

**EARLY CHILDHOOD  
MEMORANDUM OF UNDERSTANDING**

Between  
**PRIMARY PARTNERS**

Truth or Consequences Municipal Schools District (TCMSD)  
TRESKO TOTS

New Mexico School for the Blind and Visually Impaired  
New Mexico School for the Deaf  
and

**Secondary Partners:**

HELP New Mexico Inc. Early Head Start and Head Start  
Appletree Educational Center  
Parents Reaching Out (PRO)/Parent Advocacy Group  
Children’s Medical Services (CMS)  
Southwest Regional Education Center (SWREC)  
Tresco Day One Home Visiting  
Aprendamos

The above listed agencies are collectively described as the  
“**Truth or Consequences Early Childhood Community.**”

**January 7, 2022**

**VISION:** The Truth or Consequences Early Childhood Community will provide smooth, effective and timely transitions, as required, that support children and families through community and family partnerships and ensure continuity of services to facilitate and help children achieve their potential.

The Truth or Consequences Early Childhood Community adheres to the following values:

- We value the development of advocacy skills in parents.
- We value parental involvement before, during, and after transition.
- We believe that the needs of the child and family are primary.
- We value the cultural diversity of all children and families.
- We believe that parents should be provided the opportunity to make informed choices.
- We believe that all children should be educated in the least restrictive and most inclusive environment possible.

**PURPOSE:** The purpose of this agreement is to establish specific, collaborative procedures and timelines that will assist the Truth or Consequences Early Childhood Community in realizing their vision.

**All Members of the Truth or Consequences Early Childhood Community agree to:**

1. Meet no less than once annually to review and revise (as necessary) this agreement.
2. Notify all members of professional development opportunities that impact young children.
3. Participate in and conduct collaborative Child Find screenings activities for the identification of children who may qualify for services.
4. Inform families about available service options and provide referrals to appropriate community agencies.
5. Inform service providers within each agency about this Memorandum of Understanding.
6. Recognize that the determination of eligibility is a decision to be made according to the criteria of each agency.
7. Accept responsibility for informing MOU participants of their eligibility criteria and services.

## II. DESCRIPTION OF THE INVOLVED AGENCIES

### Primary Partners

**Truth or Consequences Municipal Schools (TCMS):** Is the Local Education Agency (LEA) that serves children who are determined eligible for services under IDEA Part B within Sierra County. (Charity Lang, Special Education Coordinator, TCMSD, [clang@torcschools.net](mailto:clang@torcschools.net); 575.894.8157); (Charlotte Perkins, DD Pre Teacher, TCES, [cperkins@torcschools.net](mailto:cperkins@torcschools.net), Rachel Taylor, DD Pre Teacher, TCES, [rtaylor@torcschools.net](mailto:rtaylor@torcschools.net) )

**TRESCO TOTS:** Is a Family Infant Toddler (FIT) Early Intervention Service Provider that serves children birth through three and their families who are determined eligible for services under IDEA Part C within Sierra County. (Michael Armendariz, Director of Children Services, [marmendariz@trescoinc.org](mailto:marmendariz@trescoinc.org); Catherine Gonzales, Program Manager, [cgonzales@trescoinc.org](mailto:cgonzales@trescoinc.org); [www.trescoinc.org](http://www.trescoinc.org))

**New Mexico School for the Blind and Visually Impaired Infant Toddler Program:** provides vision support services to children birth to three who have a diagnosed vision impairment or who are at risk for receiving a visual impairment diagnosis. (Sophia Diaz, Developmental Vision Specialist, [sophiadiaz@nmsbvi.k12.nm.us](mailto:sophiadiaz@nmsbvi.k12.nm.us); 575.635.6549, [www.nmsbvi.k12.nm.us](http://www.nmsbvi.k12.nm.us))

**New Mexico School for the Deaf:** Provides for the unique needs of children and students who are deaf/hard of hearing, their families, and professional partners by providing a comprehensive array of school and statewide programs (Bert Goldblatt, Regional Supervisor, [bgoldblatt@nmmsd.k12.nm.us](mailto:bgoldblatt@nmmsd.k12.nm.us) 505-690-9233)

#### Secondary Partners

**HELP New Mexico, Inc.:** Is an early childhood educational program that includes early head start, head start and nm Pre-k. HELP New Mexico provides comprehensive services to expectant mothers and children from birth to five years old and their families. The Head Start enrollees need to be determined eligible under Head Start criteria. The NIM Pre-k funded children, who are age eligible by August 31<sup>st</sup>, there are no income restrictions for the NIM Pre-K families; therefore the children are enrolled on a “first come first serve” basis.

