State of California
DEPARTMENT OF DEVELOPMENTAL SERVICES

NOTICE OF PROPOSED RULEMAKING ACTION FOR REGULATIONS CONCERNING EARLY INTERVENTION SERVICES

The Department of Developmental Services (Department) proposes to amend the Early Intervention Services regulations as described below after considering all comments, objections, and recommendations.

PUBLIC HEARING

The Department will hold a public hearing to consider proposed amendments to the regulations for Early Intervention Services. To participate via Zoom, please access the webpage for Emergency and Proposed Regulations at https://www.dds.ca.gov/transparency/laws-regulations/emergency-and-proposed-regulations/ and follow the instructions on how to register to participate via Zoom.

DATE: December 17, 2026
TIME: 10:00 am to 12:00 pm
LOCATION: Zoom
or
Alta California Regional Center (Main Office)
4151 E. Commerce Way, Suite 100 (Multipurpose Room)
Sacramento, CA 95834

The Department will be holding the hearing at Alta California Regional Center's (ACRC) main office location. For those wishing to participate in person, there will be limited seating in their 1st floor multipurpose room at 4151 E. Commerce Way, Suite 100, Sacramento, CA 95834. To request a reasonable accommodation, please contact Cristina Tsuji at regulations@dds.ca.gov or (916) 651-0363 by 3:30 pm on December 3, 2026.

Please register using the link below and indicate whether you intend to participate via Zoom or in person.

https://cal-dds.zoom.us/webinar/register/WN_Av5DxeRETA-5NDK3UQcMBA

Participants will be given instructions on how to provide oral comments once they have accessed the hearing. The hearing will proceed on the date noted above until all testimony is submitted or by 12:00 pm, whichever is later. At the hearing, any person may present oral or written statements or arguments relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that persons who make oral

comments at the hearing also submit a written copy of their testimony via electronic submittal as described below.

WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS

The public comment period for this regulatory action will begin on October 30, 2026, and closes on December 17, 2026. To ensure consideration, your comment must be received by the Department no later than December 17, 2026. When commenting, please indicate the proposed rulemaking action to which your comment refers.

Any interested person or their representative may, orally or in writing, submit comments relevant to the proposed action described in the Informative Digest. The Department requests but does not require that a person who makes an oral comment at the hearing also prepares and submits a written copy of their testimony. Furthermore, the Department requests but does not require that all written statements on this proposed rulemaking action be submitted at least 10 days prior to the hearing so that Department staff have sufficient time to consider each comment. The Department encourages members of the public to bring any suggestions for modifications to the proposed regulatory action to staff's attention in advance of the hearing.

For consideration, any written comments shall be submitted as follows:

Mail or Hand Delivery: Department of Developmental Services
Legislation and Regulations Branch
RE: **Early Intervention Services Regulations**
1215 O Street, M.S. 9-10
Sacramento, CA 95814; or

Electronic Submittal: https://www.dds.ca.gov/transparency/laws-regulations/emergency-and-proposed-regulations/

It is requested that all comments contain the regulation package identifier **"Early Intervention Services Regulations"** in the subject line to facilitate timely identification and review.

Please note: Public comments should not include any personal or medical information, as your written and oral comments, and attachments become part of the public record and can be released to the public upon request under the California Public Records Act (Gov. Code, § 7920.000 et seq.).

AUTHORITY AND REFERENCE

Authority: Government Code (Gov. Code) sections 11152, 95001, 95009 and 95028 authorize the Department to adopt these regulations; Welfare and Institutions Code (Welf. & Inst. Code) sections 4405, 4514, 4626, 4627, 4648, 4681.1, 4689.7, 4695.2, 4712, 4748, 4866 and 5328.
Reference: These regulations implement, interpret, or make specific the following provisions:

