

902 KAR 30:001. Definitions for 902 KAR Chapter 30.

RELATES TO: KRS 200.650-200.676, 20 U.S.C. 1431-1444, 34 C.F.R. Part 303

STATUTORY AUTHORITY: KRS 194A.050, 200.660

NECESSITY, FUNCTION, AND CONFORMITY: KRS 200.660 requires the Cabinet for Health and Family Services to administer all funds appropriated to implement provisions, to enter into contracts with service providers, and to promulgate administrative regulations necessary to implement KRS 200.650 to 200.676. This administrative regulation establishes the definitions for 902 KAR Chapter 30 pertaining to First Steps, Kentucky's Early Intervention Program.

Section 1. Definitions.

(1) "Assessment" means the ongoing procedures used by appropriate qualified service providers throughout the child's period of eligibility in First Steps to identify:

(a) The child's unique strengths and needs, and the services appropriate to meet those needs;

(b) The resources, priorities, and concerns of the family; and

(c) The supports and services necessary to enhance the family's capacity to meet the developmental needs of the family's infant or toddler with a disability.

(2) "Assistive technology device" means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is needed to increase, maintain, or improve the functional capabilities of a child with a disability and which is necessary to implement the individualized family service plan.

(3) "Assistive Technology Service" means a service that directly assists the child with a disability in the selection, acquisition, or use of an assistive technology device in accordance with 20 U.S.C. 1401(2).

(4) "Cabinet-approved criterion referenced instrument" means any of the three (3) assessments, incorporated by reference in 902 KAR 30:120, used to assess children from birth to three (3) years of age.

(5) "Cabinet-approved screening protocol" means a screening protocol that is:

(a) Designed to evaluate the developmental status of children; and

(b) Used by the cabinet.

(6) "Child find" is defined by KRS 200.654(3).

(7) "Direct supervision" means the continuous, on-site observation and guidance as activities are implemented with children and families.

(8)

"District Early Intervention Committee" or "DEIC" is defined by KRS 200.654(6).

(9) "Early intervention services" is defined by KRS 200.654(7).

(10) "Established risk" means a diagnosed physical or mental condition that has a high probability of resulting in a developmental delay.

(11) "Evaluation" means the use of procedures to determine eligibility for First Steps services in accordance with 902 KAR 30:120.

(12) "Family-centered" means practices that:

(a) Are driven by the family's priorities and concerns;

(b) Support the family's role as the constant in a child's life;

(c) Complement a family's natural activity settings and daily routines; and

(d) Support, respect, encourage, and enhance the strengths, competence, and confidence of the family.

(13) "First Steps" means Kentucky's early intervention system, which is defined by KRS 200.654(8).

(14) "First Steps data management system" means the online data system that consists of each child's early intervention record and financial management data.

(15) "Homeless child" means a child who meets the federal definition of homeless children and youths established in 42 U.S.C. 11434a(2).

(16)

"Indirect supervision" means the regular, periodic, on-site observation and guidance as activities are implemented with children and families.

(17) "Individualized family service plan" or "IFSP" means an individual family service plan as defined by KRS 200.654(9).

(18) "Kentucky Early Childhood Data System" or "KEDS" means a web-based data collection system to provide data for analysis to determine the degree to which Kentucky's children are meeting the major child outcomes and learning standards required by the Office of Special Education Programs (OSEP) in the United States Department of Education and the state early childhood standards.

(19)

"Multidisciplinary team" is defined by KRS 200.654(11).

(20) "Natural environments" means settings, such as the home and the community, in which the child's same age peers who have no disability normally participate.

(21) "Parent" means:

(a) A natural, adoptive, or foster parent of a child;

(b) A guardian (but not the state if the child is a ward of the state);

(c) An individual acting in the place of a natural or adoptive parent including a grandparent, stepparent, or other relative with whom the child lives, or an individual who is legally responsible for the child's welfare; or

(d) An individual assigned as a surrogate parent pursuant to 20 U.S.C. 1415(b)(2) or 1439(a)(5).

(22) "Part C Coordinator" means the individual designated by the cabinet to be Kentucky's liaison with the federal Department of Education, Office of Special Education Programs (OSEP) to oversee the state's implementation of the early intervention system.

(23) "Period of eligibility" means the time from referral to First Steps to termination of services due to:

(a) Failure to meet initial program eligibility requirements;

(b) Attainment of age three (3);

(c) Documented refusal of service by the child's parent or legal guardian inclusive of disappearance; or

(d) Change of residence to another state.

(24) "Point of entry" or "POE" is defined by KRS 200.654(12).

(25) "Prematurity" means a gestational age, at birth, of less than thirty-seven (37) weeks.

(26) "Primary service provider" means a professional who is a member of the IFSP team and is selected by the parent as the team lead to provide regular support to the family.

(27) "Qualified service provider" is defined by KRS 200.654(13).

(28) "Record review team" means a group of early intervention experts representing each discipline of early intervention providers as listed in 902 KAR 30:150, Section 2(1)(a)-(s), who are utilized by the state lead agency to review complex cases for eligibility and service provision, and make recommendations to IFSP teams.

(29) "Referral" means a child identified between birth and three (3) years of age who is:

(a) A Kentucky resident or a homeless child within the boundaries of the Commonwealth; and

(b) Suspected of having an established risk diagnosis or a developmental delay as confirmed by the cabinet approved screening protocol.

(30) "State Lead Agency" means the designated staff in the Department for Public Health who are responsible for implementing the First Steps Program in accordance with 34 C.F.R. Part 303, 20 U.S.C. 1431 to 1444, and KRS 200.650 to 200.676.

(31) "Transdisciplinary team" means professionals from various disciplines working together cooperatively by educating one another in the skills and practices of their disciplines and a commitment to work together across traditional discipline boundaries being consistent with the training and expertise of the individual team members.

(32) "Ward of the state" means a child declared by a circuit court judge to be a ward of the state pursuant to KRS 625.043(2) or 625.100(2).

(23 Ky.R. 3127; Am. 3845; eff. 6-16-1997; recodified from 908 KAR 2:100, 10-25-2001; Recodified from 911 KAR 2:100, 5-17-2010; 37 Ky.R. 510; 1251; 1659; eff.2-4-2011.)