It is mandate that our Program make 10% enrollment opportunities available to children with disabilities and actively recruit children with disabilities. Therefore, process of outreach and recruitment is on going throughout the program year in order to meet with the enrollment requirements. (Iria M. Colon-Zabala, HELP New Mexico, Health Services Director, [iria.colon@helpnm.com](mailto:iria.colon@helpnm.com))

**AppleTree Educational Center:** Is a nationally accredited private non-profit early childhood facility that serves children birth through twelve and their families. Services are based on a sliding fee scale. Enrollment is based on a first come first serve basis. (Amelia Wilcox, ECD Program Director, [amelawilcox@appletreeducation.org](mailto:amelawilcox@appletreeducation.org))

**Tresco Day One Home Visiting:** Is a home visiting agency that provides services to prenatal moms and families that have children up to 5 years of age. Services are free and visits are tailored to meet the needs of the families. An Evidence based curriculum is used with the families and assessments are completed for children and families to ensure they are healthy and safe. Families are connected to formal and informal supports in their community. Long-Term Outcomes for Home Visiting: Babies are born healthy, Children are nurtured by their parents and caregivers. Children are physically and mentally healthy and are ready for school. Children and families are safe. Families are connected to formal and informal supports in their community

**Aprendamos: Early Intervention Agencies (EI) FIT Providers- Aprendamos Intervention Team, Tresco TOIS) “Provide Early Intervention services to parents and children who have developmental delays or may be at risk of developmental delays. (IDEA Part C).**

## **DEFINITIONS-**

**Eligible-** children who have an established condition or who demonstrate a developmental delay greater than 30 percent as determined by TCMUSD evaluations in accordance with NMAC (NMTEAM), a multidisciplinary team, and IDEA.

### **FAPE- Free and Appropriate Public Education**

#### **IDEA- Individuals with Disabilities Act**

- **Procedural Safeguards-** The procedural safeguards required by the Individuals with Disabilities Act (IDEA) are intended to protect the interests of families and children with special needs, as well as the special education and the early intervention systems. Procedural safeguards are the checks and balances of the system, not a piece separate from the system.
- **Part C-** The part of the IDEA which provides services to eligible children birth to 3 years of age and their families.
- **Part B-** The part of the IDEA which provides services to children with disabilities ages 3 to 21 years of age
- **Child Find-** requires a state to have policies and procedures to ensure that all children with disabilities including children who are homeless or are wards of the state and children with disabilities attending private schools, regardless of the severity of their disability, are age birth to 21 and are in need of special education and related services including children attending private schools and migrant or homeless children, are “identified, located and evaluated.” Children who are suspected of being a child with a disability under SEC.300.8 and in need of special education, even though they are advancing from grade to grade and highly mobile children, including migrant children.
- **DOH-** Department of Health
  - **FIT-** Family-Infant Toddler program (Part C programs)
  - **EI-** Early Intervention program
  - **IFSP-** Individualized Family Service Plan
- **NMPED or PED-** New Mexico Public Education Department

#### **IEP- Individualized Education Plan**

#### **LEA- Local Education Agency (School District) (Part B programs)**

**Late Referral –** for TCMUSD and FIT is defined as any child who comes to a FIT provider less than 3 months prior to their 3<sup>rd</sup> birthday.

#### **MDT- Multidisciplinary Team**

**NM TEAM Manual-** NM's guidance for eligibility determination under the IDEA

**Notification-** FIT providers provide a quarterly list of children who may be potentially eligible for early intervention services under the categories of Developmental Delay or Established Condition who reside in the TorC Municipal School District to include: the child's first name, last name and middle initial; the date of birth; and contact information for parents.

**Parent Consent-** For purposes of TCMSD is consent for evaluation only. For purposes of FIT providers is consent for release of records to Part B. Parent Consent for Head Start will be initiated during the application process for Head Start services.

**Potentially Eligible for Part B -** children eligible under the Part C's established condition or developmental delay category and who may start the day after their 3<sup>rd</sup> birthday.

**Release of Records-** as noted on the *Transition Referral Form* is parent consent for exchange of information between FIT agencies and the TCMSD to include Transition Assessment Summary Form, evaluations, IFSPs, and all other documentation needed to facilitate smooth and effective transition in accordance with FERPA and HIPPA guidelines.

**STARS-** Student Teacher Accountability Reporting System is the New Mexico Education Public Department's Accountability Data System. Each local education agency is responsible for reporting referrals and transition meeting dates from Part C to B in this system.

**Privacy Acts:**

- **HIPPA-** Health Information Patient Privacy Act
- **FERPA-** Family Education Rights Privacy Act

**The following will be addressed within the tables provided under X. Responsibilities in Transition Process:**

**VII. MONITORING AND EVALUATION OF THE AGREEMENT**

**VIII. INTERAGENCY DISPUTE PROCESS**

**IX. DURATION**

**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 the Part C’s —established condition or —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 LEA 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.

