

Zia Area Transition Team
Memorandum of Understanding

EARLY CHILDHOOD TRANSITION TEAM
MEMORANDUM OF UNDERSTANDING

Between-
Signing members

New Mexico School for the Blind and Visually Impaired (NMSBVI)

New Mexico School for the Deaf (NMSD)

New Vistas

LasCumbres

BMSI

Pecos Independent School District

Pojoaque Valley Schools

Santa Fe Public Schools

Effective Date July 1, 2023

ZIA Transition Partner Members
Contact Information

New Mexico School for the Blind and Visually Impaired (NMSBVI)

Amber Ohlinger, Vision Specialist
801 Stephen Moody
Albuquerque, NM 87123
575-449-5298
amberohlinger@nmsbvi.k12.nm.us

New Mexico School for the Deaf (NMSD)

Kristi Halus, NE Regional Supervisor
1060 Cerrillos Rd.
Santa Fe, NM 87505
505-690-3517
kristi.halus@nmsd.k12.nm.us

New Vistas

Sarah Michaud, Executive Director
1205 Parkway
Santa Fe, NM
505-471-1001
lbaca-sena@newvistas.org

Pecos Independent School District

Karen Garner
P.O. Box368
Pecos, NM 87552
(505) 757-4690
kgarner@pecos.k12.nm.us

Mary Hendrix
PMS Head Start
5600 Agua Fria St
Santa Fe, NM 87507
505-443-3467

Pojoaque Valley Schools
Christina Velasquez, Special Education Director
1574 State Highway 502
Santa Fe, NM 87506
505-455-2282
mcv@pvs.k12.nm.us

Santa Fe Public Schools
Jeff Pinkerton,
Executive Director
1300 Camino Sierra Vista
Santa Fe, NM 87505
505-467-2502
jpinkerton@sfps.k12.nm.us

Las Cumbres Community Services
Linnea Moreno, Division Director
Anne Davidson-Martinez, Program
Director
1911 Fifth Street, Suite 100
Santa Fe, NM 87507
505-709-8645
anne.davidson.martinez@lccs-nm.org

BMSI-Best for Kids
Rosario Roman, Executive Director
Carla Hendricks, EI Program
Director 460 St. Michaels Drive,
Suite 1004 Santa Fe, NM 87505
505-266-5557
chendricks@bestsupportteam.org

Parents Reaching Out
Dolores Harden
1920 B Columbia Drive SE
Albuquerque, NM 87506
Dolores Harden
505-247-0129
dharden@parentsreachingout.org

Children's Medical Services
Melissa Mitchell
605 Letrado Suite C
Santa Fe, NM 87505
Melissa.mitchell@state.nm.us

Growing Up New Mexico
Maria Lucero
440 Cerillos Rd
Santa Fe, NM 87501
505-982-2002

I. PURPOSE

The purpose of this agreement is to facilitate a seamless system of transition for children and families as they move from early intervention services, birth to

3 years, into other programs and services. Strong interagency and family partnerships will ensure, promote and evaluate transition activities, approaches and methods. Through interagency understanding, cooperation, and collaboration, families will experience a high level of satisfaction with transition services.

11. OBJECTIVES

1. Assure that any children with suspected disabilities and children with or at risk for developmental delays are identified as early as possible and referred to the appropriate agency (ies) in Santa Fe County.
2. Assure that all children with disabilities and children with or at risk for developmental delays as defined by the Individuals with Disabilities Education Act (IDEA) and the Head Start Disability Services Performance Standards receive appropriate and necessary services without a disruption of services.
3. Maximize education, health and developmental outcomes for families whose children have special needs.
4. Support families to be equal, informed partners and informed decision makers in the education and transition process.
5. Provide for successful transitions between, among and within agencies.
6. Provide services that are culturally relevant, linguistically appropriate and family centered.
7. Create a process for stakeholders, including parents/guardians to review and evaluate the effectiveness of collaborative efforts related to this process.

III. WORKING PROCEDURES, TIMELINES AND RESPONSIBILITIES IN TRANSITION PROCESS

NOTIFICATION



NMAC 8.9.8.13 TRANSITION (B) (1) 8.9.8.13 TRANSITION (8)(1) The FIT program shall provide notification to the public education department, special education bureau, of all potentially eligible children statewide who will be turning three years old in the following twelve month period. (2) The early intervention provider agency shall notify the LEA of all potentially eligible children residing in their district who will turn three years old in the following twelve month period. This will allow the LEA to conduct effective program planning.

(3) The notification from the early intervention provider agency to the LEA shall:

- (a) include children who are potentially eligible for preschool special education services under the Individuals with Disabilities Education Act (IDEA) Part B; potentially eligible children are those children who are eligible under the developmental delay or established condition categories;
- (b) include the child's name, date of birth, and contact information for the parent(s);
- (c) be provided at least quarterly in accordance with the process determined in the local transition agreement; and (d) be provided not fewer than 90 days before the third birthday of each child who is potentially eligible for IDEA Part B.