- Education Code: sections 49065, 56321, 56325, 56343 and 56344.
- Gov. Code: sections 95003, 95004, 95007, 95014, 95016, 95018, 95020, 95022 and 95028.
- Health and Safety Code: sections: 1250 and 1502.
- Penal Code: sections: 240.242, 243.4, 245, 264.1, 273, 285, 286, 288, 289, 311.3, 311.4, 647, 11165.1, 11165.2, 11165.3 and 11165.6
- Welf. & Inst. Code: sections 4501, 4502, 4503, 4504, 4512, 4514, 4517, 4520, 4543, 4546, 4622, 4626, 4627, 4642, 4643.5, 4646, 4646.5, 4647, 4648, 4648.12, 4681.1, 4689.7, 4691, 4693, 4695, 4695.2, 4705, 4712, 4740-4748, 4791, 4851, 5328, 5329, 12305.81, 15610.57, 15610.63 and 17710.
- Title 5, California Code of Regulations (CCR): sections 3001 and 3030.
- Title 20, United States Code (U.S.C.): sections 1232, 1400–1420, 1432, 1435, 1436, 1439, 1440, 1476 and 1480.
- Title 34, Code of Federal Regulations (CFR): sections 99.7, 300.402, 300.561, 300.562, 300.564, 300.565, 300.566, 300.567, 300.569, 300.571, 300.576, 303.1, 303.9, 303.10, 303.12, 303.13, 303.14, 303.16, 303.18, 303.20, 303.22, 303.24, 303.25, 303.26, 303.27, 303.29, 303.31, 303.113, 303.174, 303.209, 303.300, 303.302, 303.321, 303.322, 303.340, 303.342, 303.343, 303.344, 303.345, 303.346, 303.401, 303.402, 303.403, 303.404, 303.405, 303.406, 303.420, 303.421, 303.422, 303.423, 303.425, 303.430, 303.432, 303.460, 303.510–303.512, 303.520, 303.522, 303.523, 303.524 and 303.527.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Sections Affected: The Department proposes amendment of CCR, title 17, sections 50401, 52000, 52020, 52022, 52040, 52060, 52082, 52084, 52086, 52100, 52102, 52104, 52106, 52107, 52108, 52110, 52111, 52112, 52120, 52121, 52122, 52140, 52160, 52161, 52162, 52164, 52165, 52166, 52167, 52168, 52169, 52170, 52171, 52172, 52173, 52174, 52175, 54302, 54505, and 56002.

Summary of Existing Laws and the Effect of the Proposed Regulatory Action:
The California Early Intervention Services Act (Gov. Code section 95000 et seq.) establishes California's early intervention services system, known as Early Start, for eligible infants and toddlers under three years of age and their families. The Department serves as the State's lead agency for Early Start. Regional centers

and local educational agencies coordinate and provide services according to their respective responsibilities under state and federal law.

Part C of the federal Individuals with Disabilities Education Act (IDEA) (20 U.S.C. section 1431 et seq.) and its implementing regulations in title 34, CFR, part 303 establish requirements for identifying eligible infants and toddlers, conducting evaluations and assessments, developing individualized family service plans (IFSPs), providing early intervention services, planning transitions, and protecting parental rights and confidential information. Existing title 17 regulations implement these requirements and the California Early Intervention Services Act. Senate Bill 188 (Stats. 2022, ch. 49) amended California law concerning Early Start eligibility, service coordination, and transition. These changes include a 25-percent developmental delay threshold, separate consideration of expressive and receptive communication, recognition of fetal alcohol syndrome as an established risk condition, and at least quarterly IFSP reviews. Assembly Bill 162 (Stats. 2024, ch. 47) amended Gov. Code section 95020 regarding the frequency and modality of IFSP meetings. The proposed amendments require IFSP meetings to be conducted consistently with that section.

The Department proposes to amend title 17, division 2, chapters 1, 2, and 3 of CCR to reflect these statutory changes, update provisions addressing federal Part C requirements, and clarify responsibilities throughout the Early Start system. The proposed amendments would:

- Add and update definitions of early intervention services, participating entities, parents, and other terms used in administering Early Start.
- Update eligibility provisions to reflect the 25-percent developmental delay threshold, separate expressive and receptive communication areas, and fetal alcohol syndrome as an established risk condition.
- Require quarterly IFSP reviews and clarify meeting procedures and parental participation, establish at least seven calendar days' advance written notice before IFSP meetings with an exception for parent-requested meetings on shorter notice, and update consent, and documentation requirements.
- Address the timely initiation of services identified in an IFSP.
- Update transition planning, notification, referral, and coordination procedures for toddlers approaching their third birthday, including toddlers referred shortly before that birthday.
- Require opportunities for families to provide feedback on the transition process and require Early Start Programs to use that feedback to improve policies, procedures, and training.
- Update provisions concerning procedural safeguards, records, confidentiality, and complaints.