<b>FIT PROVIDER</b>	<b>LEA</b>	<b>HELP New Mexico</b>	<b>OTHER</b>
<p>TRESCO TOTS will provide appropriate information for children who will turn 3 within the next 12 months as per state guidance (Child’s first and last names, middle initial, date of birth, and contact information for parent in alignment with HIPPA &amp; FERPA requirements.</p>	<p>TCMS will acknowledge receipt of quarterly list by methods as agreed upon individually with TRESCO TOTS, by return email from LEA.</p>	<ul style="list-style-type: none"> <li>• <b>HELP New Mexico</b> will participate in TCMS Child Find activities, as per invite, which includes providing notice to families about the Child Find procedures or by referring students. Health Services Director will be responsible for notification.</li> <li>• Provide appropriate</li> </ul>	<p>Other agencies will refer children potentially eligible of having delays to the appropriate Part C or Part B agency for eligibility determination.</p>
<p>TRESCO TOTS will provide TCMS a LEA Report with a list of children who may be potentially eligible (Developmentally Delayed or Established Condition) quarterly by Jan 15th, Apr 15th, August 15th, and Oct 15th (January-December report). This information will be sent to TCMS by copy to the TCMS Special Education Office, Accountability Data Clerk or Administrative Secretary, with a follow up phone call. (180 N. Date Street, Truth or Consequences, NM 87901 – (575- 894-8170). If there are no children potentially eligible for the quarterly report, an email must be sent stating such to: <a href="mailto:clang@torcschools.net">clang@torcschools.net</a> and <a href="mailto:cperkins@torcschools.net">cperkins@torcschools.net</a></p>			<p>AppleTree will participate in TCMS Child Find activities, which includes providing notifications within 60 days of enrollment to TCMS using agreed upon methods with parent permission for children not enrolled in Part B or Part C and providing notices to families about the Child Find. Disability coordinator will be responsible for notification.</p>

<p>For children entering EI late refer to late referrals in the Referral section of this MOU.</p>	<p>For children entering EI late refer to late referrals in the Referral section of this MOU.</p>	<p>information (referral packet) as per state guidance and in alignment with HIPPA &amp; FERPA requirements.</p>	<ul style="list-style-type: none"> <li>• Provide appropriate information as per state guidance and in alignment with HIPPA &amp; FERPA requirements.</li> </ul>
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### TRANSITION PLANNING

**TRANSITION PLANNING:** By 24 months of age, but at least 6 months prior to the beginning of the school year in which the child turns three, the Family 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.

#### NMAC 7.30.8.13

- 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 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.** 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.
- C.** Steps/actions shall be identified and included in the IFSP that support the child and family and ensure a smooth and effective transition With 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**

**LEA**

**HELP New Mexico**

**OTHER**

<p>By 24 months of age, but at least 6 months prior to the beginning of the school year in which the child turns three:</p> <p>If the child's third birthday falls within the summer months, transition activities need to occur early enough to allow sufficient time for all activities to take place so that the LEA is prepared to provide Part B needed special education and related services. The transition team participants will consider meeting earlier to meet all timelines. Transition activities include referral to the LEA (60 days prior to conference), coordinating the conference, sending written invitations and the Transition Summary Form to the LEA (30 days prior to the Transition Conference, the Transition Conference (at least 90 days prior to the child's 3<sup>rd</sup> birthday, but not more than 9 months prior) and the Initial Evaluation for Part B (within 60 days of parental consent and prior to the child's 3<sup>rd</sup> birthday.</p>	<p>TCMS will coordinate with TRESKO TOTS and/or HELP New Mexico or other EI service provider to facilitate visits by families to classrooms and/or learning about services provided by TCMS.</p>	<p>HELP New Mexico will coordinate with TRESKO TOTS, and/or TCMS to facilitate visits by families to classrooms and/or learning about services provided by TCMS.</p> <p>HELP New Mexico will coordinate, with other early childhood providers joint training and/or presentations for staff and parents on identified transition needs if appropriate</p>	<p>Private daycare providers will coordinate with HELP New Mexico and/or TCMS to facilitate visits by families to classrooms and/or learning about services provided by TCMS.</p> <p><b>NMSBVI will:</b></p> <ul style="list-style-type: none"> <li>Participate in the transition planning meetings and will coordinate transition information with other service providers.</li> <li>Provide information to parents/guardians of children who are eligible to transition regarding options for services.</li> </ul> <p><b>NMSD will:</b></p> <ul style="list-style-type: none"> <li>Provide a comprehensive overview of the transition process and provide information on services to families.</li> <li>Participate in EI transition planning meetings and help the team and family consider placement options and adaptations that may be needed.</li> </ul>
<p>Transition date shall occur by the first day school is in session after the child turns 3.</p> <p>For children referred to the FITT program fewer than 45 days before the child's third birthday, the early intervention agency will not conduct intake or an evaluation to determine FIT eligibility. The FIT program will let the family know of preschool options available in the community, e.g., preschool special education, Head Start, private preschools, etc., and will assist with a referral to the LEA with the consent of the parent(s).</p> <p>If the child is referred to the FITT Program between 45 and 90 days of the child's third birthday and,</p>			



therefore, the Transition Conference cannot be held at least 90 days before the child's third birthday, the Family Service Coordinator will discuss the process for transition with the family during the intake process and the transition plan will be incorporated into the initial IFSP.