NMAC 6.31.2.11 (A) (5) (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	LEA	HEAD START	OTHER
<ul style="list-style-type: none"> ■ Early Intervention Program Directors and/or NMSD Regional Supervisor will provide quarterly notifications on the 15th of October, January, April, and July to individual school districts via secure fax, secure email, mail, or hand deliver. ■ Will provide appropriate information as per state guidance and in alignment with HIPPA & FERPA requirements ■ Upon referral of a child who is potentially eligible for Part B, the EI agency will call the LEA to notify them of the late referral. 	<ul style="list-style-type: none"> ■ Coordinate efforts with local early intervention providers to support parent and family involvement in the transition planning process. ■ Individual school district will acknowledge receipt of quarterly list by email. ■ If the individual district has not received the list by the 30th of the month (Oct., etc.) then the LEA will contact the Part C program to request the list. 		<ul style="list-style-type: none"> ■ NMSD Regional Supervisor will provide quarterly notifications on the 15th of October, January, April, and July to individual school districts via secure fax, mail, or hand deliver.

TRANSITION PLANNING

- Individualized steps and services added to the IFSP:

NMAC 7.30.8.13 (C)

- (1) A transition plan shall be developed with the parent(s) for each eligible child and family that addresses supports and services after the child leaves the FIT program.
- (2) The transition plan shall be included as part of the child's IFSP and shall be updated, revised and added as needed.
- (3) The following is the timeline for developing the transition plan:
 - (a) at the child's initial IFSP meeting, the transition plan shall be initiated and shall include documentation that the family service coordinator has informed the parent(s) regarding the timelines for their child's transition;
 - (b) by the time child is 24 months old, the transition plan will be updated to include documentation that the family service coordinator has informed the parent(s) of the early childhood transition options for their child and any plans to visit those settings; and
 - (c) at least 90 days, and not more than nine months before the child's third birthday, the transition plan shall be finalized at an annual IFSP or transition conference meeting that meets the attendance requirements of this rule.

6.31.2.11(A)(4)

Each public agency shall develop and implement appropriate policies and procedures to ensure a smooth and effective transition from Part C to Part B programs for preschool children with disabilities within the agency's educational jurisdiction, in compliance with 34 CFR Sec. 300.124. Each LEA and other public agencies as appropriate shall make reasonable efforts to establish productive working relations with local Part C programs and when given reasonable notice shall participate in the transition planning conferences arranged by local Part C providers.

6.31.2.11(A)(5)

- (b) Each LEA shall promote parent and family involvement in transition planning with Part C programs, community programs and related services providers at least six months before the child is eligible to enter the LEA's Part B preschool program.
- (c) Each LEA shall establish and implement procedures to support successful transitions including parent training, professional development for special educators and general educators, and student and parent self-advocacy training and education.
- (d) Each LEA shall assist parents in becoming their child's advocates as the child makes the transition through systems.

FIT PROVIDER	LEA	HEAD START	OTHER
<p>The Service Coordinator will initiate the Transition Plan with the family at the initial IFSP</p> <p>By 24 months of age:</p> <p>The Service Coordinator shall ensure that the family is fully informed of the array of service and program options available including; home, childcare centers, schools or community-based settings, state supported schools and Part B services or Head start services, contingent upon eligibility.</p>	<ul style="list-style-type: none"> ■ LEA will coordinate efforts with local early intervention providers to support parent and family involvement in the transition planning process. ■ LEA will coordinate with early intervention providers to facilitate visits by families to classrooms and/or learn about services provided by the school district. 	<ul style="list-style-type: none"> ■ Will participate in transition planning as deemed appropriate by the parents, Part C & Part B programs through the IFSP & IEP processes. ■ Provide program information to agencies for distribution & education for parents and families ■ Coordinate with early intervention providers to facilitate visits by families to classrooms and/or learn about services provided. ■ Provide a comprehensive overview of the transition process and provide information on services to families, including Early Head Start/Head Start eligibility and enrollment information. 	<p>New Mexico School for the Blind and Visually Impaired (NMSBVI) will: Work together with other local FIT providers, Early Head Start, Head Start, and /or LEAs to best meet the needs of children who are visually impaired in the community and support attainment of outcomes and goals contained in the IFSP/IEP.</p> <ul style="list-style-type: none"> ■ 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 in acquiring a comprehensive and current evaluation including ophthalmological prior to transition. <p>New Mexico School for the Deaf (NMSD) will: Work together with other local FIT providers, Early Head Start, Head Start, and /or LEAs to best meet the needs of children who are deaf or hard of hearing in the community and support attainment of outcomes and goals contained in the IFSP/IEP.</p>

			<ul style="list-style-type: none"> ■ 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 audiological prior to transition.
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REFERRAL TO LEA
<ul style="list-style-type: none"> ■ Referral form sent to LEA with parent consent
<p>8.9.8.13 D (1) A transition referral shall be submitted by the family service coordinator with parental consent, to the LEA at least 60 days prior to the transition conference. The transition referral shall include at a minimum the child's name, the child's date of birth, the child's address of residence, and the contact information for the parent(s) including name(s), address (es), and phone number(s).</p> <p>8.9.8.13 D (2) For children who enter the FIT program less than 90 days before their third birthday, the family service coordinator shall submit a referral, with parental consent, as soon as possible to the LEA. This referral shall serve as the notification for the child. No further notification to the LEA shall be required for the child. (3) For children referred to the FIT program less than 45 days before the child's third birthday, the family service coordinator shall submit a referral to the LEA, with parental consent, but the early intervention provider agency will not conduct an evaluation to determine eligibility in accordance with the referral and intake provisions of this rule.</p> <p>7.30.8.7 K "Consent" means informed written prior authorization by the parent(s) to participate in the early intervention system. The parent has been fully informed of all information relevant to the activity for which consent is sought in the parent's native language and mode(s) of communication and agrees to the activity for which consent is sought. The parent(s) shall be informed that the granting of consent is voluntary and can be revoked at any time. The revocation of consent is not retroactive.</p>

