

EDDY COUNTY TRANSITIONAL TEAM
MEMORANDUM OF UNDERSTANDING
CONCERNING
THE TRANSITION OF CHILDREN

BETWEEN

Primary Team Members

Artesia Public Schools, Carlsbad Municipal Schools, Loving Municipal Schools, Pecos Valley Regional Education Cooperative (PVREC) #8, CARC, INC. Child Development Services; NM School for the Deaf; NM School for the Blind and Visually Impaired;

Secondary Partners

SNMCAC-Head Start; Eddy County CASA, Presbyterian Medical Services Lea and Eddy County Home Visiting Services, CYFD

Duration: April 15, 2020 - April 15, 2024

AGENCIES INVOLVED CONTACT INFORMATION AND DESCRIPTION

Artesia Public Schools: Cody Hanagan, Special Education Director, 301 Bulldog Blvd, Artesia, NM 88210 (575) 746-2777.
Fax (575) 746-6232. chanagan@bulldogs.org

Description: Public schools providing academic, social/ emotional and therapy services for identified students with developmental delays and/ or disabilities under IDEA in the Artesia Municipal Schools zone.

Carlsbad Municipal School Attendant: Justin Gossett, Sped Director, 408 N. Canyon St., Carlsbad, NM 88220. (575) 234-3300. Fax. (575) 234-3367. justin.gossett@carlsbadschools.net. Marianne Burnett, Hillcrest, Preschool Principal, 215 N. 6th St, Carlsbad, NM 88220. (575) 234-3313. Fax (575) 234-3570. marianne.burnett@carlsbadschools.net.

Description: Public schools providing academic, social/ emotional and therapy services for identified students with developmental delays and/ or disabilities under IDEA in the Carlsbad Municipal Schools zone.

Eddy County CASA: To Be Determined, Executive Director. 118 W. Mermod St., Carlsbad, NM 88220. (575) 887-3411.
Fax (575) 885-3411.

Description: CASA represents the best interest of children in Eddy County who have been removed their homes due to abuse or neglect in an effort to ensure the child receives appropriate services so that the child can be safe, establish permanence and have the opportunity to thrive.

CARC, INC. Child Development Services: Kathy Hughes, Intervention Director, 611 N. Canal St., Carlsbad, NM 88220.
Serves Eddy County, (575) 887-2272. Cell (432) 301-1196 Fax (575) 234-2645. kathy.hughes@carcinc.org.

Description: CDS provides a comprehensive service within a structured and coordinated program to enable each child to achieve optimum development. This program offers various methods of supports to families during the first three years of their child's life through home visitation or in their natural environment. Early Intervention emphasizes the provision of services within the family's everyday routine, activities, and places. CDS works with other agencies to provide child find and public awareness to the community for parents who want to know more about their child's development. Families with eligible children have access to developmental evaluation, special instruction, specialized therapy, and other resources that are needed for their child. All CDS services are provided to children birth to age three with established conditions,

developmental delay or who are at risk for developing delays, and their families.

Loving Municipal Schools: Angelica Chavez, Sped Coordinator. PO Box 98, Loving, NM 88256. (575) 745-2056.

Fax (575) 745-2056. achavez@lovingschools.org.

Description: Public schools providing academic, social/emotional and therapy services for identified students with developmental delays and/or disabilities under IDEA in the Loving Municipal Schools zone.

NM Children's Youth & Families Department/Eddy County: Andrea Hawkins, Supervisor, 901 De Baca St, Carlsbad, NM 88220. (575) 200-0439 Office (575) 887-3576. andrea.hawkins@state.nm.us.

Description: NMCYFD responsible for the delivery of state and federal mandated services that protect children from abuse, neglect and exploitation. Services offered to children and their families are in-home services, foster care placement, reunification, permanent guardianship, adoption, or transitional living.

NM School for the Deaf: Karla Sanchez, Regional Supervisor. 1060 Cerrillos Rd, Santa Fe, NM 87505. (505) 469-7455. Fax (505) 476-6424. Karla.sanchez@nmsd.k12.nm.us.

