides clarity for families, professionals, and regional center staff regarding the types of social work services that may be delivered through Early Start.

Section 52000(b)(67)(A), (B), (C), and (D) "Special Instruction"
Specific Purpose
The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(67)(A) through (D) to define the term "Special Instruction" as it applies to early intervention services under California's Early Start. The definition incorporates the term "developmental delay" to align with the eligibility criteria for infants and toddlers served under California's Early Start.

Rationale for Necessity
The proposed adoption is necessary because the term "Special Instruction" is not currently defined in California's early intervention regulations, despite being a federally recognized early intervention service under 34 CFR section 303.13(b)(14). Incorporating this definition into state regulations aligns the regulatory framework with federal requirements and clarifies the scope of services available through Early Start. Including "developmental delay" in the definition is necessary to reflect California's eligibility criteria, which includes infants and toddlers with a diagnosed disability and/or a delay of at least 25 percent in one or more developmental domains. This clarification supports consistent eligibility determinations and helps families and service providers understand how special instruction is applied within the state's developmental services system.

Section 52000(b)(68) "Speech-language Pathology Services" formerly (b)(56)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(68) by renumbering the definition of "Speech-Language Pathology Services" to 52000(b)(68), to preserve proper alphabetical and numerical order within the list of definitions. The substance of the definition remains unchanged.

Rationale for Necessity
This proposed amendment is necessary to maintain proper alphabetical and numerical sequencing within section 52000, which contains definitions applicable to early intervention services. Proper ordering of definitions enhances clarity, reduces confusion, and supports ease of reference for families, service providers, and members of the public. This organizational revision promotes consistency and usability of the regulatory text, in alignment with the clarity and accessibility standards required under the Administrative Procedure Act.

Section 52000(b)(70) "Transportation"
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 1, section 52000(b)(70) to renumber this definition due to the addition of preceding new definitions added, to amend the definition for the term "transportation" to add "means services that…" to the definition and to replace the term "child" to "infant's or toddler's" in the definition of "Transportation". This revision aligns the terminology with the specific population served under California's Early Start.

Rationale for Necessity
The proposed amendment is necessary to improve clarity within the regulatory text by renumbering this definition to reflect the addition of new definitions, to clarify the scope of the term "Transportation," and to specify that it includes travel and related costs necessary for an infant or toddler with a disability and the infant or toddler's family to receive early intervention services. This clarification also helps families understand that "transportation" can refer to any service in which the travel costs as defined in this part are included and to clarify that Early Start services provided through the regional center system are intended for individuals from birth up to their third birthday. The proposed amendment further clarifies that the term "child" may suggest a broader age range than is eligible under Early Start, potentially leading to confusion regarding service eligibility and applicability. Replacing "child" with "infant's or toddler's" provides consistency with the statutory definition of the Early Start population and supports accurate interpretation and implementation of early intervention services in accordance with state and federal law.

Section 52020
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 2, section 52020 by adding a provision that states that an infant or toddler shall be eligible for early intervention services if all of the following are met under (1), (2), and (3) of this section.

Rationale for Necessity
The proposed amendment is necessary to clarify that infants and toddlers must meet all the criteria identified under this section to be eligible to receive early intervention services. For an infant or toddler to be eligible for Early Start, they must be between birth and thirty-six months of age, and meet the criteria specified in section 52022, and need early intervention services. This clarification supports families' understanding of the eligibility criteria for early intervention services.

Section 52022(a)(3) and (4)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 2, section 52022(a) to add a sixth specified area for an eligible infant or toddler to have a developmental delay by bifurcating communication development to include both expressive and receptive communication development.

Rationale for Necessity
The proposed amendment is necessary to clarify how communication development is assessed when determining eligibility for Early Start services.

There have been instances where infants or toddlers were evaluated for eligibility and had age-appropriate receptive communication but a delay in expressive communication (or the opposite), and the regional centers would look at the composite communication score and the infant or toddler would not meet the criteria for eligibility even though they may have been 25 percent delayed in expressive or receptive communication. Separating the two types of communications will result in creating accurate eligibility criteria to allow for the provision of early intervention services to more infants and toddlers with delays. This amendment aligns these regulations with language added to Gov. Code section 95014.

Section 52022(b)(1)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 1, article 2, section 52022(b)(1) to add fetal alcohol syndrome as an established risk condition.

Rationale for Necessity

The proposed amendment is necessary to include fetal alcohol syndrome as an established risk condition when determining an infant's or toddler's eligibility to receive early intervention services through California's Early Start. California Gov. Code section 95014 states that fetal alcohol syndrome is an established risk condition of known etiology which has a high probability of resulting in developmental delay. This amendment aligns these regulations with language added to Gov. Code section 95014.

Section 52022 – NOTE: Reference Citation

Specific Purpose

The purpose of the proposed regulatory action is to amend the NOTE following title 17, division 2, chapter 2, subchapter 1, article 2, to place section 1432(5) of title 20, U.S.C. in the correct numerical sequence within the list of reference citations.

Rationale for Necessity

This amendment is necessary to improve the accuracy and consistency of the reference citations contained in the regulation. Correcting the placement of section 1432(5) of title 20 U.S.C. maintains proper numerical order, supports clarity for regulated entities and the public, and promotes consistent application of the regulation.

Section 52040(a), (c), (e), and (e)(4)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 2, article 1, section 52040(a), (c), (e), and (e)(4) to

replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term, and adds language to include private agencies who may coordinate local child find activities.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements. The addition of language recognizing private agencies that may coordinate local child find activities is necessary to reflect current practice and clarify the range of entities that may participate in identifying and referring infants and toddlers who may be eligible for Early Start services.

Section 52060
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 2, article 1, section 52060 to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52082(a)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 2, article 2, section 52082(a) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52082(b)(5)(C) and (D)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 2, article 2, section 52082(b)(5)(C) by replacing "Communication development" with "expressive communication development" and "receptive communication development" to bring this section in alignment with Gov. Code section 95014.

Rationale for Necessity
The proposed amendment is necessary to clarify how communication development is evaluated when determining eligibility for Early Start services. Infants and toddlers that meet eligibility criteria for delays in communication are evaluated in the full scope of communication development. There have been instances where infants or toddlers were evaluated for eligibility and had age-appropriate receptive communication but a delay in expressive communication (or the opposite), and the regional centers would look at the composite communication score and the infant or toddler would not meet the criteria for eligibility even though they may have been 25 percent delayed in expressive or receptive communication. Separating the two types of communication will result in creating accurate eligibility criteria to allow for the provision of early intervention services to more infants and toddlers with developmental delays. This amendment aligns these regulations with Gov. Code section 95014.