FIT PROVIDER	LEA	HEAD START	OTHER
<ul style="list-style-type: none"> • The Service Coordinator will submit by Mail, or hand deliver, secured email/upload a completed Transition Referral Form to the Local Education Agency (LEA) at least 60 days prior to the Transition Conference, and if possible 6 months prior to the child's third birthday. • In the case of a child with a documented visual impairment, the FIT Service Coordinator will contact NMSBVI for technical assistance during the transition conference to discuss the continuum of educational options. • If NMSD Part B services are a consideration, the Service Coordinator will send the transition referral to the NMSD ECE Principal, as well as the LEA. • In the case of a child who is deaf or hard-of-hearing, and in accordance with ECECD procedure and with parent consent, contact an NMSD Early Intervention and Involvement Division Regional Supervisor 	<ul style="list-style-type: none"> • Upon receipt of the Transition Referral Form, the LEA transition coordinator will notify via a signed receipt of delivery the sending Part C agency service coordinator that records have been received. • Since some LEAs are closed during the summer months, referrals should be sent prior to May 1st to the LEA transition coordinator. During the summer months of June and July, referrals should be sent to the appropriate administrator for each school district. • Upon receipt of the Transition Assessment Summary Form, to the LEA Transition Coordinator, Coordinator will notify with a signed receipt of delivery, Part C that the form and invitation have been received. 		<p>NMSBVI will:</p> <ul style="list-style-type: none"> • Refer, with parent consent to the local FIT early intervention providers or LEA, when appropriate. <p>If NMSD Part B services are a consideration, the NMSD ECE Principal will acknowledge the receipt of the transition referral.</p> <p>NMSD Early Intervention and Early Intervention and Developmental Services (EIDS). Regional Supervisor is available for technical assistance to the transition team in discussing communications and the continuum educational options.</p>

for technical assistance to the transition			
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team in discussing communication considerations and the continuum of educational options

- If the child is referred to the FIT program fewer than 45 days prior to the child's third birthday, an evaluation by FIT will not be conducted. The service coordinator will inform the parents of options for preschool through the LEA and will assist them with applying to the LEA Child Find.
- If the child is referred to the FIT program between 45 and 90 days of the child's third birthday, the service coordinator will send a referral to the LEA with parent permission as soon as possible. At the discretion of the FIT provider, and with parent permission, a referral for a child who is potentially eligible for Part B, will be sent via secure fax, secure e-mail, hand delivery or mail to the LEA prior to Part C eligibility determination.

PRE-PLANNING FOR TRANSITION CONFERENCE

<ul style="list-style-type: none"> • <u>Provide written invitation to Transition Conference-to LEA and all parties.</u>
<ul style="list-style-type: none"> • Send Transition Assessment Summary Form to <u>LEA</u>.
<ul style="list-style-type: none"> ■ LEA reviews materials and determines who <u>will attend</u>.

7.30.8.13 E. Invitation to the transition conference:

The family service coordinator shall submit an invitation to the Transition Conference to the LEA and other preschool programs at least 30 days prior to the Transition Conference.

7.30.8.13 F. Transition assessment summary:

(1) The family service coordinator shall submit a completed transition assessment summary form to the LEA at least 30 days prior to the Transition Conference.

(2) Assessment results, including present levels of development, must be current within six months of the Transition Conference.

7.30.8.13 G. Transition Conference: The Transition Conference shall:

(1) be held with the approval of the parent(s);

(2) be held at least 90 days and no more than nine months prior to the child's third birthday;

(3) meet the IFSP meeting attendance requirements of this rule;

(4) take place in a setting and at a time that is convenient to the family;

(5) be conducted in the native language of the family, or other mode of communication used by the family, unless it is clearly not feasible to do so;

(6) with permission of the parent(s), include other early childhood providers (early head start/Head Start, child care, private preschools, New Mexico School for the Deaf, New Mexico School for the Blind and Visually Impaired, etc.).

6.31.2.11 A. (3) (b)

The Part B eligibility determination team shall review current assessments and shall determine the additional data and assessments needed for the comprehensive evaluation. Current assessments are defined as assessments, other than medical assessments, conducted no more than six months prior to the date of the meeting of the Part B eligibility determination team.

6.31.2.11.A (4)

Each public agency shall develop and implement appropriate policies and procedures to ensure a smooth and effective transition from Part C to Part B programs for preschool children with disabilities within the agency's educational jurisdiction, in compliance with 34 CFR Sec.

300.124. Each LEA and other public agencies, as appropriate, shall make reasonable efforts to establish productive working relations with local Part C programs and, when given reasonable notice, shall participate in the transition planning conferences arranged by local Part C providers.

FIT PROVIDER	LEA	HEAD START	OTHER
<ul style="list-style-type: none"> The service coordinator shall ensure that the family is fully informed of the array of service and program options available including; home, childcare centers, schools or community-based settings, state supported schools and Part B services or Head start services contingent upon eligibility. 	<ul style="list-style-type: none"> Upon review of the existing data, the LEA will determine the appropriate representatives and assure participation of those representatives in the transition conference arranged by the designated early intervention provider. The LEA will determine the need for additional evaluation, assessment, and information. 	<p>The Head Start Disabilities Coordinator will acknowledge receipt of the invitation.</p>	<p>NMSBVI will:</p> <ul style="list-style-type: none"> NMSBVI will participate in EI Team meetings to complete the vision portion of the transition assessment summary form. NMSBVI can assist with the transition process for qualifying children. NMSBVI will assist each family's efforts to obtain a current ophthalmology report prior to transition. NMSBVI will provide information to parents/guardian of transition children who are blind or visually impaired regarding options for services.