Description: New Mexico School for the Deaf may provide supports and services for children within this community. This agency is involved in the transition process for children who are deaf or hard of hearing, as appropriate.

NM School for the Blind and Visually Impaired: Amy Fletcher, Developmental Vision Specialists. 801 Stephen Moody St SE, Albuquerque, NM 87123. (575) 200-9403 Fax: (505) 291-5456. amyfletcher@mmbvi.k12.nm.us.

Description: NMSBVI vision specialist is responsible for assessing how vision impacts developmental domains of children birth to three years using the Oregon Project for Preschool Children Who Are Blind or Visually Impaired, and the visual development sequence. A Learning Media Assessment will also be conducted to determine what type of media the child will use in school, including Braille. If needed, an Orientation and Mobility Evaluation will be completed to document safety issues. Through the assessments, the vision specialist will document the impact the vision impairment has on learning, and document eligibility for continuing vision services. Recommendations will be made to address literacy, sensory, independence, the expanded core curriculum, and safety.

Presbyterian Medical Services Lea and Eddy County Home Visiting Services: Dereka Addis, Administrator. 401 W. Taylor St., Hobbs, NM 88240, (575) 430-4465.

Description: Eddy County Home Visiting Program provides educational services, child development guidance, health screenings for guardians, assistance with getting appropriate resources, as well as many other supports.

Pecos Valley Regional Education Cooperative (PVREC) #8: Kelley Alsup, Executive Director, 2218 W. Grand Ave., Artesia, NM 88211, (575) 748-6100; Fax (575) 748-6160; dwillden@pvrec8.com & kalsup@pvrec8.com.

SNMCAC-Head Start: Mary Perry, Special Services Manager, P. O. Box 37, Artesia, NM 88211. (575) 748-1141; Fax (575) 748-9024. Marianne Valdez, Special Services Coordinator, (575) 887-3939. 1915 San Jose Blvd, Carlsbad, NM 88220. mperry@snmcac.com, rgonzaleshs@yahoo.com, and mvaldez@snmcac.com.

Description: A Head Start Provider that serves children three through five and their families who are determined eligible under Head Start criteria. It is mandated that Head Start make 10% of enrollment opportunities available to children with disabilities and actively recruit children with disabilities. Income eligibility percentage will be based on Head Start funding source.

I. PURPOSE

To develop specific, collaborative procedures which will ensure a smooth, effective and timely transition of young children and their families from IDEA Part C Early Intervention services into IDEA Part B special education preschool services. This agreement will provide the personnel of the agencies and families an understanding of the transition process in the Eddy County area.

II. DEFINITION OF TERMS

CDD – Center for Developmental Disabilities

Child Find – The process of identifying, locating and evaluating individuals (birth to 21) suspected of having a developmental delay or disability.

Consent – Informed written prior authorization by the parent(s)/guardian(s).

Developmental Delay – a documented delay in development.

DOH – Department of Health. Part C's lead agency.

EDT – Eligibility Determination Team

EI – Early intervention

Eligibility Part B – Any child 3-5 years old residing in New Mexico who is determined to be a child with a disability (i.e. 30% delay in one or more areas.)

Eligibility Part C – Any child birth – 3 years old residing in New Mexico who meets the criteria of Developmental Delay (i.e. 25% delay in one or more areas of development).

Evaluation – The process through which a child is determined to have a disability and be eligible for special education and related services.

FAPE – Free and Appropriate Public Education. Special Education and Related services that are free to parents.

FERPA – Family Educational rights Privacy Act

FIT – Family-Infant-Toddler Program (Part C Programs). State agency responsible for overseeing local early intervention providers. The FIT program is under the state Department of Health.

FSC (Family Service Coordinator) – Part C program. The person responsible for the Coordination of all services and supports listed on the IFSP and ensuring the delivery of services in a timely manner.

