

MEMORANDUM OF UNDERSTANDING (MOU)
LEA CO. TRANSITION TEAM: MECA Therapies, LCC

And

Regional Education Cooperative VII (REC7)

Eunice Public Schools

Hobbs Municipal Schools

Jal Public Schools

Tatum Municipal Schools

Lovington Municipal Schools

New Mexico Department of Children, Youth
and Families Protective Services (CYFD)

NM School for the Blind and Visually Impaired (NMSBVI)

NM School for the Deaf-PICP (NMSD)

Child & Family Services, Inc. of Lea County-Head Start
Parents Reaching Out (PRO)

Team Members

| Company | Contact | Email | Phone | Signatory |
|---|---|--|--------------------------------------|--|
| Child & Family Services Inc./Head Start | Lara Scharf | lscharf@cfsnm.net | 575-397-7336 | Patricia Grovey - Director |
| Eunice Public Schools | Sue Haynes | shaynes@eunice.org | 575-394-3154 | Dwain Haynes - Superintendent |
| Jal Public Schools | Brian Snider Jamie Galindo | sniderb@jalnm.org galindo@jalnm.org | | Brian Snider - Superintendent |
| MECA Therapies, LLC | Libbie Plant | libbie@mecatherapies.com | 575-492-9505 | Libbie Plant |
| Lovington Municipal Schools | Kimberly Hess Roger Hein | kimbess@lovingtonschools.net rogerhein@lovingtonschools.net | 575-739-2705 | LeAnne Gandy - Superintendent |
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| New Mexico School for the Blind & Visually Impaired | Amy Fletcher | amyfletcher@nmsbvi.k12.nm.us | (p) 575-200-0403 (f) 575-762-0310 | Amy Fletcher – Developmental Vision Specialist |
| New Mexico School for the Deaf | Karla Sanchez | Karla.sanchez@nmsd.k12.nm.us | 505-469-7455 | Karla Sanchez |
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| Guidance Center Autism Center | Tammie Teague | tteague@gclcnm.org | 575-602-5905 | Tammie Teague |
| Children Youth & Families Protective Services | Patricia Garza | Patricia.garza@state.nm.us | 575-397-3450 | |

I. MISSION

To facilitate a smooth and effective transition for eligible children and families in Lea County. The intent of this agreement is to collaborate in the activities that promote the delivery of services in a timely manner in compliance with federal and state laws and regulations.

II. To establish working procedures among the parties of this MOU to coordinate and provide training, support, and available resources necessary to children and their families.

III. OBJECTIVES

- Assure that children with disabilities as defined by the Individuals with Disabilities Education Act (IDEA) Parts B & C and children with or at risk for developmental delay, the Head Start Disability Performance Standards, or the community receive appropriate and necessary services.
- Maximize education, health, and developmental outcomes for families whose children have special needs.
- Support families to be equal partners and informed decision-makers in the education and transition process.
- Collaborate with community agencies to provide maximum overall support for children and families.
- Provide for smooth and effective transitions between, among, and within agencies.
- Convene a meeting three (3) times a year of stakeholders, including parents/guardians, to review and evaluate the effectiveness of collaborative efforts related to this process.
- Share opportunities for training staff development and other activities related to transition amongst team members.
- Invite relevant staff members to attend transition trainings provided by Part B, C, or the Department of Health and Human Services.

IV. RESPONSIBILITIES IN THE TRANSITION PROCESS

NOTIFICATION

NOTIFICATION: FIT providers must notify the LEA of children who reside in the LEA’s educational jurisdiction and who are potentially eligible for Part B services. For this purpose, potentially eligible is considered those children eligible under Part C’s established condition-developmental delay category. The list should include children who will turn three within the next 12 months*.

NMAC 7.30.8.13 TRANSITION (B): In a timely manner, the early intervention provider shall notify the local education agency of children that reside in the geographic area served by the LEA that may be eligible for preschool special education services.

NMAC 6.31.2.11 (A) (4) (a): Each LEA shall survey Part C programs within its educational jurisdiction in its child find efforts to identify children who will be eligible to enter the LEA’s Part B preschool program in future years.