- With parent consent, the Service Coordinator and the IFSP team will begin the process of completing the Transition Assessment Summary Form for the LEA.
- The Service Coordinator will consider the parent(s) needs for child care in the transition planning process.
- Coordinate among parents, FIT, LEA on conference date.

The FIT Family Service Coordinator (FSC) will request updated assessment information (including, but not limited to: observations and qualitative information as it pertains to the nature of the child's needs, relationships with others, and/or impact on educational experiences; information from assessment tools, including scores and percentages of delay as applicable;

- Coordinate among parents and FIT on conference date.
- The LEA transition coordinator will acknowledge receipt of the Transition Assessment Summary form and the invitation.
- The LEA reviews materials and determines who will attend.
- The process for referrals remains the same year round for all school districts.

NMSD will:

- The NMSD EIDS service provider or Regional Supervisor will acknowledge receipt of the invitation.
- NMSD EIDS Regional Supervisor is available for technical assistance to the transition team in discussing communication considerations and the continuum of educational options.
- If NMSD Part B services are a consideration, the NMSD Early Childhood Principal will acknowledge receipt of the invitation and Transition Assessment Summary form

ECEP reports, etc.)and/or reports from the child's IFSP team including NMSD and NMSBVI, and/or PEI (when they are part of the IFSP team and providing ongoing services to the child) and/or other caregivers and community partners, e.g. - relatives, child care, Home Visiting, etc. Requests for information from external agencies must be no later than 30 days prior to the due date for the Transition Assessment Form.

The Transition Assessment Summary form will be completed by the FIT Family Service Coordinator (FSC) and IFSP team, to include the most current assessment information (must be current within six months of the Transition Conference)the. Information should be as current to the date of completion of the Transition Assessment Summary Form as possible and can include information from the IDA and/or ongoing assessment tools, whichever is most current. FIT ongoing assessment tools can include:

- The HELP
- The AEPS
- The Oregon (for children with Visual Impairments)

<p>With parent consent, the Family Service Coordinator will submit the completed Transition Assessment Summary Form and invitation to the conference to the LEA and other transition partners (CMS, NMSBVI, NMSD, Head Start, etc.), at least 30 days prior to the Transition Conference.</p> <ul style="list-style-type: none">■ In the case of a child who is deaf or hard-of-hearing, and in accordance with ECECD procedure and with parent consent, contact an NMSD Early Intervention and EIDS for technical assistance to the transition team in discussing communication considerations and the continuum of educational options■ In the case of a child with a documented visual impairment, the FIT Service Coordinator will contact NMSBVI for technical assistance during the transition conference to discuss the continuum of educational options.			
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TRANSITION CONFERENCE

- Provide prior written notice.
- Obtain consent for evaluation.
- Complete IFSP Transition Conference page; discuss program options and next steps with LEA

8.8.9.13 (G) (7)

Transition conference: The transition conference shall be facilitated by the family service coordinator to include:

- (a) a review of the parent(s)'s preschool and other service options for their child;
- (b) a review of and, if needed, a finalization of the transition plan;
- (c) a review of the current IFSP, the assessment summary and any other relevant information;
- (d) the transmittal of the IFSP, evaluation and assessments and other pertinent information with parental consent;
- (e) an explanation by an LEA representative of the IDEA Part B procedural safeguards and the eligibility determination process, including consent for the evaluation;
- (n as appropriate, discussion of communication considerations (if the child is deaf or hard of hearing) and Braille determination (if the child has a diagnosis of a visual impairment), autism considerations, and considerations for children for whom English is not their primary language.
- (g) discussion of issues, including enrollment of the child, transportation, dietary needs, medication needs, etc.
- (h) documentation of the decisions made on the transition page and signatures on the Transition Conference signature page, which shall be included as part of the IFSP. Copies of the Transition Conference page and signature page shall be sent to all participants.

6.31.2.11 (A) (5)(e)

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	LEA	HEAD START	OTHER
<ul style="list-style-type: none"> • 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, nine months prior to the child's third birthday. • The family's Service Coordinator shall facilitate this meeting to ensure the following: • Review the child's service and program options. The NMSD EIDS Regional Supervisor is available to consult with the transition team about communication considerations, even if the child is not receiving direct NMSD EIDS services. NMBVI can provide consultation regarding assessment and evaluation for children with visual impairments. • Review the IFSP, evaluation, assessment information, and other relevant data/information. • The Service Coordinator shall document all outcomes and decisions of the Transition Conference in the IFSP. 	<ul style="list-style-type: none"> • LEA will participate in the Transition Conference arranged by the designated early intervention provider. • The LEA will share with the transition team the results of the "review of record" and will indicate what evaluations are necessary to consider eligibility for Part B services. • The LEA will provide and explain to the parent(s) in their native language or other mode of communication used by the parent(s) the Procedural Safeguards. The LEA will obtain the consent from the parent(s) to conduct the initial evaluation for Part B in accordance with the current regulations and the NM TEAM Manual. • The LEA will schedule a date for initial evaluation and discuss potential dates for eligibility meeting. To assist with this process, the LEA will keep in mind that NMSD CECT department is available to provide consultation to LEAs regarding appropriate assessment and evaluation for children with a hearing loss. 	<ul style="list-style-type: none"> • Attend Transition Conference if Head Start is being considered as an option • Provide family with information about the Head Start program. • Will when invited, the Head Start Disabilities Coordinator will review eligibility information and financial/application process with family. • Will provide present levels of performance for all children attending Early Head Start. <p style="text-align: center;">17</p>	<p>Children's Medical Services (CMS) will:</p> <ul style="list-style-type: none"> • When invited by families, attend Transition Conference, as appropriate. • Provide family with information about CMS program services including case management. • Review program eligibility for Children's Medical Services. • Schedule appointment with family to determine eligibility and complete registration for CMS. <p>NMSD will:</p> <ul style="list-style-type: none"> • Participate, when invited, in the Transition Conference and, if acting as FIT Service Coordinator, facilitate that conference per FIT regulations. • NMSD EIDS staff or regional supervisor will support the team by providing consultation around communication considerations. • NMSD Center for Educational Consultation and Training (CECT) is available to provider consultation to the LEA regarding appropriate assessment/evaluation for children with hearing loss. • If NMSD Part B services are a consideration, NMSD Principal will attend the conference and contact the LEA