The FIT will evaluate and if the child is determined eligible. A referral must be made to the LEA with parental consent. The Family Service Coordinator will check the box 90-day timeline for this meeting cannot be met due to the child not being enrolled in the FIT Program at that time”.

The Family Service Coordinator will consider the parent(s) needs for child-care in the transition planning process.

Completion of activities relating to the planning of a child's transition will be documented on the Transition Plan page of the child's IFSP. Parents will be informed that they must attend the Transition Conference if found to be potentially eligible for Part B services.

The family will be fully informed of the array of services and program options available under Part B including home, Head Start programs, schools, or community-based settings.

The Family Service Coordinator will consider the parent(s) needs for child-care in the transition planning process.

<p>An attempt to schedule the Transition meeting within 10 working days will be made.</p> <p>Completion of activities relating to the planning of a child's transition will be documented on the Transition Plan page of the child's IFSP.</p>			
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**REFERRAL TO LEA**

<p><b>REFERRAL TO LEA:</b> The Transition Referral Form should be sent at least 60 days prior to the Transition Conference, and if possible at least six months prior to the child's third birthday. To support the use of 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.</p>			
<p><b>NMAC 7.30.8.13 TRANSITION (B)</b> In a timely manner, the EI 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.</p> <p><b>NMAC 6.31.2.11 (A) (4) (a)</b> Each LEA shall survey Part C programs within its <b>educational</b> 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.</p>			
<p><b>FIT PROVIDER</b></p> <p>With parent consent, the Family Service Coordinator or agency designee will utilize a Transition Referral Form in requesting the presence of all involved parties at least 60 days prior to the Transition Conference and if possible, 6 months prior to the child's third birthday. This notice will be provided to the LEA, Special Education Office. Referral form will be faxed to TorC Schools at 575 894-5101.</p>	<p><b>LEA</b></p> <p>TCMS will accept the FIT Transition Referral Form, confirm receipt, and enter the date of the written referral into the STARS data system.</p>	<p><b>HELP New Mexico</b></p> <p>The HELP New Mexico Health Services Director will refer children to TCMS who show a need for further evaluation. With parent consent, developmental screening, hearing and vision results will be sent with the referral.</p>	<p><b>OTHER</b></p> <p><b>NMSBVI</b> will: Refer, with parent consent, to the local FIT early intervention providers or LEA, when appropriate.</p> <p><b>NMSD</b> will: Refer, with parent consent, to the NMSD Center for Educational Consultation and Training for School-Age Children Services (NMSD Outreach Program) and to the receiving LEA, Head Start, or other placement agency if placement is other than</p>
<p>If a family whose is potentially eligible for Part B services refuses to be referred to TCMS, the Family Service Coordinator or agency designee will provide the family with prior written notice that</p>	<p>TCMS will work with FIT agencies and families to facilitate the transition process for these children.</p>		

Part C services will end on the child's third birthday. Families will also be provided with Part C procedural safeguards and TCMS Child Find information.

If a child is referred to FIT fewer than 45 days prior to the child's third birthday, an evaluation by FIT will not be conducted.

The Family Service Coordinator can inform the parents of options for preschool and assist them with applying for these options.

If the child is referred to FIT between 45 and 90 days prior to the child's third birthday, and is determined eligible, a referral must be sent to the LEA with parent permission as soon as possible.

These children would not be included in the Annual Performance Review (APR) indicators C8c.

If the child's third birthday falls within the summer months, transition activities need to occur early enough to allow sufficient time for all activities to take place so that the LEA is prepared to provide Part B needed special education and related services. The transition team participants will consider meeting earlier to meet all timelines. Transition activities include referral to the LEA (60 days prior to conference), coordinating the conference, sending written invitations and the Transition Summary Form to the LEA (30 days prior to the Transition Conference, the Transition Conference (at least 90 days prior to the child's 3<sup>rd</sup> birthday, but not more than 9 months prior) and the

These children would not be included in the APR indicators B12. TCMS staff is required to document the date of a late referral in the STARS database and the corresponding noncompliance reason code.

TCMS Summer Contact is:  
Charity Lang  
[clang@torcschools.net](mailto:clang@torcschools.net)  
ph. 575.894.8157  
fax: 575.894.5101

NMSD Preschool.

For children dually enrolled in AppleTree and TRESKO TOTS, AppleTree will assist with the referral as requested by TRESKO TOTS Family Service Coordinators.