Section 52082(f)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 2, article 2, section 52082(f) to change "third" to "quarter" as the percentage threshold for qualifying for early interventions services for an infant or toddler is now 25 percent delay instead of 33 percent delay.

Rationale for Necessity
This amendment is necessary to align state regulations with Gov. Code section 95014, which defines eligibility for early intervention services under California's Early Start. Updating the terminology to reflect the 25 percent delay improves regulatory consistency with statute, improves clarity, and supports accurate implementation of eligibility criteria.

Section 52084(a)(1)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 2, article 2, section 52084(a)(1) to make a grammatical non-substantive correction. This amendment also changes the language referencing "five" developmental areas to "six" developmental areas. Finally, the amendment corrects language citing an incorrect subparagraph within these regulations as it is now "52082(b)(5) instead of 52082(b)(3).

Rationale for Necessity
The proposed amendment is necessary to correct language referencing "five" areas of development to "six" areas of development to determine eligibility. This amendment is consistent with other amendments within these regulations, adding a sixth specified developmental area for an eligible infant or toddler to have a developmental delay. This amendment is also necessary to correct an inaccurate citation within these regulations. This amendment aligns these regulations with Gov. Code section 95014.

Section 52084(b)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 2, article 2, section 52084(b) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Programs" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52086(a)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 2, article 2, section 52086(a) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52100

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 1, section 52100 to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Programs" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52102(a)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52102(a) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52102(a)(1)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52102(a)(1) to require that consent be offered to the parents or legal guardians for a referral to the local family resource center or network. This offer of consent must be made at the initial IFSP meeting and at each subsequent IFSP meeting if consent was not previously obtained, and all such offers shall be documented in the IFSP.

Rationale for Necessity
The proposed amendment is necessary to provide families with ongoing opportunities to access and benefit from the resources and supports available through family resource centers. Requiring that consent be offered at the initial and subsequent IFSP meetings clarifies expectations for service coordinators and promotes consistent practice in offering referrals. The proposed amendment also requires documentation of these consent offers in the IFSP, which improves transparency and accountability in the IFSP process. This documentation supports consistent referral practices and provides a clear record that families were informed of available resources and given the opportunity to consent to a referral.

Section 52102(b)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52102(b) to require that the service coordinator meet with the infant or toddler and their family every three (3) months, rather than every six (6) months, to conduct quarterly reviews of the IFSP.

Rationale for Necessity
The proposed amendment is necessary to provide more frequent review of the developmental needs of the infant or toddler and the priorities and concerns of

the infant's or toddler's family. Conducting quarterly reviews allows for timely adjustments to services and supports, promoting more responsive early intervention. This change also aligns the regulations with Gov. Code section 95018, which requires IFSP reviews at least every three months.

Section 52102(d)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52102(d) to require that any consensus by all parties to change the manner in which the periodic review of the IFSP is conducted, must be documented in the infant's or toddler's record.

Rationale for Necessity

The proposed amendment is necessary to clarify that decisions to modify the process for periodic IFSP review must be made collaboratively with the agreement of all required parties. Requiring documentation of this consensus in the record promotes transparency, accountability and consistent application of the regulatory requirements.

Section 52102(g)(3)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52102(g)(3) to specify that IFSP meetings shall be conducted at a frequency and in a modality consistent with Gov. Code section 95020.

Rationale for Necessity

The proposed amendment is necessary to align the regulation with Gov. Code section 95020(c)(2)(A), which establishes requirements regarding the frequency and manner in which IFSP meetings must be held. Aligning the regulation with statute promotes clarity for implementation and supports compliance with state law.

Section 52102(h)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52102(h) to establish a minimum timeframe of no less than seven calendar days for providing written notice and arranging IFSP meetings with the parent and all members of the multidisciplinary team. This amendment replaces the prior reference to notice being provided "in a timely manner" with a defined timeframe to support consistent implementation across regional centers and align with federal requirements under 34 C.F.R. Part 303 (2024). The proposed amendment also requires documentation that the parent(s) was/were informed of their right to invite

other individuals, including family members, advocates, or peer parents, to participate in IFSP meetings.

Rationale for Necessity
The proposed amendment is necessary to provide clarity and consistency regarding the timeframe for providing notice of IFSP meetings. The previous requirement that notice be provided "in a timely manner" was ambiguous and resulted in inconsistent practices across regional centers. Establishing a minimum seven calendar day notice period provides families and multidisciplinary team members with adequate time to prepare for and meaningfully participate in the IFSP process.

This amendment also strengthens procedural transparency by requiring documentation that parents have been informed of their right to invite additional participants to IFSP meetings. This documentation requirement supports awareness of parental rights and promotes meaningful family participation in the development of the IFSP. Together, these changes support uniform statewide implementation, improve clarity in regulatory expectations, and align with applicable state and federal early intervention requirements.

Section 52102(h)(1)
Specific Purpose
The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 2, section 52102(h)(1) to establish a process by which a parent may request that an IFSP meeting be convened on shorter notice than the standard seven calendar days, and to require the Early Start program to make reasonable efforts to accommodate such requests. This provision clarifies that the seven-day written notice requirement may be waived at the parent's request while maintaining a clear and consistent process for doing so.

Rationale for Necessity
The proposed adoption is necessary to clarify how expedited IFSP meeting requests are handled when a parent seeks to convene a meeting sooner than the standard seven calendar day notice period. Parents may request earlier meetings to address urgent concerns or changes in the needs of the infant or toddler. This amendment provides clear direction that such requests may be accommodated and that the Early Start program must make reasonable efforts to do so. The amendment also clarifies that the seven-day written notice requirement is waived when the parent requests a meeting on shortened notice. Providing this clarification reduces ambiguity and supports consistent implementation across regional centers and local educational agencies. Additionally, establishing a defined process for expedited meetings supports procedural safeguards by maintaining clarity when standard timelines are

modified at the parent's request. It promotes transparency and informed participation while remaining consistent with applicable federal requirements under 34 C.F.R. Part 303.

Section 52104(a)(1)(A)-(C)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 2, section 52104(a)(1)(A) through (C) to clarify the requirements for ongoing parental engagement and reunification efforts. The regulation emphasizes the importance of engaging both biological parents in cases of shared custody and requires that such engagement efforts be documented in the infant's or toddler's record.

Rationale for Necessity

The proposed adoption is necessary to reinforce the importance of continuous parental engagement in supporting service coordination, especially in situations involving shared custody or reunification. Clarifying the expectation to involve both biological parents promotes consistency in service delivery, supports the child's developmental progress, and reflects that all responsible parties are informed and actively participating in the IFSP process. Documenting these efforts strengthens accountability and helps confirm that service planning reflects the full family context.