- Make conforming changes to regional center definitions in provisions governing research, vendorization, conflicts of interest, and residential services.
- The proposal also updates terminology, cross-references, and formatting to improve clarity and consistency.

Comparable Federal Regulation or Statute

Comparable federal law includes Part C of IDEA, title 20, U.S.C., section 1431 et seq., and its implementing regulations in title 34, CFR, part 303. Relevant provisions address early intervention services, evaluation and assessment, IFSP development and implementation, transition, parental consent, prior written notice, and dispute resolution.

The proposal incorporates federal requirements and establishes additional state standards. These include IFSP reviews every three months, a minimum seven-calendar-day written notice period for IFSP meetings with a parent-requested exception, and a requirement to arrange, provide, or purchase IFSP services within 45 days of parental consent. Proposed section 52161 also requires prior written notice by certified mail at least 30 days before specified proposed or refused actions. By comparison, 34 CFR section 303.421 requires prior written notice a reasonable time before the action and does not specify a 30-day period or certified-mail delivery.

Documents Incorporated by Reference

None.

Policy Statement Overview

Objectives:

The proposed amendments are intended to align the regulations with current California law and applicable federal Part C requirements and provide clear, consistent guidance for administering Early Start statewide. Specifically, the amendments seek to support accurate eligibility determinations, timely service planning and delivery, regular review of developmental needs, meaningful family participation, protection of parental rights, and coordinated transitions to appropriate services when toddlers leave Early Start.

The amendments also seek to clarify the responsibilities of regional centers and local educational agencies (LEAs) and establish consistent terminology and procedures for families, service coordinators, and providers.

Anticipated Benefits of the Proposed Regulations:

The proposed amendments are anticipated to benefit the health and welfare of eligible California infants and toddlers by supporting accurate identification of developmental needs and timely access to appropriate early intervention

services. Updated eligibility provisions and service definitions will help families and professionals understand who qualifies for Early Start and the services available.

Quarterly IFSP reviews will support timely adjustments to services as developmental needs and family priorities change. Clearer notice, participation, consent, and documentation requirements will help families understand their rights and participate meaningfully in decisions about services.

Updated transition procedures will strengthen coordination among families, regional centers, and LEAs and reduce the risk of service gaps when toddlers leave Early Start. Family feedback will help Early Start Programs identify and address opportunities to improve the transition process.

Consistent definitions and clearer procedures will also support more uniform implementation throughout the State.

Evaluation of Inconsistency or Incompatibility with Existing State Regulations
During the development of this regulatory proposal, the Department reviewed existing state regulations and determined that the proposed amendments are neither inconsistent nor incompatible with current state regulations.

MANDATED BY FEDERAL LAW OR REGULATIONS
California must maintain an early intervention system that complies with Part C of IDEA and title 34, CFR, part 303, as a condition of receiving federal Part C funding. Portions of the proposed amendments implement or clarify these federal requirements. Other amendments implement state law or establish additional state standards, including specific notice and service timeframes. The proposed regulatory action is therefore not exclusively mandated by federal law.

OTHER STATUTORY REQUIREMENTS
None.

DISCLOSURES REGARDING THE PROPOSED ACTION
The Department has made the following initial determinations:

Local Mandate
Under Gov. Code section 11346.5(a)(5), the Department has determined that the proposed regulations do 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 section 17500.

Fiscal Impact Estimates

The determination of the Department concerning the costs or savings incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulatory action are presented below.

Cost to any local agency or school district requiring reimbursement under sections 17500 et seq.:

The Department has determined that the proposed regulatory action would not create costs or savings to any local agency or school district.

Cost or savings to any state agency:

The Department has determined that the proposed regulatory action would create minor indeterminate costs absorbed by the Department.

Other non-discretionary costs or savings on local agencies:

The Department has determined that the proposed regulatory action would not create costs or savings or any other nondiscretionary cost or savings to local agencies.