The AppleTree Disability Coordinator will refer children to TCMS or TRESKO TOTS, who show a need for further evaluation. With parent consent, developmental screening, hearing and vision results will be sent with the referral.

Initial Evaluation for Part B (within 60 days of parental consent and prior to the child's 3<sup>rd</sup> birthday).

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**PLANNING FOR TRANSITION CONFERENCE**

**TRANSITION PLANNING:** At least 30 days prior to Transition Conference, Family Service Coordinator will coordinate a date with parents, FIT, LEA, and community partners. A written invitation to the Transition Conference will be sent to the LEA and all parties. The FIT Transition Assessment Summary Form will be completed and sent to the LEA. The LEA will review materials they receive and determine who will attend the conference.

**NMAC 7.30.8.13**

- 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 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.** 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.
- C.** Steps/actions shall be identified and included in the IFSP that support the child and family and ensure a smooth and effective transition. With 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 service 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 IFPS to ensure continuity of services.
  4. Assisting parents/families to develop the skills and acquire the information needed for continued advocacy of their child's needs.

<b>FIT PROVIDER</b>	<b>LEA</b>	<b>HEAD START</b>	<b>OTHER</b>
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<p>If the child is potentially eligible for Part B preschool services, with parent consent, the Family Service Coordinator will coordinate the completion and submission of the Transition Assessment Summary Form to TCMS at least 30 days prior to the Transition Conference.</p>	<p>TCMS will accept the FIT Transition Summary Form and confirm receipt.</p>	<p>With parent consent, the Health Services Director will receive written transition invitations and, when received in a timely manner, will make all efforts to attend the meeting or send an alternate representative.</p>	<p>Non Public School and Private Daycare providers will:</p> <ul style="list-style-type: none"> <li>• coordinate with HELP New Mexico and/or TCMS to facilitate visits by families to classrooms and/or learning about services provided by TCMS.</li> </ul>
<p>The Family Service Coordinator or designee will be responsible for ensuring all documentation including the Assessment Summary Form, ECO, IFSP, and parent consents are complete, and hand delivered/mailed to Part B Child Find Office (Special Education Office at 910 N Date Street, Truth or Consequences, NM 87901); as well as other involved agencies at least 30 days prior to the Transition Conference.</p>	<p>LEA will review information provided to identify who will be invited to the Transition Meeting, and to determine if any information is missing.</p>	<p>HELP New Mexico will coordinate joint training and/or presentations for staff and parents on identified transition needs if appropriate.</p>	<p>NMSBVI will:</p> <ul style="list-style-type: none"> <li>• provide a current Transition Functional Vision Evaluation and support each family's efforts to have a current ophthalmologic report prior to transition.</li> </ul>
<p>With approval of the parents, other relevant service providers should also be invited (HELP New Mexico, childcare providers, etc.) by the Family Service Coordinator.</p> <p>In the case of a child with a documented visual or hearing impairment, TRESCO TOTS Family Service Coordinator will include either NMSBVI or NMSD Early Intervention Program for technical assistance regarding the Transition Conference to discuss the continuum of educational options.</p>	<p>LEA will notify FIT Provider if a Transition Packet has not been received for children that had been identified on the quarterly reports; including those children turning 3 during the summer months up through October.</p>		<p>NMSD will:</p> <ul style="list-style-type: none"> <li>• support each family in acquiring a comprehensive and current evaluation, including audiological, prior to transition.</li> </ul> <p>AppleTree will:</p> <ul style="list-style-type: none"> <li>• coordinate joint training and/or presentations for staff and parents on identified transition needs if appropriate.</li> </ul>
<p>For children whose birthdays fall between June and October 1st, FIT Provider will submit invitation for the Transition Conference by February.</p>			<p>Day One Home Visiting will:</p>

			<ul style="list-style-type: none"> <li>• Help inform families, who are not already enrolled in an early intervention company of their transition options and help them learn about services provided by TCMS if there are developmental concerns.</li> </ul>
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**TRANSITION CONFERENCE**

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

**NMAC 7.30.8.13 (F) TRANSITION**

With 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. If the child may be eligible for preschool services, including special education and related services offered through the LEA, this conference shall include, at a 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 availability of HELP New Mexico 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."