Section 52104(a)(2)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52022(a)(2) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52104(d)(1)(A)-(C)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 2, section 52104(d)(1)(A) through (C) to clarify the requirements for ongoing parental engagement during the periodic review of the IFSP.

Rationale for Necessity

The proposed adoption is necessary to reinforce the importance of continuous parental engagement in maintaining service continuity, particularly in situations involving reunification and/or shared custody. These provisions align with and mirror the parental engagement requirements established for initial and annual IFSPs as under section 52104(a), promoting consistent expectations across all phases of the IFSP process. Clarifying this requirement supports family-centered practices and contributes to stable, coordinated service delivery for infants and toddlers and their families.

Section 52106(b)(2)(C) and (D)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52106(b)(2)(C) and (D) by replacing "communication development" with "expressive development" and "receptive development" to align this section with Gov. Code section 95014.

Rationale for Necessity

The proposed amendment is necessary to clarify that eligibility determinations related to communication delays consider both expressive and receptive development separately. Under the current framework, the use of a composite communication score may result in infants or toddlers not meeting eligibility criteria despite having a significant delay (25 percent or greater) in either expressive or receptive communication. This has led to situations where children with clear developmental delays do not qualify for services due to averaging across communication domains. Separating expressive and receptive development establishes a more precise approach to evaluating communication delays and supports more accurate eligibility determinations. This change allows infants and toddlers with significant delays in either domain to be appropriately identified and considered for early intervention services. The amendment also aligns the regulation with Gov. Code section 95014, as amended by SB 188 (2022).

Section 52106(b)(6)(F)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52022(a) to replace separate

references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52106(b)(9)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52106(b)(9) to revise the timeframe for initiating transition steps in accordance with 34 CFR section 303.209(c).

Rationale for Necessity
The proposed amendment is necessary based on the Department's policy that early intervention services should be implemented as soon as possible. Establishing a timeframe that allows LEAs to begin transition planning not fewer than 90 days before the child's third birthday, or up to nine months in advance at the discretion of all parties, supports timely coordination and reduces the likelihood of delays in service planning and delivery.

Expanding the maximum timeframe from six months to nine months provides greater flexibility for earlier coordination, while the minimum 90-day requirement establishes a clear baseline for timely action. These changes align with 34 CFR section 303.209(c) and support continuity of services for toddlers transitioning from Early Start to Part B services.

Section 52106(c)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52022(a) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively

refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52106(d)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52106(d) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term. The proposed amendment also replaces the phrase "as soon as possible" with "within 45 days of obtaining the parental consent for those services" to establish a defined timeframe for regional centers and LEAs to arrange, provide, or purchase early intervention services identified in the IFSP. This action aligns with the requirements of Part C of IDEA.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements. The proposed amendment will also establish a clear and consistent timeframe for initiating early intervention services. Replacing the phrase "as soon as possible" with the defined 45-day timeframe removes ambiguity and supports uniform implementation across all regional centers and LEAs. Requiring services to be arranged, provided, or purchased within 45 days of obtaining parental consent promotes timely initiation of services and reduces the likelihood of delays. The 45-day timeframe provides a reasonable period for coordination while maintaining a clear expectation for prompt service delivery.

Section 52107(e)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52107(e) to replace separate references to "regional center" and "LEA" with the inclusive term, "Early Start

Program" and update the number of developmental areas from five to six, reflecting the separate identification of expressive and receptive communication development.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements. Furthermore, updating "five" to "six" makes this provision consistent with the developmental areas identified in section 52082(b)(5), which separately identifies expressive and receptive communication development.

Section 52108(a)(1) and (b)(1)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 2, section 52108(a)(1) and (b)(1) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52111(a)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52111(a) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52111(c)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52111(c) to add the word "also" to state that the procedures contained in Education Code section 56325 apply to infants or toddlers with existing IFSPs who move from an area served by one LEA to an area served by another LEA.

Rationale for Necessity
The proposed amendment is necessary to clarify that the procedures contained in Education Code section 56325 apply to infants or toddlers with an existing IFSP who relocate from one LEA service area to another. This clarification supports continuity of services for infants and toddlers receiving early intervention services when families move between LEA jurisdictions.

Section 52112(a)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(a) to replace the term "children" with "toddlers," Update "preschool programs" to "special education and related services," and revise the timeframe for LEAs to begin transition planning for toddlers who may be eligible for services under Part B of IDEA.

Rationale for Necessity
The proposed amendment is necessary to clarify that early start services provided through the regional center conclude at the toddler's third birthday and to reflect the broader category of services available under Part B. Replacing the term "preschool programs" with "special education and related services" aligns the regulation with current terminology and the expanded scope of services, including recent initiatives by the California Department of Education such as Universal Pre-K. The Department's policy is that early intervention services should be provided as soon as possible. To support timely service planning and reduce the likelihood of delays, the amendment allows

LEAs to begin transition planning not fewer than 90 days before the toddler's third birthday, or up to nine months in advance at the discretion of all parties. Expanding the maximum timeframe from six months to nine months provides greater flexibility for earlier coordination, while the 90-day minimum establishes a clear baseline for timely action. These changes align with 34 CFR section 303.209(c) and support continuity of services for toddlers transitioning from Early Start to Part B services.

Section 52112(a)(1)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(a)(1) to establish that all toddlers served in Early Start Programs are considered potentially eligible for Part B special education and related services at age three in accordance with Part B of IDEA.

Rationale for Necessity

The proposed adoption is necessary to clarify that all toddlers served in Early Start Programs are considered potentially eligible for Part B education and related services at age three, consistent with 34 CFR section 303.209(b).

Section 52112(b)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(b) to revise the timeframe for the service coordinator to notify the LEA with the toddler's name, date of birth, and parent contact information, including the parents' names, addresses, and telephone numbers. The amendment requires notification not less than 90 days before the toddler's third birthday, or at the discretion of all parties, up to nine (9) months before the third birthday, replacing the previous timeframe of up to six (6) months. This proposed action also removes the requirement to notify parents that transition planning will occur in the future.

Rationale for Necessity

The proposed amendment is necessary based on the Department's policy that early intervention services should be provided as soon as possible. Establishing a minimum notification timeframe of not less than 90 days before the toddler's third birthday of the toddler receiving early intervention services or at the discretion of all parties up to nine months before the child turns three supports timely coordination and reduces the likelihood of delays in service planning and delivery. Expanding the maximum notification window from six months to nine months provides greater flexibility for earlier coordination, while the 90-day

minimum establishes a clear baseline for timely action. These changes align with 34 CFR section 303.209(d).