<ul style="list-style-type: none"> ■ The Service Coordinator will discuss when Part C services will end for the child 	<ul style="list-style-type: none"> ■ The LEA will discuss when special education will become available to the child if the child is found eligible. ■ If parents decline to sign parental consent at the conference, the LEA will provide district contact information to the parent should they wish to re-initiate the process. 		<p>regarding its Joint Powers Agreement to collaboratively consider placement options</p> <p>New Mexico School for the Blind & Visually Impaired will:</p> <ul style="list-style-type: none"> ■ NMSBVI will participate, when invited, in the transition conference for students who are blind or visually impaired. ■ NMSBVI will provide current Functional Vision Evaluation and Learning Media Assessment, recommendations, and consultation as needed to the receiving program. ■ NMSBVI will support the Transition team by providing consultation related to Consideration of Special Factors for Children who are Blind or Visually Impaired as mandated by IDEA.
<p>INITIAL COMPREHENSIVE EVALUATION FOR PART B</p>			

- Part B team reviews current available assessment data (including Part C assessments)
- Part B team determines additional data and assessments needed.
- Part B team conducts initial comprehensive evaluation process in all areas of suspected disability

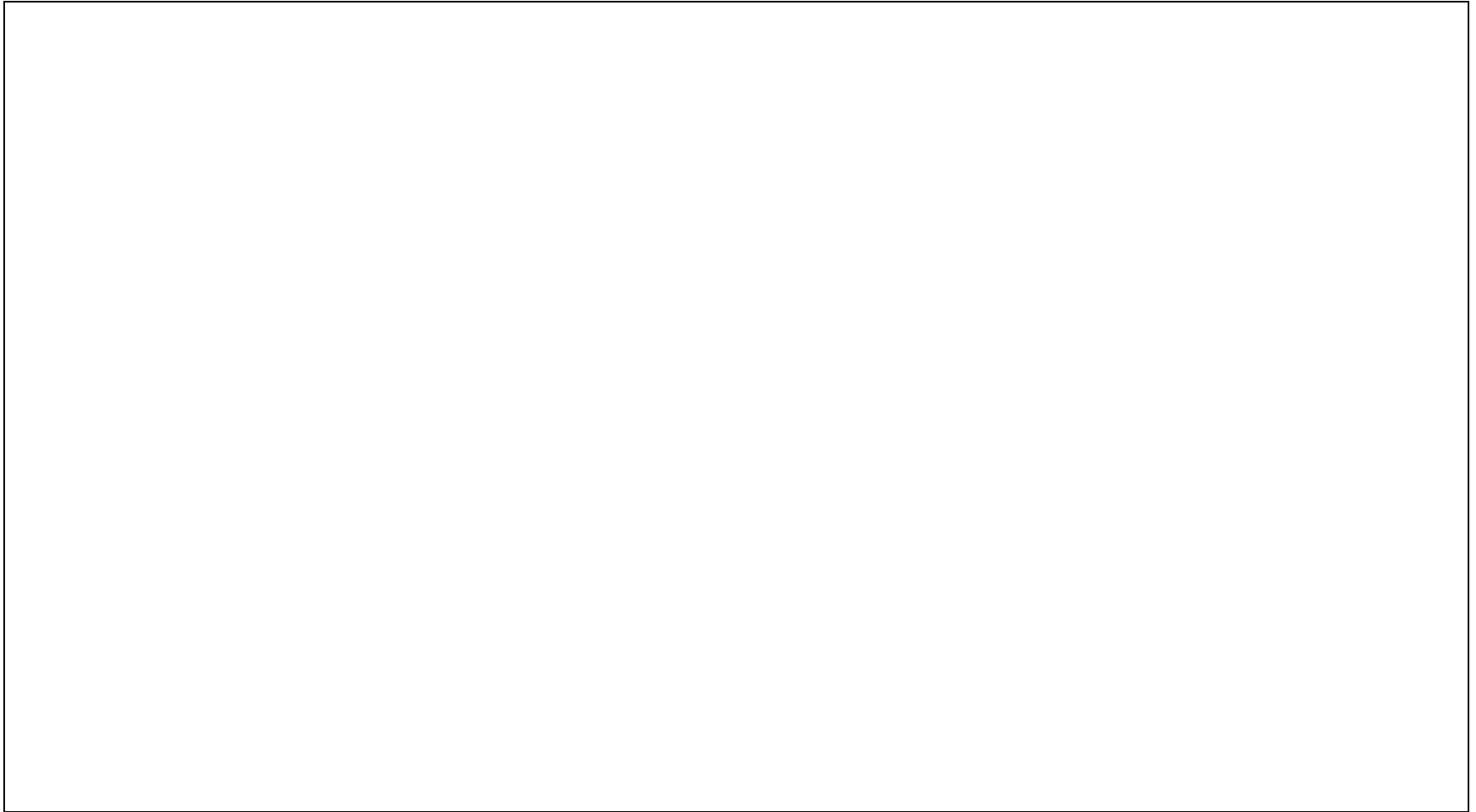
6.31.2.10

E. Procedural requirements for the assessment and evaluation of culturally and linguistically diverse children.

1. Each public agency must ensure that tests and other evaluation materials used to assess children are selected, provided and administered so as not to be discriminatory on a racial or cultural basis and are provided and administered in the child's native language or other mode of communication, such as American sign language, and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to select, provide or administer pursuant to 34 CFR Sec. 300.304(c)(1).
2. Each public agency must ensure that selected assessments and measures are valid and reliable and are administered in accordance with instructions provided by the assessment producer and are administered by trained and knowledgeable personnel.
3. Each public agency must consider information about a child's language proficiency in determining how to conduct the evaluation of the child to prevent misidentification. A child may not be determined to be a child with a disability if the determinant factor for that eligibility determination is limited English proficiency. Comparing academic achievement results with grade level peers in the public agency with similar cultural and linguistic backgrounds should guide this determination process and ensure that the child is exhibiting the characteristics of a disability and not merely language difference in accordance with 34 CFR Sec. 300.306(b)(1).
4. Each public agency must ensure that the child is assessed in all areas related to the suspected disability.
5. Policies for public agency selection of assessment instruments include:
 - (a) assessment and evaluation materials that are tailored to assess specific areas of educational need; and
 - (b) assessments that are selected ensure that results accurately reflect the child's aptitude or achievement level.
6. Public agencies in New Mexico shall devote particular attention to the foregoing requirements in light of the state's cultural and linguistic diversity. Persons assessing culturally or linguistically diverse children shall consult appropriate professional standards to ensure that their evaluations are not discriminatory and should include appropriate references to such standards and concerns in their written reports.

6.31.2.11 (A) (3)