FIT PROVIDER:

- The FIT provider will hand-deliver/email a list of potentially eligible children with a Developmental Delay/Established Condition to the Lead Educational Agency (LEA)/Special Programs Office:
- The deadlines for submissions are monthly on the first day of the month for all schools

LEA:

- N/A

HEAD START:

- N/A

OTHER:

- N/A

TRANSITION PLANNING

TRANSITION PLANNING: By 24 months of age, but at least six (6) months prior to the beginning of the school year in which the child turns three, the service coordinator meets with the family to identify and document the specific steps and actions that will support the child and family through the transition process. These individualized steps and actions are documented on the transition plan and are included in the IFSP.

NMAC7.30.8.13

- A. Transition planning shall begin early enough to allow the parents to exercise all their rights under state and federal statutes and regulations. Transition planning must be undertaken for each child and family at least six (6) months before the child is eligible to transition from early intervention services. Transition planning shall be a process involving meeting(s) and progressive steps toward the smooth and effective transitioning of each child and family.
- B. Steps/actions shall be identified and included in the IFSP that support the child and family and ensure a smooth and effective transition. With the involvement of the parents, such steps/actions shall include, at a minimum:
 1. Discussions with the parents regarding future program/service options to include preschool special education services and other community services that may be available and appropriate; representatives from these programs and services shall be included in these discussions to ensure an informed decision;
 2. Preparing the child and family for the changes and adjustments to a new setting;
 3. With parental consent and in accordance with regulation, the transmission of information, including evaluation and assessment information and copies of IFSPs to ensure continuity of services.

FIT PROVIDER:

- By 24 months of age, but at least six (6) months prior to the beginning of the school year in which the child turns three, the Service Coordinator meets with the family to identify and document the specific steps and actions that will support the child and family through the transition process. These individualized steps and actions are documented on the transition plan and are included in the IFSP.
- The service Coordinator will deliver/mail a Transition Referral Form to the Local Education Agency (LEA) in which the child resides at least 60 days prior to the Transition Conference and, if possible, six (6) months prior to the child's third (3) birthday with parent consent:
- If a parent refuses the referral to be made to Part B, the Service Coordinator will provide the parent(s) with prior written notice that Part C services will end at the time of their child's birthday. The Service Coordinator will also provide the family with a copy of their procedural safeguards at this time.
- With parent consent, the Service Coordinator will coordinate the completion and submission BY MAIL OR DELIVERY of the Transition Assessment Summary Form to the LEA at least 30 days prior to the Transition Conference. The information should not be older than six (6) months.
- For late referrals to FIT, the provider will contact LEA to notify as appropriate.

LEA:

- LEA will coordinate efforts with local early intervention providers to support parent and family involvement in the transition planning process.

HEADSTART:

- Will participate in the transition planning as deemed appropriate by the parents.
- Provide program information to agencies for distribution and education for parents and families.
- Coordinate with early intervention providers to facilitate visits by families to classrooms and/or learn about services provided.

OTHER:

New Mexico School for the Deaf (NMSD) and New Mexico School for the Blind and Visually Impaired (NMSBVI) will:

- Provide a comprehensive overview of the transition process and provide information on services to families, including eligibility and enrollment information.
- Support each family in acquiring a comprehensive and current evaluation, including audiology/ophthalmological prior to transition. NM Department of Children, Youth, & Families Protective Services will:
- Be available as requested to provide support and information to families about the transition process.
- Collaboration with the local Early Intervention Agency and LEA as requested by the agency.
- Offer families opportunities to connect with other families who have had children transition to share experiences.
- Support families in understanding the differences between IDEA Part B and IDEA Part C.

REFERRAL TO LEA

REFERRAL TO LEA: The Transition Referral Form should be sent with monthly eligibility lists at least 60 days prior to the Transition Conference, and if possible, at least 6 months prior to the child's third birthday. To support the use of the Part C information in determining Part B eligibility, the FIT Transition Assessment Summary Form will be completed and sent to the LEA at least 30 days prior to the Transition Conference.