Removing the requirement to notify parents that transition planning will occur eliminates a provision not required under the Family Educational Rights and Privacy Act and reduces unnecessary regulatory language.

Section 52112(b)(1)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(b)(1) to remove outdated language t and add provisions specifying the information required in notifications to the LEA. The proposed amendment also requires that notification of a potentially eligible infant or toddler to the LEA be made in writing.

Rationale for Necessity

This proposed amendment is necessary to support a seamless transition and continuity of services for toddlers and their families as responsibility shifts from the Department, as the lead agency for Part C, to the California Department of Education (CDE), as the lead agency for Part B of federal regulations. Removing outdated language eliminates provisions that are no longer applicable. Requiring written notification to the LEA establishes a clear and verifiable record of timely communication. Specifying the required content of the notification aligns this section with 34 CFR section 303.401(d). These changes promote consistent implementation of transition requirements and support compliance with federal law, which is necessary for the State to receive approximately $54 million annually in funding for early intervention services for eligible infants, toddlers, and their families participating in Early Start.

Section 52112(b)(2)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(b)(2) to remove language that is no longer applicable and to add language that requires that with parental consent additional information can be shared about the toddler to the LEA including evaluation and assessment information and copies of IFSPs, including the family's native language.

Rationale for Necessity

The proposed amendment is necessary to align these regulations with 34 CFR section 303.414, for consent prior to disclosure or use of information, including the family's native language. This is also necessary to maintain the

approximately $54 million the State receives annually to fund early intervention services for eligible infants, toddlers, and their families who are in Early Start.

Section 52112(b)(3)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(b)(3) to remove language that is no longer applicable and does not align with federal regulations and then adds that "needed assessments" need to be identified to determine if the toddler is eligible or provisionally eligible for Lanterman Act services in accordance with WIC section 4512.

Rationale for Necessity

The proposed amendment is necessary to align with 34 CFR section 303.209. The additional language related to the need to identify the needed assessments to determine if the toddler is eligible or provisionally eligible for Lanterman Act services aligns the transitions processes in accordance with WIC section 4512.

Section 52112(b)(3)(A)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(b)(3)(A) to add "For toddlers with solely low incidence disabilities, this step is not required" to provide clarity to the regulation.

Rationale for Necessity

The proposed adoption is necessary to clarify that the requirement stated in section 52112(b)(3) does not apply to infants and toddlers with solely low incidence disabilities and aligns the regulation with WIC section 4512.

Section 52112(c)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(c)to remove language that is no longer applicable or is addressed in other sections of this regulation. The regulatory action adds language specifying that the notification to the LEA needs to occur as soon as possible and the information that needs to be provided on the notification and changes the reference to IFSP occurring at "two years nine months or earlier" to "more than 45 but less than 90 days of their third birthday" in order to provide a more specific time frame for clarity.

Rationale for Necessity

The proposed amendment is necessary to remove language that does not align with federal regulations or that is addressed in these 52112(e) of these

regulations. The added language is necessary to promote the seamless transition and timely continuation of services for the toddlers and their families from the Department as the lead agency for Part C to CDE as the lead agency for Part B of federal regulations. The addition of language for the timeframe for notifying the LEA "as soon as possible" is necessary due to the implications associated with the timelines around the child's third birthday and the processes for transitioning the child to preschool and other programs as prescribed in 34 CFR section 303.209. Typically, this notification is required to be no less than 90 days before the toddler's third birthday so in a situation where the toddler is found eligible less than 90 days before the third birthday, the notification must happen as soon as possible. This is also necessary to maintain the approximately $54 million the State receives annually to funded early intervention services for eligible infants, toddlers, and their families who are in Early Start.

Section 52112(c)(1), (1)(A) and (B), (2) and (3)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(c)(1), (1)(A) and (B), (2), and (3) to remove language that is no longer applicable or is addressed in other sections of this regulation.

Rationale for Necessity

The proposed amendment is necessary to remove language that does not align with federal regulations or that is now addressed in section 52112(f)(2)(A) and (B) of these regulations.

Section 52112(d)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(d) to remove language that is no longer applicable or is addressed in section 52112(f) of these regulations. The proposed regulatory action also adds language specifying what actions the Service Coordinator must take when a toddler is referred to an assessment to determine eligibility for early intervention services fewer than 45 days prior to a toddler's third birthday.

Rationale for Necessity

The proposed amendment is necessary to align with federal regulations and remove duplicated information that is addressed elsewhere in these regulations. The action is also necessary to promote the seamless transition and timely continuation of services for the toddlers and their families from the Department as the lead agency for Part C to CDE as the lead agency for Part B of federal regulations. The addition of language for the timeframe and what actions the service coordinator must take for notifying the LEA is necessary due to the

implications associated with the timelines around the child's third birthday and the processes for transitioning the child to preschool and other programs as prescribed in 34 CFR section 303.209. This is also necessary to maintain the approximately $54 million the State receives annually to fund early intervention services for eligible infants, toddlers, and their families who are in Early Start.

Section 52112 (d)(1), (2), (3), (4), (5) and (5)(A), (B), and (C)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(d)(1), (2), (3), (4), (5), and (5)(A), (B), and (C) to remove language that is no longer applicable or is addressed in other sections of these regulations. The proposed action also revises section 52112(d)(1) to require that the regional center discuss, and review Lanterman Act eligibility with the family upon receipt of a referral in accordance with WIC section 4512.

Rationale for Necessity

The proposed amendment is necessary to remove duplicative and outdated language and to align the regulation with applicable federal requirements. Clarifying and consolidating provisions addressed elsewhere in the regulations improves readability and supports consistent implementation. The amendments also support a seamless transition and continuity of services for toddlers and their families as responsibility shifts from the Department, as the lead agency for Part C, to CDE, as the lead agency for Part B of federal regulations. Clarifying the actions and timelines for service coordinators related to notifying the LEA addresses the time-sensitive nature of transition planning as a child approaches their third birthday, consistent with 34 CFR section 303.209. In addition, requiring regional centers to discuss and review Lanterman Act eligibility with families upon referral aligns the regulation with WIC section 4512. These changes support compliance with federal requirements, which is necessary for the State to receive approximately $54 million annually in funding for early intervention services for eligible infants, toddlers, and their families participating in Early Start.

Section 52112(e)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(e) to specify that when a toddler may be eligible for special education and related services at age three, a transition conference must be held within defined timelines and include the regional center, the family, and the LEA.