<b>FIT PROVIDER</b>	<b>LEA</b>	<b>HELP New Mexico</b>	<b>OTHER</b>
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<p>The Family Service Coordinator will, with the approval of the parents, convene and facilitate a Transition Conference at least 90 days, and, at the discretion of all parties, nine months prior to the child's third birthday.</p>	<p>TCMS will participate in the Transition Conference arranged by the designated EI provider.</p> <p>LEA will:</p> <ul style="list-style-type: none"> <li>✓ Provide &amp; explain Part B services, (i.e., DD Preschool, if eligible, and PreK Program for 4-yr olds; procedures &amp; safeguards</li> <li>✓ If parent is ready to proceed with Eligibility determination <ul style="list-style-type: none"> <li>➢ TCMS will provide and explain in their native language or other mode of communication used by the parents, the Procedural Safeguards</li> <li>➢ Determine assessments needed to be completed</li> <li>➢ Obtain consent for evaluations</li> <li>➢ Determine next steps (visits, etc.)</li> <li>➢ TCMS will obtain parent consent to invite FIT Provider to EDT and/or IEP meeting, if applicable.</li> </ul> </li> </ul>	<p>With parent consent, HELLP New Mexico will:</p> <ul style="list-style-type: none"> <li>✓ Attend Transition Conferences for families who have a child turning three by September 1<sup>st</sup>, and are interested in applying to HELLP New Mexico</li> <li>✓ Review developmental information shared during the meeting</li> <li>✓ Explain the application process with family</li> <li>✓ Provide family with information about the HELLP New Mexico program, including eligibility criteria.</li> </ul>	<p><b>NMSD will:</b></p> <p>Participate, when invited, in the Transition Conference and provide information regarding current assessment information, communication considerations, continuum of educational options, and adaptations that may be needed.</p> <p>AppleTree will review developmental information shared during the meeting</p> <p>Explain the application process with family.</p> <p>Provide family with information about the AppleTree program, including eligibility criteria.</p> <p>Tresco Day One Home Visiting can provide the family with program information.</p>
<p>The Family Service Coordinator shall facilitate this meeting to ensure the following:</p> <ul style="list-style-type: none"> <li>• Review the child's current services, present levels and options.</li> <li>• Review the IFSP, evaluation, assessment information, and other relevant data/information</li> <li>• With parental consent, the transmission of information, including evaluation and assessment information and IFSPs to the receiving agency</li> <li>• Review, revise, or establish a transition plan.</li> <li>• With parental consent, refer child for an initial Part B evaluation.</li> </ul> <p>Minimally, attendees to the Transition Conference should include; the parent(s) and two or more individuals from separate disciplines or professions in the FIT program, one of whom must be the Family Service Coordinator, LEA representative(s) and any other agency considered for future service.</p> <ul style="list-style-type: none"> <li>• FIT Provider will explain Part C provisions and safeguards.</li> <li>• The Family Service Coordinator shall document all outcomes and decisions for the Transition Conference in the IFSP.</li> <li>• Completion of activities will be documented at the Transition Conference utilizing a</li> </ul>			

<p>Transition Conference and Transition Conference Signature Page of the IFSP in which all activities and next steps are listed along with signatures of all who have participated.</p> <ul style="list-style-type: none"> <li>Copies of the Transition Conference page and signature page shall be sent to all participants with parental consent.</li> </ul>			
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### INITIAL COMPREHENSIVE 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 a disability, and if the child requires special education and related services to benefit from the education program.

- 34CFR § 200.301 Initial evaluations.** (a) General. Each public agency must conduct a full and individual initial evaluation, in accordance with §§300.304 through 300.306, before the initial provision of special education and related services to a child with a disability under this part.
- (b) Request for initial evaluation. Consistent with the consent requirements in §300.300, either parent of a child or a public agency may initiate a request for an initial evaluation to determine if a child is a child with a disability.
- (c) Procedures for initial evaluation. The initial evaluation—
- (1) (i) Must be conducted within 60 days of receiving parental consent for the evaluation; and
  - (2) Must consist of procedures—
    - (i) To determine if the child is a child with a disability under § 300.8; and
    - (ii) To determine the educational needs of the child.

<b>FTT PROVIDER</b>	<b>LEA</b>	<b>HELP NEW MEXICO</b>	<b>OTHER</b>
<p>If a parent does not consent to the Part B evaluation and eligibility determination the Family Service Coordinator will provide them with contact information for the LEA. It should be made clear to the family that after they exit the FTT program, they may contact the LEA in the</p>	<p>TCMS, with informed consent, will conduct and complete an initial comprehensive evaluation to determine eligibility for Part B services within 60 days of written parental consent.</p> <p>This includes the review and use of appropriate existing Part C evaluations and assessments, IFSP information, and</p>	<p>For children who are enrolled in HELP NEW MEXICO, and with parent consent, HELP will share any developmental assessment information requested by TCMS which may facilitate the evaluation process, with parent consent.</p>	<p>AppleTree, will share any developmental assessment information requested by TCMS which may facilitate the evaluation process, with parent consent.</p> <p>Apple Tree will provide assessment information that they</p>