To ensure effective transitioning from IDEA Part C programs to IDEA Part B programs, each public agency must conduct a full and individual initial comprehensive evaluation at no cost to the parent and in compliance with requirements of 34 CFR Secs. 300.300, 300.301, 300.302, 300.304 and 300.305 and other department rules and standards before the initial provision of Part B special education and related services to a child with a disability. (a) The initial comprehensive evaluation process shall be conducted in all areas of suspected disability.



| FIT PROVIDER

| LEA

| HEAD START

| OTHER

- Evaluations from the Part C agency must have been administered within six months in order to be considered valid for Part B eligibility consideration.
- The LEA will conduct the initial evaluation within 60 days of the Consent Form for Preschool Evaluation signed by the parent(s).
- The LEA will explain that the eligibility meeting can lead into the development of the individualized education program if the child is found eligible for Part B services. Or if the parent prefers, the IEP meeting can be scheduled on a separate date/time.
- The LEA will conduct the initial comprehensive evaluation in accordance with 34 CFR §300.304 to include a variety of measures and sources, including functional, aptitude, and achievement tests, and parent input, as well as information about the child's physical condition, social or cultural background.
- A group of qualified professionals from the LEA and the parent of the child must determine whether the child is a child with a disability in accordance with state and Federal regulations

- New Mexico School for the Deaf:
- NMSD Center for Educational Consultation and Training can provide consultation regarding appropriate assessment/evaluation for children with hearing loss.
- New Mexico School for the Blind and Visually Impaired will:
- NMSBVI will provide a current Functional Vision Evaluation and Learning Media Assessment for students who are blind or visually impaired, to be used in eligibility determination and programming design.

- The LEA will review existing evaluation data which will be summarized on the Eligibility Determination Team (EDT) document.

ELIGIBILITY DETERMINATION TEAM MEETING

6.31.2.11(A)(5)(n)

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, identify what additional data, if any, are needed to determine the child's eligibility for Part B services or develop an appropriate program.

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, 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.

6.31.2.7(8)(2) "Child with a disability"

means a child who meets all requirements of 34 CFR Sec. 300.8 and who:

- (a) is aged 3 through 21 or will turn 3 at any time during the school year;
- (b) has been evaluated in accordance with 34 CFR Secs. 300.304-300.311 and any additional requirements of these or other public education department rules and standards and as having one or more of the disabilities specified in 34 CFR Sec. 300.8 including intellectual disability; a hearing impairment including deafness; a speech or language impairment; a visual impairment including blindness; emotional disturbance; orthopedic impairment; autism; traumatic brain injury and other health impairment; a specific learning disability; deaf-blindness; or being developmentally delayed as defined in 6.31.2.7(8)(4) NMAC and who has not received a

high school diploma; and

- (c) at the discretion of each local educational agency and subject to the additional requirements of Subsection 2 of Paragraph F of 6.31.2.10 NMAC, the term "child with a disability" may include a child aged 3 through 9 who is evaluated as being developmentally delayed and who, because of that condition, needs special education and related services.