Rationale for Necessity

The proposed adoption is necessary to support a seamless transition and timely continuation of services for toddlers and their families as responsibility shifts from

the Department, as the lead agency for Part C, to CDE, as the lead agency for Part B of federal regulations. Removing language addressed elsewhere in the regulations eliminates redundancy and improves clarity. Establishing specific timelines and required actions for the transition conference, including notification to the LEA, addresses the time-sensitive nature of transition planning as a child approaches their third birthday. These requirements align with 34 CFR section 303.209 and support consistent implementation of transition processes. These changes support compliance with federal requirements, which is necessary for the State to receive approximately $54 million annually in funding for early intervention services for eligible infants, toddlers, and their families participating in Early Start.

Section 52112(f)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(f) to require that a transition plan be developed in the IFSP within a specified timeframe prior to a toddler's third birthday.

Rationale for Necessity

The proposed adoption is necessary to support a seamless transition and timely continuation of services for toddlers and their families as responsibility shifts from the Department, as the lead agency for Part C, to CDE, as the lead agency for Part B of federal regulations. Establishing a defined timeframe for development of the transition plan promotes timely coordination and reduces the likelihood of delays as a child approaches their third birthday. Requiring that the transition plan includes information on available community resources provides families with relevant options and supports informed decision-making during the transition process. These requirements address the time-sensitive nature of transition planning and align with 34 CFR section 303.209, supporting consistent implementation across programs. These changes support compliance with federal requirements, which is necessary for the State to receive approximately $54 million annually in funding for early intervention services for eligible infants, toddlers, and their families participating in Early Start.

Section 52112(f)(1)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(f)(1) to require that the family of a toddler be included in the development of the transition plan.

Rationale for Necessity

The proposed adoption is necessary to recognize and support the role of parents in decision-making regarding the continuation of services for their child,

consistent with 34 CFR section 303.209(c)(2). Including families in the development of the transition plan promotes informed participation in determining services under Part B or participation in preschool programs. These changes support compliance with federal requirements, which is necessary for the State to receive approximately $54 million annually in funding for early intervention services for eligible infants, toddlers, and their families participating in Early Start.

Section 52112(f)(2)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(f)(2) to require that the transition plan in the IFSP be consistent with the requirements set forth in section 52106(b).

Rationale for Necessity

The proposed adoption is necessary to require inclusion of specific information in the transition plan to support a seamless transition and timely continuation of services for toddlers and their families as responsibility shifts from the Department, as the lead agency for Part C, to CDE, as the lead agency for Part B. Aligning the transition plan with section 52106(b) and 34 CFR section 303.209(c)(2) provides clarity regarding the continuation of services under Part B or participation in preschool programs. These changes support compliance with federal requirements, which is necessary for the State to receive approximately $54 million annually in funding for early intervention services for eligible infants, toddlers, and their families participating in Early Start.

Section 52112 (f)(2)(A)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(f)(2)(A) to require that the transition plan in the IFSP is consistent with the requirements set forth in section 52106(b).

Rationale for Necessity

The proposed adoption is necessary to require inclusion of specific information in the transition plan to support a seamless transition and timely continuation of services for toddlers and their families as responsibility shifts from the Department, as the lead agency for Part C, to CDE, as the lead agency for Part B of federal regulations. Aligning the transition plan with section 52106(b) and 34 CFR section 303.21(c)(2), provides clarity regarding the continuation of the services under Part B or participation in preschool programs. These changes support compliance with federal requirements, which is also necessary to maintain the approximately $54 million the State receives annually to fund early

intervention services for eligible infants, toddlers, and their families participating in Early Start.

Section 52112 (f)(2)(A)1.

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(f)(2)(A)1. to require that parents be provided information about community resources available to their toddler. These resources include Head Start programs, private or public preschools, Family Resource Centers and/or Family Empowerment Centers.

Rationale for Necessity

The proposed adoption is necessary to align with 34 CFR section 303.209(c), which requires that parents receive information about a variety of community resources and supports available to their child as part of the transition process from early intervention services.

Section 52112 (f)(2)(B)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(f)(2)(B), to require that the transition plan included in the IFSP is consistent with section 52106(b).

Rationale for Necessity

The proposed adoption is necessary to require inclusion of specific information in the transition plan to support a seamless and timely transition for toddlers and their families as responsibility shifts from the Department, as the lead agency under Part C of IDEA, to CDE, as the lead agency under Part B. Aligning the transition plan with section 52106(b) and 34 CFR section 303.209(c)(2) provides clarity regarding the continuation of services under Part B or participation in preschool programs. These changes support compliance with federal requirements, which is necessary for the State to receive approximately $54 million annually in funding for early intervention services for eligible infants, toddlers, and their families participating in Early Start.

Section 52112 (f)(2)(C)

Specific Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(f)(2)(C) to require that the transition plan included in the IFSP is consistent with requirements set forth in section 52106(b).

Rationale for Necessity
The proposed adoption is necessary to require inclusion of specific information in the transition plan to support a seamless transition and timely continuation of services for toddlers and their families as responsibility shifts from the Department, as the lead agency for Part C, to CDE, as the lead agency for Part B of federal regulations. Aligning the transition plan with section 52106(b) and 34 CFR section 303.209(c)(2) provides clarity regarding the continuation of services under Part B or participation in preschool programs.

These changes support compliance with federal requirements, which is necessary for the State to receive approximately $54 million annually in funding for early intervention services for eligible infants, toddlers, and their families participating in Early Start.

Section 52112 (i)
Specified Purpose
The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(i) for Part C programs to provide families an opportunity to give feedback on their experiences of the transition process, and to review and use that feedback to improve the transition process, training, and family satisfaction.

Rationale for Necessity
The proposed adoption is necessary to incorporate family feedback into the evaluation and improvement of the transition process from Part C to Part B services. Providing families an opportunity to share feedback on their experiences supports identification of areas for improvement in policies, procedures, and training related to the transition process.

Requiring Part C programs to review and use this feedback promotes continuous program improvement and supports more effective and responsive transition practices. These changes support a seamless transition and timely continuation of services for toddlers and their families as responsibility shifts from the Department, as the lead agency for Part C, to CDE, as the lead agency for Part B of federal regulations. This amendment also aligns the regulation with Gov. Code section 95028.

Section 52112 (i)(1), (2), and (3)
Specified Purpose
The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 3, article 3, section 52112(i)(1), (2), and (3) to establish a process for Part C programs to incorporate family feedback to help improve the transition process from Part C, training, and family satisfaction.