FIT PROVIDER:

- The service Coordinator will deliver/mail a Transition Referral Form to the Local Education Agency (LEA)/Special Programs Office in the district in which the child resides at least 60 days prior to the Transition Conference and, if possible, six (6) months prior to the child's third birthday with parent consent.
- Provide a comprehensive overview of the transition process and provide information on services to families, including eligibility and enrollment information.
- If a parent refuses the referral to be made to Part B, the Coordinator will provide the parent(s) with prior written notice that Part C services will end on the day of the child's third birthday.
- The Service Coordinator will also provide the family with a copy of their procedural safeguards at this time.
- For late referrals to FIT, the provider will contact LEA to notify as

appropriate. LEA:

- Special Education Director and/or Coordinator will receive the transition referral form confirming receipt.

HEAD START:

- N/A

OTHER:

Parents Reaching Out (PRO) will:

- When appropriate, conduct training to help parents and families develop and acquire the information needed to play an active role in the transition process.
- Be available as requested to provide support and information to families about the transition process.
- Head Start, child care, NM School for the Deaf, NM School for the Blind & Visually Impaired, Lea County Home Visiting, and Guidance Center Autism Clinic.

PLANNING FOR THE TRANSITION CONFERENCE

PLANNING FOR THE TRANSITION CONFERENCE: If the child is potentially eligible for Part B preschool services through the Local Education Agency (LEA), then the LEA representatives, including the Special Education Director, must be invited to participate in the Transition Conference. The invitation in writing will be sent at least 30 days prior to the Transition Conference.

FIT PROVIDER:

- With the approval of the parents, other relevant service providers will also be invited as needed (Head Start, child care providers, etc.)

The Service Coordinator will work with the family, the LEA, and other Key providers to determine a date for the transition conference at least 90 days prior to the child's third birthday and no more than nine (9) months prior to scheduling a date that is agreeable to everyone. The family will receive prior written notice of the Transition Conference. With the parent's consent, the Service Coordinator will send a written invitation to the LEA and any other potential preschool providers with the details about the conference (e.g., Head Start, child care, NM School for the Deaf, NM School for the Blind & Visually Impaired, Lea County Home Visiting, and Guidance Center Autism Clinic).

- To support the use of the Part C information in determining Part B eligibility, the FIT Transition Assessment Summary Form will be completed and sent to the LEA at least 30 days prior to the Transition Conference Assessment information is defined as current if it is within six (6) months of the Transition Conference.
- Pertinent assessment/evaluation reports, IFSPs, and other information that may support Part B eligibility determination will be included with the Transition Assessment Summary Form.
- With parent consent, the Service Coordinator will coordinate the completion and submission of the Transition Assessment Summary Form to the LEA at least 30 days prior to the Transition Conference. The information will be no older than six (6) months.
- For late referrals to FIT, the provider will contact LEA to notify as appropriate.

LEA:

- The Special Education Director and/or Coordinator will receive the Transition Assessment Summary Form confirming receipt.

HEAD START:

- N/A

OTHER:

Parents Reaching Out will:

- Support families in understanding the differences between IDEA Part B and IDEA Part C.
- Head Start, child care, NM School for the Deaf, NM School for the Blind & Visually Impaired, and Lea County Home Visiting

TRANSITION CONFERENCE

TRANSITION CONFERENCE: The FIT program is legally responsible for convening the Transition Conference. It is the responsibility of the Service Coordinator to invite a LEA representative to the Transition Conference with the approval of the family.

NMAC 7.30.8.13 (F) TRANSITION

With the approval of the parents, a Transition Conference shall be convened at least 90 days prior to the anticipated date of transition from early intervention services but no later than 90 days prior to the child's third birthday. Suppose the child may be eligible for preschool services, including special education and related services offered through the local education agency. In that case, this conference shall include, at minimum, the parents, the relevant early intervention service providers, and the local education agency representative(s). Other relevant service providers should be invited to attend this meeting. The transition process must take into account the availability of Head Start and other childcare services in the community.

Subsection (A)(4)(e) of NMAC 6.31.2.11 states that "Each LEA shall participate in transition planning conferences arranged by the designated Part C lead agency no less than 90 days prior to the anticipated transition or the child's third birthday, whichever occurs first, to facilitate informed choices for all families."

FIT PROVIDER:

- The service Coordinator will (with the approval of the parent(s)) convene and facilitate a Transition Conference at least 90 days and, at the discretion of all parties, no more than nine months prior to the child's third birthday.
- With the parents' approval, other relevant service providers should be invited (Head Start, child care providers, etc.).
- The family's Service Coordinator shall facilitate this meeting to ensure the following:
 - Review the child's service and program options.
 - Review the IFSP, evaluation, assessment information, and other relevant and current data/information.
- Decide what other activities may need to be completed before the child transitions (including enrollment, immunizations, transportation or medical needs, etc.).
- The Service Coordinator shall document all outcomes and decisions of the Transition Conference in the IFSP.