(6.31.2.(B) (19) NMAC

as authorized by 34 CFR §§ 300.8 and 300.39, "special education" in New Mexico may include speech-language pathology services.)

FIT PROVIDER	LEA	HEAD START	OTHER
<ul style="list-style-type: none"> ■ The FIT provider will participate in the EDT if invited. 	<ul style="list-style-type: none"> ■ LEA and the parent of the child must determine whether the child is a child with a disability in accordance with state and Federal regulations during an Eligibility Determination Team (EDT) meeting. ■ The LEA will use the Technical Evaluation and Assessment Manual (TEAM) to determine whether the child meets criteria for special education services. ■ Upon completion of the evaluation and receipt of the evaluation report, the LEA will coordinate an EDT to include the parent and if the parent indicated their wishes to include the Part C agency, NMSBVI and NMSD. Based on parent wishes, the appropriate agency representatives will be notified of 	<ul style="list-style-type: none"> ■ Head Start will participate in the EDT if invited or if the child is currently attending Early Head Start. 	<p>New Mexico School for the Blind & Visually Impaired:</p> <ul style="list-style-type: none"> Will participate at the Eligibility Determination Meeting for students who are blind or visually impaired. <p>New Mexico School for the Deaf:</p> <ul style="list-style-type: none"> ■ The NMSD EIDS attends when the child has been receiving those services under Part C. ■ The NMSD Center for Educational Consultation and Training Consultant (CECT) is available for consultation regarding Part B eligibility for any child who has a hearing loss. ■ If NMSD Part B services are a

the meeting date and time.

- The Eligibility Determination Team from the LEA will determine eligibility for Part B services that includes the review and use of existing Part C evaluations and assessments and the IFSP information as part of the initial evaluation. To assist with this process, the LEA will remain aware that the NMSD CECT is available for consultation regarding Part B eligibility for any child who has a hearing loss.
- The LEA shall provide a copy of the evaluation report and the documentation of the eligibility determination to the parent(s) and with written parental consent, a copy of this documentation to the referring FIT provider.

consideration, NMSD ECE Principal will attend the EDT.

EVALUATION REPORT AND DOCUMENTATION OF ELIGIBILITY SENT TO PARENT

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, 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.

FIT PROVIDER	LEA	HEAD START	OTHER
	<p>The LEA shall provide a copy of the evaluation report and the documentation of the eligibility determination to the parent(s) and with parental consent, a copy of this documentation to the referring FIT provider.</p>		
<p>INDIVIDUALIZED EDUCATION PROGRAM (IEP) DEVELOPED</p>			

6.31.2.11 A (5) (g) Development of IFSP, IEP or IFSP-IEP.

(i) The IFSP, IEP, or IFSP-IEP will be developed by a team constituted in compliance with 34 CFR Sec. 300.321 that includes the parents. For children transitioning from Part C programs to Part B programs, the team must also include one or more early intervention providers who are knowledgeable about the child. "Early intervention providers" are defined as Part C service coordinators or other representatives of the Part C system.

7.30.8.13 I(1)

The family service coordinator and other early intervention personnel shall participate in a meeting to develop the IEP (or IFSP-IEP) with parent approval. (2) the family service coordinator, with parent consent, shall provide any new or updated documents to the LEA in order to develop the IEP.

FIT PROVIDER	LEA	HEAD START	OTHER
<p>ONCE CHILD TRANSITIONS TO PART B PROGRAMS:</p> <ul style="list-style-type: none"> ■ Post transition services shall be offered to the family as an option. If the parent(s) requests this service, it must be provided in accordance with the Family Infant Toddler Program's service standards. ■ Post transition services may involve visits with the family, consultation to staff of the receiving agency/agencies, an evaluation of the effectiveness of the transition process. ■ Post transition service activities must be documented in the IFSP. 	<ul style="list-style-type: none"> ■ LEA shall conduct the initial IEP meeting by the child's 3rd birthday. ■ Late referrals may impact the required time lines, but all efforts will be made to conduct the initial IEP meeting by the child's 3rd birthday. ■ The LEA will request from FIT provider current information prior to IEP meeting in order to develop the IEP. ■ The LEA will make arrangements by phone for a mutually convenient date and time for the IEP ■ LEA will provide a copy of the Procedural 	<p>Head Start will participate in the IEP if invited or if the child is currently attending Early Head Start/Head Start.</p>	<ul style="list-style-type: none"> • NMSBVI will participate, with parent/guardian permission, on the IEP team for students who are blind or visually impaired. NMSBVI will assist in setting goals, provide suggestions for environmental modifications, and recommendations for services. NMSBVI will provide input on the Consideration of Special Factors for students who are blind or visually impaired including instruction in Braille.