Rationale for Necessity
The proposed adoption is necessary to incorporate family feedback into the evaluation and improvement of the transition process from Part C to Part B services. Gathering and using this feedback supports more effective transition planning and service delivery for toddlers and their families as responsibility shifts from the Department, as the lead agency for Part C, to CDE, as the lead agency for Part B of federal regulations. Establishing a structured process for incorporating family feedback promotes continuous program improvement and supports more responsive training and service coordination practices. This amendment also aligns the regulation with Gov. Code section 95028.

Section 52112 – NOTE: Reference Citation
Specific Purpose
The purpose of the proposed regulatory action is to amend the NOTE following title 17, division 2, chapter 2, subchapter 3, article 3, by removing the reference to 34 CFR section 303.148 and adding references to 34 CFR sections 303.209 and 303.401. This update revises the list of federal authorities that support the provisions in section 52112.

Rationale for Necessity
The proposed amendment is necessary to reflect the applicable federal and regulatory authorities in the regulatory reference note. Updating the references promotes clarity, improves accuracy, and aligns the regulation with the current legal framework governing transition and confidentiality requirements under Part C of IDEA.

Section 52120(a), (a)(2) and (b)
Specified Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 4, article 1, section 52120(a), (a)(2) and (b) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52121(a)(11)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 4, article 1, section 52121(a)(11) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52121(a)(12)

Specified Purpose

The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 4, article 1, section 52121(a)(12) to add to the list of service coordination responsibilities the role of serving as the main point of contact for coordinating and completing, with LEAs, the transition of a child and family from Part C to Part B of IDEA.

Rationale for Necessity

The proposed adoption is necessary to support a seamless transition and timely continuation of services for the toddlers and their families from the Department as the lead agency for Part C to CDE as the lead agency for Part B of federal regulations. Existing regulations identify service coordination responsibilities but do not explicitly include the transition-related function. Adding this responsibility clarifies the role of the service coordinator in facilitating coordination with LEAs during the transition process and promotes consistent implementation across the Early Start Program. The proposed amendment also aligns the regulation with Gov. Code section 95007.

Section 52140(a), (b)(1), (b)(5), (b)(6), (b)(7), (b)(8), (b)(11), and (c)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 4, article 2, section 52140(a), (b)(1), (b)(5), (b)(6), (b)(7), (b)(8), (b)(11), and (c) to replace separate references to "regional center(s)" and "LEA(s)" with the unified term, "Early Start Program(s)" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program(s)" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52140(b)(10)
Specified Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 4, article 2, section 52140(b)(10) to remove the timeframe requiring that the transition planning process begin at least six months prior to a child's third birthday. The amendment also adds a reference to Gov. Code section 52112, which establishes comprehensive transition procedures and timelines.

Rationale for Necessity
The proposed amendment is necessary to provide consistent references in the regulations to the appropriate transition processes and timelines set forth in Gov. Code section 52112. Aligning the regulation with the statutory requirements promotes clarity, reduces redundancy, and supports uniform implementation of transition planning procedures.

Section 52140(b)(14)
Specified Purpose
The purpose of the proposed regulatory action is to adopt title 17, division 2, chapter 2, subchapter 4, article 2, section 52140(b)(14) to require the development and dissemination of educational information regarding the transition from Part C to Part B of IDEA, including parent engagement in transition-related activities, as part of local interagency agreements between regional centers and LEAs.

Rationale for Necessity
The proposed adoption is necessary to provide Early Start families with information, training, and resources related to the transition process. Incorporating these activities into local interagency agreements supports coordination between regional centers and LEAs in the joint development and dissemination of transition-related information. Establishing these requirements promotes consistent practices and supports a seamless transition and timely continuation of services for families as they move from Part C to Part B of IDEA.

This regulatory action also aligns the regulations with Gov. Code sections 95007 and 95012.

Section 52160(a), (c) and (c)(3)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 1, section 52160(a), (c) and (c)(3) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52161(a)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 1, section 52161(a) to specify the timeframe for when the written notice shall be given to the parent of an infant or toddler, eligible or suspected to be eligible to receive early intervention services, and that the written notice shall be sent by certified mail. The core purpose of the proposed amendment is to effectuate the state's regulations as it aligns with federal rules of 34 CFR section 303. In addition, replacement of separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to clarify the timeline for providing written notices to the parent. It also requires the use of "certified mail" to promote the receipt of notices and reduce the risk of delays in delivery. The use of "certified mail" aligns with federal regulations to notice to states in 34 C.F.R. sections 303.231 and 303.234. Additionally, the proposed amendment adopts the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service

delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52161(c)(2)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 1 section 52161(c)(2) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52162(c), (d), (e), and (f)

Specific Purpose

The proposed regulatory action amends title 17, division 2, chapter 2, subchapter 5, article 1, section 52162(c), (d), (e), and (f) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program." This change reflects both entities under a single inclusive term when describing the delivery of intervention services.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clear and consistent application of regulatory requirements statewide.

Section 52162(f)(1)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 1, section 52162(f)(1) to eliminate the provision allowing the Early Start Program to use the infant's, toddler's, or parent's private insurance to pay for evaluation and/or assessment.

Rationale for Necessity

The proposed amendment is necessary to align with 34 CFR Part 303.521(b)(2) which requires that evaluations, assessments, and related functions be provided at public expense and without any cost to parents. Removing this option clarifies that parents cannot be billed directly or indirectly through their private insurance for these services, thereby protecting families from financial liability and ensuring adherence to federal requirements.

Section 52162(f)(3)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 1, section 52162(f)(3) to replace the phrase "as soon as possible" with a cross-reference to the timeline established in section 52109(b). This proposed amendment clarifies that services must be initiated as soon as possible, but no later than 45 days from obtaining parental consent for those services.

Rationale for Necessity

The proposed amendment is necessary to provide clear, consistent guidance regarding the timeframe for initiating services. The prior language, "as soon as possible," is subject to varying interpretation and may result in inconsistent implementation. By incorporating a cross-reference to section 52109(b), the regulation establishes a defined and consistent timeline within the regulatory framework. This alignment reduces ambiguity, promotes uniform application across regional centers, and supports compliance with applicable requirements.

Section 52164(a)-(e)

Specified Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 2, section 52164(a) through (e) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52165(a)
Specified Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 2, section 52165(a) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and promotes clarity in the application of regulatory requirements.