<p>future and request an initial evaluation.</p>	<p>information gathered from the team at the transition meeting. Evaluations must have been administered within six months to be considered valid.</p> <p>TCMS will refer to the Initial Evaluation Checklist in Appendix G of the Guidance Document, including use of the TEAM Manual.</p> <p>TCMS will schedule a date for a group of qualified professionals from the schools and the parents to review any existing data, including the IFSP, evaluations and information provided by parents or other data as allowed, as part of the process for determining eligibility for IDEA Part B.</p> <p>TCMS will determine the need for additional evaluation, assessment, and information.</p> <p>TCMS will provide feedback/results from testing to EI provider regarding how the student performed and overall areas of strength and weaknesses noted.</p>	<p>HELP New Mexico, With parent consent, will provide assessment information that they have completed upon a child entering a program in the TCMSD, to the TorC Schools.</p> <p>HELP New Mexico Teachers agree to complete Teacher Rating Scales requested by the LEA during the evaluation process.</p>	<p>have completed upon a child entering a program in the TCMSD, to the TorC Schools.</p> <p>NMSBVI will: Participate with parent's permission and provide current information regarding present levels of performance and relevant assessment information to be used for eligibility.</p> <p>NMSD will: Participate with parent's permission and provide current information regarding present levels of performance. Relevant assessment information will be used for eligibility determination and programming design.</p>
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**ELIGIBILITY DETERMINATION AND PARENT CHOICE**

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

**NMAC 6.31.2.11 (A)(4)(f)** Each LEA shall designate a team including parents and qualified professionals to review existing evaluation data for each child entering the LEA's preschool program in compliance with 34 CFR Sec. 300.305, and based on that review to identify what additional data, if any, are needed to determine the child's eligibility for Part B services or develop an appropriate program.

**NMAC 6.31.2.10**

**F. Eligibility determinations.**

**(1) General rules regarding eligibility determinations**

(a) Upon completing the administration of tests and other evaluation materials, a group of qualified professionals and the parent of the child must determine whether the child is a child with a disability and requires specialized instruction, as defined in 34 CFR Sec. 300.8 and Paragraph (2) of Subsection B of 6.31.2.7 NMAC. The determination shall be made in compliance with all applicable requirements of 34 CFR Sec. 300.306.

(b) The public agency must provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.

<b>FTT PROVIDER</b>	<b>LEA</b>	<b>HELP NEW MEXICO</b>	<b>OTHER</b>
<p>Will participate, when available, in the EDT and/or IEP meeting.</p> <p>Parent choice is no longer an option.</p>	<p>Once all evaluations are completed and data is collected TCMMS will: schedule a date for a group of qualified professionals from the schools, the parents, and FTT Provider, as applicable, to determine whether the child meets the NM Part B eligibility requirements; review any existing data, including the IFSP, evaluations and information provided by parents or other data as allowed, as part of the process for determining eligibility for IDEA Part B.</p> <p>During this meeting the Eligibility Determination Team Report will be completed.</p>	<p>The Documentation of Eligibility provided by the LEA will be used to correctly prioritize the family for enrollment.</p> <p>With parent consent, HELP NM will participate in the EDT meeting when requested.</p>	<p>NMSD will participate, with parent permission on the IEP team to provide current information regarding present levels of performance and relevant assessment information to be used in eligibility determination and programming design.</p> <p>NMSBVI will: Participate with parent’s permission on the IEP team and provide consultation and current information regarding present levels of performance and relevant assessment information to be used in eligibility determination.</p>
	<p>TCMMS will provide and explain to the parents in their native language or other mode of communication used by the parents, the Procedural Safeguards.</p> <p>Documentation of eligibility will also be provided to TRESCO TOTS and HELP</p>		

NEW MEXICO (if family is applying to  
HELP New Mexico).

**EVALUATION REPORT AND DOCUMENTATION OF ELIGIBILITY SENT TO PARENT**

**EVALUATION REPORT AND DOCUMENTATION OF ELIGIBILITY WILL BE SENT TO THE PARENT by the child's third birthday. With parental consent, LEAs have the option to share this information with the FIT provider. Although this is encouraged, it is not required.**

**NMAC 6.31.2.10**

Eligibility determinations.

(1) General rules regarding eligibility determinations

(a) The public agency must provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.

<b>FIT PROVIDER</b>	<b>LEA</b>	<b>HELP NEW MEXICO</b>	<b>OTHER</b>
	TCMS will meet with parents to explain the evaluation report, and provide a copy of the evaluation report and the documentation of the child's eligibility to the family.		

**INDIVIDUALIZED EDUCATION PROGRAM (IEP) DEVELOPED**

**IEP DEVELOPED by the child's third birthday, and at least 15 days prior to the child's entry into Part B services.**

**Federal Regulation**

**§300.124 Transition of children from the Part C program to preschool programs**

The State must have in effect policies and procedures to ensure that—

(a) By the third birthday of a child described in paragraph (a) of this section, and IEP or, if consistent with § 300.323(b) and section 636(d) or the Act, and IFSP, has been developed and is being implemented for the child consistent with § 300.101(b).

**§300.323 When IEPs must be in effect.**

(a) General. At the beginning of each school year, each public agency must have in effect, for each child with a disability within its jurisdiction, an IEP, as defined in §300.320.