			<ul style="list-style-type: none">• NMSBVI will provide NMVICount information for students who are blind or visually impaired to the receiving program. The NMVICount is the federal APH census that provides support and educational materials to the district and students through the NM-IRC lending library, such as textbooks (braille, adapted textbooks), enlarged materials, and other adapted materials available from APH (The American Printing House for the Blind). Phone contact for NM-IRC: (575-439-4438).
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	<p>Safeguards to the parents.</p> <ul style="list-style-type: none"> ■ LEA will begin Part B services on the date specified on the IEP. ■ Preschool special education instructional services will begin on the first day of school that is on or following their third birthday, unless otherwise stated on the IEP. ■ In the case of a child with a visual impairment, even if the vision loss is not the child's primary condition; the Consideration of Special Factors form (from IDEA-97): 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) must be completed by a Teacher of the Visually Impaired. ■ In the case of a child with a hearing loss, even if the hearing loss is not the child's primary condition, the Communication Considerations for Children with a Hearing Loss IEP addendum must be completed by the IEP team to facilitate discussion around the child's communication needs. NMSD CECT staff are available to IEP teams for support and consultation regarding communication considerations, IEP goals, strategies and classroom/instructional modifications and 		<p>New Mexico School for the Deaf:</p> <ul style="list-style-type: none"> • The EIDS provider will participate with parent permission. • NMSD EIDS staff is available to provide post transition "follow up" services up to 30 days after the child's third birthday with parent permission. • CECT staff is available to participate on the IEP team and assistance setting goals and objectives, provide suggestions for environmental modifications and provide recommendations for level of service • CECT staff is available to support the IEP team regarding the Communication Considerations for children with a hearing loss IEP addendum even if the hearing loss is not the child's primary disability. • If the child is eligible for NMSD Part B services, the NMSD ECE Principal will coordinate the IEP with the LEA.
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	accommodations. • If the child is eligible for NMSD Part B program, NMSD EC principal will coordinate the IEP with the LEA.		
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IV. DURATION

This agreement will be reviewed annually from the date of signatures and its effectiveness evaluated.

V. IMPLEMENTATION OF AGREEMENT

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

VI. CONFIDENTIALITY That all parties to this agreement will follow the confidentiality regulations set forth by each party's policies and regulations.

VII. PUBLIC AWARENESS

The signees agree to meet at least quarterly throughout the year to plan and coordinate efforts that facilitate timely and seamless transition. Efforts may include Child Find, Health Fairs and other public awareness activities.

VIII. EFFECTIVE DATE AND TERMINATION:

This agreement shall take effect on July 1, 2023 and shall remain in effect until terminated or revised. Any party may terminate its participation in this agreement by providing written notice to all other participating parties.

IX. INTERAGENCY DISPUTE PROCESS

IN WITNESS WHEREOF, the listed agencies have caused this Memorandum of Understanding to be executed:

Louise Baca-Sena, Early Intervention Program Manager

Date

DocuSigned by:

Sarah Michaud

2/3/2023 | 1:06 PM EST

F5CF1AE1E684442...

Sarah Michaud, New Vistas Executive Director

Date

DocuSigned by:

Linnea Moreno

2/2/2023 | 10:04 AM PST

0C625387407A432...

Linnea Moreno, Las Cumbres Division Director

Date

DocuSigned by:

Anne Davidson-Martinez

2/2/2023 | 11:33 AM PST

6A72DCB99974478

Anne Davidson-Martinez, Las Cumbres FIT Program Director

Date

DocuSigned by:
Rosario Roman
C51F2A1CE01144A...

2/2/2023 | 10:29 AM PST

Rosario Roman, BMSI-Best for Kids, Executive Director

Date

DocuSigned by:
Carla Hendricks
B703F3F0705C465...

2/2/2023 | 12:19 PM PST

Carla Hendricks, BMSI-Best for Kids, El Program Director

Date

DocuSigned by:
Karen Garner
BFCF7E0D1886404...

2/6/2023 | 8:45 AM PST

Karen Garner, Pecos Independent School District

Date

DocuSigned by:
Christina Velasquez
0C8AE00BE8B048F

2/3/2023 | 11:57 AM EST

Christina Velasquez, Special Education Director Pojoaque Valley School District

Date

DocuSigned by:
Jeff Pinkerton
1E3F79153A67480...

2/2/2023 | 9:26 AM PST

Jeff Pinkerton, Santa Fe Public Schools

Date

DocuSigned by:
Kristi Halus
CAB7B020E7BF4A2...

2/2/2023 | 9:16 AM PST

Kristi Halus, New Mexico School for the Deaf

Date

DocuSigned by:

Amber Ohlinger

B92336E5C914431...

2/2/2023 | 10:24 AM PST

Amber Ohlinger, New Mexico School for the Blind and Visually Impaired

Date

Definition of ACRONYMS

1. IDEA-Individuals with Disabilities Education Act
2. Procedural Safeguards- The procedural safeguards required by the Individuals with Disabilities Education 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.
3. Part C-The part of the IDEA which provides services to eligible children birth to 3 years of age and their families.

Part 8-The part of the IDEA which provides services to children with disabilities ages 3 to 21 years of age.

1. CHILD FIND- requires a state to have policies and procedures to ensure that all children with disabilities including children with disabilities who are homeless or are wards of the state and children with disabilities attending private schools, regardless of the severity of their disability, are birth to age 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.
4. ECECD Early Childhood Education and Care Department
 1. FIT-Family-Infant Toddler program (Part C programs)
 2. EI-Early Intervention program
 3. IFSP-individualized Family Service Plan
5. NMPED or PED-New Mexico Public Education Department
 1. SES-Special Education Bureau
 2. LEA-Local Education Agency (the School District where the child resides) (Part B programs)
 3. IEP-individualized Education Plan
 4. FAPE-Free and Appropriate Public Education
 5. EDT- Eligibility Determination Team
 6. NM TEAM Manual-New Mexico Technical Education Assistance Manual (NM's guidance for eligibility determination under the IDEA)
 7. STARS-Student Teacher Accountability Reporting System
6. Privacy Acts:
 1. HIPAA-Health Insurance Portability and Accountability Act
 2. FERPA-Family Educational Rights Privacy