Section 52166
Specified Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 2, section 52166 to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered

solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52167(a) and (c)

Specified Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 2, section 52167(a) and (c) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52168(a)-(e)

Specified Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 2, section 52168(a) through (e) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term and to replace the term "child" with the more accurate term "infant or toddler" in the definition of "Evaluation," and remove the terms "Superintendent" and "Director" in reference to whom a parent should contact as these terms are exclusive to "regional center" and "LEA". This change aligns the language with the age group served under California's Early Start.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements. The proposed amendment is also necessary to clarify that early intervention services provided through the

regional center under Early Start are intended for infants and toddlers from birth up to their third birthday. To best align language with the encompassing term "Early Start Program," the terms "director" related to a regional center and "Superintendent" related to a local educational agency have been removed. This is necessary as the terms "director" and "Superintendent" are exclusive to regional centers and LEAs and do not apply to the umbrella term of "Early Start Program". The term "child," as defined in federal regulations, can apply to individuals up to age six, which may lead to confusion regarding eligibility and service scope. By using the more specific term "infant or toddler", the regulation more accurately reflects the population served under Part C of IDEA and supports consistent interpretation and implementation of early intervention services in California known as Early Start.

Section 52169

Specified Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 2, section 52169 to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52170(a)

Specified Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 3, section 52170(a) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early

intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52170(c)(1)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 3, section 52170(c) to replace the term "child" with the more accurate term "infant or toddler". This change aligns the language with the age group served under California's Early Start.

Rationale for Necessity

The proposed amendment is necessary to clarify that early intervention services provided through the regional center under Early Start are intended for individuals from birth up to their third birthday. The term "child," as defined in federal regulations, can apply to individuals up to age six, which may lead to confusion regarding eligibility and service scope. By using the more specific term "infant or toddler", the regulation more accurately reflects the population served under Part C of IDEA and supports consistent interpretation and implementation of early intervention services in California known as Early Start.

Section 52170(d)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 3, section 52170 (d) to replace the reference to "California's Early Start Program" with the term "California Early Start." This revision aligns the provision with the standardized terminology adopted throughout the regulations.

Rationale for Necessity

The proposed amendment is necessary to align the regulatory language with the standardized definition of "Early Start" used throughout title 17. Consistent terminology promotes clarity, reduces ambiguity, and supports accurate interpretation and implementation of California's early intervention service provisions in accordance with the California Early Intervention Services Act.

Section 52170(e)

Specific Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 3, section 52170 to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program," reflecting both entities under a single inclusive term. The proposed amendment also corrects the mailing address for the Department of Developmental Services

to reflect the Department's current location and to direct complaints to the appropriate office responsible for processing them.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements. The proposed amendment is also necessary to update the mailing address for the Department of Developmental Services so that complaints submitted by parents and other interested individuals or organizations are directed to the correct location. Providing the accurate address supports timely receipt, processing, investigation, and resolution of complaints, including issuance of written decisions addressing each allegation within the timeframe specified in section 52171(a)(3).

Section 52170(g)(2)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 3, section 52170(g)(2) to replace the reference to "California's Early Start Program" with the term "California Early Start." This revision aligns the provision with the standardized terminology adopted throughout the regulations.

Rationale for Necessity
The proposed amendment is necessary to align the regulatory language with the standardized definition of "Early Start" used throughout title 17. Consistent terminology promotes clarity, reduces ambiguity, and facilitates accurate interpretation and implementation of California's early intervention service provisions in accordance with the California Early Intervention Services Act.

Section 52171(a)(1)
Specified Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 3, section 52169 to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52171(a)(4)(A)
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 3, section 52171(a)(4)(A) to replace the term "child" with the more accurate term "infant or toddler". This change aligns the language with the age group served under California's Early Start.

Rationale for Necessity
The proposed amendment is necessary to clarify that early intervention services provided through the regional center under Early Start are intended for individuals from birth up to their third birthday. The term "child," as defined in federal regulations, can apply to individuals up to age six, which may lead to confusion regarding eligibility and service scope. By using the more specific term "infant or toddler", the regulation more accurately reflects the population served under Part C of IDEA and supports consistent interpretation and implementation of early intervention services in California known as Early Start.

Section 52171 — Reference Citation
Specific Purpose
The purpose of the proposed amendment is to replace the incorrect reference to Government Code section 52007(g) with Government Code section 95007.

Rationale for Necessity
The amendment corrects an erroneous statutory citation and identifies the provisions supporting Early Start complaint investigations. Government Code section 95007(f) requires the Department to adopt written procedures for receiving and resolving complaints, while subdivision (g) requires the Department to establish and implement procedural safeguards. The correction provides an accurate reference without changing the complaint investigation requirements.

Section 52172(a)(1) and (a)(2)

Specified Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 4, section 52172(a)(1) and (a)(2) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52174(e)

Specified Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 4, section 52174(e) to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity

The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 52175(a), (a)(3), (b)(5)

Specified Purpose

The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 2, subchapter 5, article 5, section 52169 to replace separate references to "regional center" and "LEA" with the unified term, "Early Start Program" to reflect both entities under a single inclusive term.

Rationale for Necessity
The proposed amendment is necessary to promote consistent terminology throughout the regulations by using the term "Early Start Program" to collectively refer to services provided by both regional center and LEAs. Consolidating these references into a single term reduces redundancy and eliminates potential confusion regarding which entity is responsible for implementing early intervention services. This clarification supports a uniform understanding that Early Start encompasses both service delivery models, whether administered solely by a regional center, an LEA, or jointly by both entities, and improves clarity in the application of regulatory requirements.

Section 54302(a)(54) "Regional Center"
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 3, subchapter 2, article 2, section 54302(a)(54) to revise the definition of "Regional Center" by aligning it with current statutory language in WIC. The proposed amendment removes outdated and unnecessary descriptive language and replaces it with a direct reference to WIC sections 4620 through 4669.

Rationale for Necessity
The proposed amendment is necessary to provide a clear and accurate definition of "Regional Center" that reflects current law and terminology. The existing definition includes descriptive language referencing a "diagnostic, counseling and service coordination center" and a "private nonprofit community agency or corporation acting as a contracting agency," which is duplicative of, and less precise than, the statutory framework set forth in WIC sections 4620 through 4669. By revising the definition to reference the specific statutory sections, the regulation more clearly identifies the legal authority governing regional centers and reduces the potential for confusion or misinterpretation. Removing unnecessary descriptive language also improves readability and consistency across the regulatory scheme. The amendment retains the existing provision clarifying that references to a regional center include contracted or employed entities providing service coordination pursuant to WIC section 4648. Retaining this language is necessary to preserve clarity regarding the scope of entities acting on behalf of the regional center and to support consistent application of the regulations.

Section 54505(j) "Regional Center"
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 3, subchapter 3, article 1, section 54505(j) to revise the definition of "Regional Center" by aligning it with current statutory language in WIC. The

amendment removes outdated and unnecessary descriptive language and replaces it with a direct reference to WIC sections 4620 through 4669.