LEA:

- LEA will participate in the Transition Conference arranged by the designated early intervention provider.
- LEA will determine the need for additional evaluation, assessment, and information.
- LEA will provide information about its programs and services and answer any questions.
- LEA will provide the parents with a copy of the procedural safeguards under the IDEA and obtain parental consent to conduct an initial evaluation.

- LEA will begin to gather information about the child at the Transition Conference.
- For families not ready to sign consent for evaluation at the Transition Conference, the LEA will document such in the meeting and establish a plan with the family to determine the next steps.

HEAD START:

- Attend Transition Conference if Head Start is being considered as an option.
- Provide family with information about the Head Start program.
- Review eligibility information and financial/application process with the

family. OTHER:

NMSD will:

- In the case of a child with a hearing loss, and in accordance with DOH procedure and with parent consent, contact an NMSD Parent Infant Child Program Regional Supervisor for technical assistance during the transition conference in discussing communication considerations and the continuum of education options.
- Contact the local LEA through its Joint Power's Agreements to collaboratively consider placement options and in and conduct IFSP/IEP meetings.
- Participate in the Transition Conference and, if acting as FIT Service Coordinator, facilitate that conference per FIT regulations.
- Support each family in acquiring a comprehensive and current evaluation, including audiology prior to transition.
- Support the Transition team by providing consultation related to Special Considerations for Children who are Deaf or Hard-of-Hearing as mandated by IDEA at the Transition Conference and IEP meeting.
- Provide referral to the NMSD Central for Educational Consultation and Training Program to the receiving LEA, Head Start, or other placement agency if the placement is other than NMSD Preschool.

New Mexico School for the Blind & Visually Impaired will:

- Provide information to parents/guardians of children who are eligible to transition regarding options for services.
- Coordinate transition information/efforts with other service providers.
- Support each family's efforts to have a current ophthalmologic report prior to transition.
- Provide current assessment information, recommendations, and consultation as needed to the receiving program.
- Participate, when invited, in transition conferences/meetings and help the team and family consider placement options and adaptations that may be needed.
- Participate with parent permission and provide current functional vision assessment or determine if further vision assessment is needed.
- Participate in EI team meetings to complete the vision portion of the transition assessment summary form.
- Attend the IFSP/IEP meeting and provide a current functional vision assessment or determine if further vision

assessment is needed for children we are serving in the birth to three (3) programs, assist in setting goals and objectives, provide suggestions for environmental modifications, and provide recommendations for level of service.

- Complete the Consideration of Special Factors form (from IDEA 2004): consideration of the child's future needs and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille). NMSBVI staff is responsible for determining the Literacy Mode (auditory, visual, tactile) of each transitioning child who we are serving in our infant-toddler program, completing the Consideration of Special Factors Form, and for making recommendations concerning the literacy mode for the child to the IEP team upon transition.

New Mexico Department of Children, Youth & Families Protective Services will:

- Participate in the Transition Conference for those students who are in Children Youth and Families Protective Services care and assist the team/family/guardian(s) consider placement options and adaptations that may be needed.

INITIAL EVALUATION FOR PART B

INITIAL EVALUATION FOR PART B: The LEA is responsible for obtaining written informed parental consent and conducting the evaluation within 60 days. The purpose of the initial evaluation is to determine if the child is a child with disability, and if the child requires special education and related services to benefit from the education program.

FIT PROVIDER:

- If a parent does not consent to the Part B evaluation and eligibility determination, the Service Coordinator will provide them with prior written notice that Part C services will end at the child's third birthday.
- The Service Coordinator will provide the family with a copy of their procedural safeguards at this time.
- Parents who decide not to proceed with eligibility determination for Part B will be given contact information for the LEA in which they reside.

LEA:

- LEA will provide and explain to the parent(s) in their native language or other modes of communication the Procedural Safeguards.
- LEA will secure written informed parental consent for evaluation.
- LEA will schedule and conduct the initial evaluation within 60 days of the parental consent.
- LEA will conduct the initial evaluation in accordance with 34CFR§301-311 and the NM Team.