Cost or savings in federal funding to the State Gov. Code 11346.5(a)(6):

The Department has determined that the proposed regulatory action would create minor indeterminate costs absorbed by the Department.

Housing Costs

In accordance with Gov. Code section 11346.5(a)(12), the Department has made the initial determination that the proposed regulatory action will not have an effect on housing costs.

Significant Adverse Economic Impact on Business, Including Ability to Compete with Business in Other States

The Department has made an initial determination that the proposed regulatory action would not have a statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

The proposed amendments primarily update eligibility, service planning, coordination, notice, transition, and procedural requirements for Early Start Programs. Although service providers may be affected, the Department does not anticipate that these changes will result in a significant statewide adverse economic impact on businesses.

STATEMENT OF RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

(A) The creation of jobs within the State of California.
The Department cannot determine whether the proposed regulatory action will result in the creation of jobs within California.

(B) The elimination of jobs within the State of California.
The Department does not anticipate that this regulatory action would have an impact on the elimination of jobs within the State of California.

(C) The creation of new business within the State of California.
The Department does not anticipate that this regulatory action would have an impact on the creation of new business within the State of California.

(D) The elimination of existing businesses within the State of California.
The Department does not anticipate that this regulatory action would have an impact on the elimination of existing businesses within the State of California.

(E) The expansion of businesses currently doing business within the State of California.
The Department does not anticipate that this regulatory action would have an impact on the expansion of business within the State of California.

(F) The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.
The proposed regulations benefit the health and welfare of California infants and toddlers by improving access to early intervention services strengthening family participation and helping children develop essential skills. Pursuant to Gov. Code section 11346.5(a)(10), this proposed rulemaking action will not affect worker safety or the State's environment.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESS

In developing this regulatory proposal, the Department's staff evaluated the potential economic impacts on representative private persons or business. The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed rulemaking action and anticipates minor indeterminate costs that will be absorbed by the Department.

DETERMINATION OF EFFECT ON SMALL BUSINESS

The Department has determined that there is no significant statewide adverse economic impact directly affecting small businesses because these regulations pertain only to regional centers working under the Department and the LEAs which are funded through the California Department of Education.

CONSIDERATION OF ALTERNATIVES

In accordance with Gov. Code section 11346.5(a)(13), the Department must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. During the public hearing and written comment period, the Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulatory action may be directed to Rachel Nerland, CPS II, (916) 654-1571 or Ryan Digman, CPS III, (916) 654-3627.

AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING RECORD

The Department has compiled a record for this rulemaking action which includes all the information upon which the proposal is based, including an Initial Statement of Reasons (ISOR) for the proposed regulatory action and the proposed regulation text.

Copies of the proposed ISOR and the full text of the proposed regulatory language, may be accessed on the Department's website listed below, or may be obtained upon request to Cristina Tsuji, Legislation and Regulations Analyst, (916) 651-0363, 1215 O Street, M.S. 9-10, Sacramento, California, 95814

Further, the agency representative to whom nonsubstantive inquiries concerning the proposed administrative action, including requests for inspecting the rulemaking record, may be directed is Cristina Tsuji, Legislation and Regulations Analyst, at Regulations@dds.ca.gov or by phone at (916) 651-0363.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The Department may adopt or make modifications to the proposed regulatory action as described in this notice after considering all timely and relevant comments received during the 45-day comment period. If modifications that

are substantially related are made by the Department, the notice of modified text and modified text with the changes clearly indicated will be made available to the public for at least 15 days before the Department adopts the regulation as revised. Copies of any modified text will be sent to anyone who commented on the first 45-day package or who otherwise has filed a request for notice of regulatory actions with the Department pursuant to Gov. Code section 11346.4(a)(1). You may request to receive copies of any modified regulations from the contact person indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made publicly available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, the Department will post the Final Statement of Reasons (FSOR) on the Department's website listed below. Please direct requests for copies to the contact person(s) listed above.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the ISOR, the proposed regulation text, and all subsequent regulatory documents, including the FSOR, when completed, are available on the Department's website for this rulemaking at https://www.dds.ca.gov/transparency/laws-regulations/emergency-and-proposed-regulations/