Rationale for Necessity
The proposed amendment is necessary to provide a clear and accurate definition of "Regional Center" that reflects current law and terminology. The existing definition includes descriptive language referencing a "diagnostic, counseling, and service coordination center" and a "private nonprofit corporation acting as a contracting agency," which is duplicative of, and less precise than, the statutory framework set forth in WIC sections 4620 through 4669. By revising the definition to reference the specific statutory sections, the regulation more clearly identifies the legal authority governing regional centers and reduces the potential for confusion or misinterpretation. Removing unnecessary descriptive language also improves readability and consistency across the regulatory scheme. This amendment also supports consistency across title 17 by standardizing the definition of "Regional Center" in alignment with conforming changes made in other sections, thereby promoting uniform interpretation and application of the term throughout the regulations.

Section 56002(a)(36) "Regional Center"
Specific Purpose
The purpose of the proposed regulatory action is to amend title 17, division 2, chapter 3, subchapter 4, article 1, section 56002(a)(36) to revise the definition of "Regional Center" by aligning it with current statutory language in WIC. The proposed amendment removes outdated and unnecessary descriptive language and replaces it with a direct reference to WIC sections 4620 through 4669. The proposed amendment retains the provision clarifying that references to a regional center include entities or persons with which the regional center contracts or employs to provide service coordination pursuant to WIC section 4647.

Rationale for Necessity
The proposed amendment is necessary to provide a clear and accurate definition of "Regional Center" that reflects current law and terminology. The existing definition includes descriptive language referencing a "diagnostic, counseling and service coordination center" and a "private nonprofit community agency or corporation acting as a contracting agency," which is duplicative of, and less precise than, the statutory framework set forth in WIC sections 4620 through 4669. By revising the definition to reference the specific statutory sections, the regulation more clearly identifies the legal authority governing regional centers and reduces the potential for confusion or misinterpretation. Removing unnecessary descriptive language also improves readability and consistency across the regulatory scheme. The amendment retains the existing provision clarifying that references to a regional center

include contracted or employed entities providing service coordination pursuant to WIC section 4647. Retaining this language is necessary to preserve clarity regarding the scope of entities acting on behalf of the regional center and to support consistent application of the regulations.

ECONOMIC IMPACT ASSESSMENT
In accordance with Gov. Code section 11346.3(b)(1)(A) through (D), the Department has made the following assessments regarding the proposed regulations:

Creation or Elimination of Jobs within the State of California
The Department does not anticipate the proposed Early Intervention Services regulations will result in the creation or elimination of jobs within California.

Creation of New Businesses or the Elimination of Existing Businesses within the State of California
The proposed regulations align the state's Early Intervention Services regulations with federal regulations in the areas of service descriptions, eligibility criteria, IFSP's timely notice, timely services, transition, prior written notice, and consent to exchange information. New businesses in California will not be created and existing businesses will not be eliminated.

Expansion of Businesses Currently Doing Business within the State of California
The proposed regulations align the state's Early Intervention Services regulations with federal regulations in the areas of service descriptions, eligibility criteria, IFSP's timely notice, timely services, transition, prior written notice, and consent to exchange information. There will not be an expansion of businesses currently doing business within the state as a result of the proposed regulations.

Benefits of the Regulations to the Health and Welfare of California Residents, Worker Safety, and the State's Environment
These regulations align the state's Early Intervention Services regulations with federal regulations in the areas of service descriptions, eligibility criteria, IFSP's timely notice, timely services, transition, prior written notice, and consent to exchange information which is ultimately expected to improve the health and welfare of California infants and toddlers in Early Start. The proposed regulations would give Early Start families an opportunity to provide feedback on their experiences of the transition process and establishes recommended practices for family engagement during transitions.

The proposed regulations will not affect worker safety or impact the state's environment.

REASONABLE ALTERNATIVES

Gov. Code section 11346.2, Subdivision (b)(4) requires the Department to consider and evaluate reasonable alternatives to the proposed regulatory action and provide reasons for rejecting those alternatives. The Department has determined that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which it proposes this regulatory action, would be as effective and less burdensome to affected private persons than the regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or provision of law.

Small Business Alternative

The Department has not identified any small businesses alternatives that would lessen any adverse impact on small business.

STATEMENT OF DETERMINATIONS

Local Mandate Determination

Under Gov. Code section 11346.5(a)(5), the Department has determined that the proposed regulatory action would not impose a mandate on any local agency or school district that requires reimbursement by the State under Gov. Code, title 2, division 4, part 7 (commencing with § 17500).

Fiscal Impact Estimate

1. Fiscal Impact on Local Government: The Department is not aware of any cost or savings impacts that a local government agency would necessarily incur in reasonable compliance with the proposed action.

2. Fiscal Impact on State Government: The Department will have minor indeterminate costs absorbed by the department.

3. Fiscal Impact on Federal Funding of State Programs: The Department will have minor indeterminate costs absorbed by the department.

4. Fiscal Impact on Representative Private Persons or Businesses Directly Affected: The Department is not aware of any cost or savings impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

5. Other Nondiscretionary Cost or Savings Imposed on Local Agencies: There are no known costs or savings imposed on local agencies in connection with this proposed regulatory package.

Housing Costs
The Department has made an initial determination that the proposed regulations would have no impact on housing costs

EVIDENCE SUPPORTING FINDINGS OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS
The Department has determined that there is no significant statewide adverse economic impact directly affecting businesses because these regulations pertain only to regional centers working under the Department and the LEAs which are funded through the CDE, a Constitutional Office in California.

Performance Standards in Place of Prescriptive Standards
These proposed amendments to title 17, division 2. chapter 2. Early Intervention Services do not propose or mandate the use of specific technologies or equipment or prescribe specific actions or procedures.

JUSTIFICATION FOR ADOPTION OF REGULATIONS DIFFERENT FROM FEDERAL REGULATIONS CONTAINED IN THE CODE OF FEDERAL REGULATIONS

The adoption of the proposed amendments is to effectuate the state's regulations as it aligns with federal rules of Part C of IDEA.

There is no known conflict with or other federal regulations that address these same issues.

PUBLIC PROCESS FOR DEVELOPMENT OF THE PROPOSED ACTION
The Department has engaged the advocates and representatives of families of children with disabilities through its Interagency Coordinating Council which includes membership and participation of regional centers, representatives of other state departments including CDE and the Family Resource Centers Network of California (FRCNCA) representing families.

The Department also has engaged CDE, FRCNCA, the Association of Regional Center Agencies (ARCA), and the Early Start Provider Steering Committee for their input as the drafting of the proposed amendments progressed.

REFERENCES

Timing and Intensity of Early Intervention Service Use and Outcomes Among a Safety-Net Population of Children