HEAD START:

- N/A

OTHER:

NM School for the Deaf will:

- In the case of a child who is deaf or hard of hearing, and according to DOH procedure and with parent consent, contact an NMSD Parent Infant Child Program Regional Supervisor for technical assistance to the transition team in discussing communication considerations the continuum of education options.
- Provide consultation regarding appropriate assessment/evaluation for children with hearing loss.

NM School for the Blind & Visually Impaired will:

- Provide current information regarding present levels of performance and relevant assessment information to be used in eligibility determination and programming design.
- Provide consultation regarding appropriate assessment/evaluation for children with a visual impairment.

ELIGIBILITY DETERMINATION: Eligibility is determined after the initial evaluation procedures are completed including the careful review of existing evaluation and assessment information, observation and input from the parents.

FIT PROVIDER:

- N/A

LEA:

- LEA must assure that a group of qualified professionals and the parent of the child determine whether the child is a child with a disability in accordance with state and federal regulations.
- LEA shall provide a copy of the evaluation report and documentation of the eligibility determination to the parent(s) and, with parental consent, a copy of this documentation to the referring FIT provider.

HEAD START:

- N/A

OTHER:

- N/A

V. DURATION THROUGH 2024

This MOU shall become effective when signed by all parties. This agreement is in effect until any provider wishes to modify or cancel the agreement. At this time, a written notice and explanation must be submitted to all providers with thirty (30) days' notice, and the transition team must reconvene to discuss modifications for termination of the agreement. In addition, the signees agree to meet three (3) times a year to plan and coordinate efforts that facilitate a timely and seamless transition. Efforts may include Child Find, Health Fairs, and other public awareness activities.

VI. IMPLEMENTATION OF AGREEMENT

All agencies participating in this agreement will support their staff in implementing the MOU.

VII. CONFIDENTIALITY

All parties to this agreement will follow the confidentiality regulations set forth by each party's policies and regulations. In addition, assure that the privacy requirements for handling confidential child and family information contained in HIPAA (Health Insurance Portability and Accountability Act) and FERPA (Family Education Rights and Privacy Act) are followed.

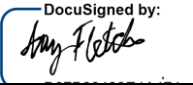
VIII. INTERAGENCY DISPUTE PROCESS

In the event of a dispute or concerns relating to the MOU and/or transition process, all cooperating agencies agree to contact the specific agency in which the concern arises in an attempt to resolve concerns. If concerns cannot be resolved in this way, or if concerns affect the larger group, concerns will be addressed during the Lea County Transition Team meeting.

SIGNATURES:

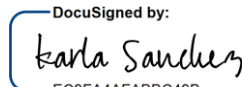
IN WITNESS WHEREOF, the following signatures are affixed:

New Mexico School for the Blind and Visually Impaired

By:  _____
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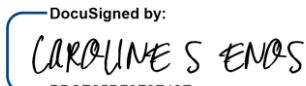
Date: 3/4/2022

New Mexico School for the Deaf

By:  _____
EC9FA4AFABBC49B...

Date: 3/7/2022

Parents Reaching Out

By:  _____
BBCE95D78F3F48E...

Date 3/4/22

SIGNATURES:

IN WITNESS WHEREOF, the following signatures are affixed:

Child & Family Services Inc./Head Start

By: Patricia Gray

Date: 12-9-2021

Eunice Public Schools

By: Dwain L. Haynes

Date: December 9, 2021

Jal Public Schools

By: Daniel Smith

Date: 12-9-2021

MECA Therapies, LLC

By: Libba Plant

Date: December 7, 2021

Lovington Municipal Schools

By: [Signature]

Date: 12/8/21

Hobbs Municipal Schools

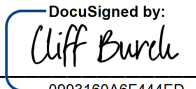
By: [Signature]

Date: 12.09.21

NM Dept. of Children, Youth & Families Protective Services

By: _____ Date: _____

Regional Education Cooperative VII (RECVII)

By:  _____ Date: 4/1/2022
0993160A6F444ED...

Tatum Municipal Schools

By:  _____ Date: 12/9/2021

Guidance Center Autism Clinic

By:  _____ Date: 1-28-2022