(b) IEP or IFSP for children aged three through five. (1) In the case of a child with a disability aged three through five, the IEP Team must consider and IFSP that contains the IFSP content (including the natural environments statement) described in section 636(d) of the Act and its implementation regulations (including an educational component that promotes school readiness and incorporates pre-literacy, language,

<p>and numeracy skills for children with IFSPs under this section who are at least three years of age), and that is developed in accordance with the IEP procedures under this part. The IFSP may serve as the IEP of the child, if using the IFSP as the IEP is—</p> <ol style="list-style-type: none"> <li>i. Consistent with State policy; and</li> <li>ii. Agreed to by the agency and the child's parents.</li> </ol>			
<p><b>IFT PROVIDER</b></p>	<p><b>LEA</b></p>	<p><b>HELP NEW MEXICO</b></p>	<p><b>OTHER</b></p>
<p>Will attend IEP, if possible.</p> <p>Early intervention services shall be provided in accordance with the IFSP to children and families until the date specified on the IEP.</p>	<p>The IEP must be in place by the child's 3<sup>rd</sup> birthday or 15 days prior to the start of school.</p> <p>TCMS will ensure parent participation in developing the IEP at the IEP meeting. With parent consent documentation of the IEP will be provided to HELP NEW MEXICO and other day care providers.</p>	<p>With parent consent, HELP New Mexico, AppleTree and any other daycare or PreK program personnel will be invited to the IEP.</p> <p>The HELP New Mexico Teacher or alternate representative will attend IEP meetings for children enrolled, or for whom the family has submitted an application, with parent consent.</p>	<p>NMSD will participate in the IEP development, when applicable.</p> <p>NMSBVI will:</p> <ul style="list-style-type: none"> <li>• Attend and participate in the IEP development with parent's permission.</li> <li>• Assist in setting goals and objectives, provide suggestions for environmental modifications and provide recommendations for level of service.</li> </ul>
<p>Early Intervention consultation after transition is available, up to four hours total (within one month) across all services/disciplines that the child was receiving under the IFSP, to provide early intervention personnel information needed to assist/inform the LEA, HELP New Mexico, or other early childhood professionals the child's intervention needs.</p> <p>Post transition services may involve visits with the family, consultation to staff of the receiving agency/agencies and must be documented in the IFSP.</p>		<p>HELP New Mexico will support placement decisions made by the IEP committee.</p> <p>HELP New Mexico will coordinate with the LEA and Early Intervention programs to maximize resources and assist with seeking out additional resources when needed.</p>	<ul style="list-style-type: none"> <li>• NMSBVI will complete the Consideration of Special Factors form (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 will determine the Literacy Mode for each transitioning child.</li> </ul>

			<p><b>NMMSD will:</b></p> <ul style="list-style-type: none"><li>• Participate in the IEP meeting when invited and provide current assessment information.</li><li>• Support the IEP team in the completion of the Communication Considerations for Children with Hearing Loss IEP Addendum as mandated by IDEA.</li></ul>
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IN WITNESS WHEREOF, the following signatures are affixed:

**SIGNATURES/DATES:** An authorized representative of each primary partner agency must sign and date this MOU. This MOU shall be in force for a minimum of one year from the date of signing, but will be reviewed annually by the primary partner.

**Primary Partners:**

Tenth of Consequences Municipal Schools (TCMS)

*Charity Lami*  
Charity Lami Special Education Coordinator (TCMSD)

Date

Tenth of Consequences 3Y/4Y DD Preschool

*Charlotte Parkers*  
Charlotte Parkers/DD Pre Teacher (TCMSD)

Date

Tenth of Consequences 3Y/4Y DD Preschool

*Rachel Taylor*  
Rachel Taylor/DD Pre Teacher (TCMSD)

Date

TRESSCO Inc. (TOTS)

*Shae Christy*  
Michael Annunzio/Director of Children Services  
Dignity Christy / Program Manager

Date

NM School for the Blind & Visually Impaired (NMSBVI)

*Sophia Diaz*  
Sophia Diaz /Developmental Vision Specialist  
DVS III, BCMS

Date

NM School for the Deaf (NMSD)/Early Intervention Program

*Bert Goldstein*  
Bert Goldstein/SW Regional Supervisor

Date

**Secondary Partners:**

NM HRUP NEW MEXICO

*John P. Zaba*  
John M. Colon-Zaba, Health Services Director

Date

AppleTree Educational Center

*Amelia Wilcox*  
Amelia Wilcox/RCD Program Director

Date

Southwest Regional Education Center (SWREC)

Valerie Brea/Special Education Program Manager

Date

Appendants

*Brenda Miranda*

4/4/22

Brenda Miranda

Date

TRESCO, Inc. (Day One Home Visiting)

*Monica Whitman*

4/4/22

Monica Whitman/ Program Manager

Date

Others Present:

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