HIPPA – Health Information Patient Privacy Act

IDA - Infant-Toddler Developmental Assessment. A comprehensive, multidisciplinary Developmental assessment process designed for children birth through 3 years old to determine if skills are progressing as expected used by NMFIT Program.

IDEA - Individuals with Disabilities Education Act. A federal law that contains requirements for serving eligible children.

IEP - Individualized Education Program. A written plan for a child with a disability that is developed in a meeting in accordance with requirements of IDEA, Part B.

IFSP - Individualized Family Service Plan. A written plan for providing early intervention services to an eligible child and child's family in accordance with Part C.

LEA - Local Education Agency (School District)

NMPEP or PED - New Mexico Public Education Department

NMTEAM - New Mexico Technical Evaluation & Assistance Manual. NMPEP's guidance for eligibility determination in Part B of IDEA.

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

Part C - The part of the IDEA which provides services to eligible children birth to 3 years of age and their families.

Procedural Safeguards - Required by IDEA. Intended to protect the interests of families and children with special needs, as well as the special education and early intervention systems

REC - Regional Educational Cooperative. An educational facility that provides services and Technical assistance to rural school districts.

SEB - Special Education Bureau

STARS - Student Teacher Accountability Reporting System

Transition - The process for a family and eligible child of moving from one service, location and/or program to another.

Transition Conference - The required FIT Conference to provide information to the family in order to make placement decisions and ensure a smooth and effective transition from FIT Service.

III. IMPLEMENTATION OF AGREEMENT

Each member of the interagency agreement team will obtain copies of the agreement and will disseminate copies to respective staff members. Families will receive on-going training regarding each step of the transition process by Part C and Part B staff.

IV. MONITORING AND EVALUATION OF THE AGREEMENT

Agreement and process will be monitored and evaluated on an ongoing basis by Local Part C and Part B agencies and by their respective State agencies. The Eddy County Early Childhood Transition Team will meet bi-annually to review and revise this agreement as necessary. Success will be determined by meeting compliance indicators.

V. INTERAGENCY DISPUTE PROCESS

In the event a conflict/dispute occurs the parties involved will:

1. Meet person-to-person to clarify the issues for mutual understanding and resolution. If this does not resolve the conflict/dispute;
2. Contact respective direct supervisors for clarification and to meet to clarify the issues and for mutual understanding. If this does not resolve the conflict/dispute;
3. Contact learning coach and/or respective state level administrators to get clarification on regulations. Once the regulations have been examined, go back to parties involved and mutually resolve the conflict. If this does not resolve the conflict/dispute;
4. State level administrators will mandate resolution.

VI. DURATION/TERMS OF AGREEMENT/SIGNATURES:

This Inter-Agency Agreement shall be reviewed on a bi-annual basis and become effective when signed by all parties, and shall end on the 15th day of April, 2024 or until ended by all parties. An Agency that decides to terminate will provide sixty days advance written notice to all parties.

VII. WORKING PROCEDURES, TIMELINES AND RESPONSIBILITIES IN TRANSITION PROCESS

NOTIFICATION

- Data on potentially eligible children sent to LEA
- Local level data shared

NMAC 7.30.8.13 TRANSITION (B) (1) 7.30.8.13 TRANSITION (B)(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 year

FIT PROVIDER	LEA	HEAD START	OTHER
<ul style="list-style-type: none"> ▪ Part C, Family, Infant Toddler (FIT) Agency will provide the Part B Local Educational Agency (LEA) with a list of children who are potentially eligible for Special Education Part B Services quarterly on or before the end of December, March, June and September preferably face-to-face or fax if this is not possible. ▪ Part C will provide the following information on each child for each of the respective LEA's: <ul style="list-style-type: none"> ➢ Last & First Name, Middle Initial ➢ DOB ➢ LEA in which child resides ➢ Contact information for parents/guardian 	<ul style="list-style-type: none"> ▪ LEA will use the Part C notification list to project future allocation of resources and to help plan for upcoming transition conferences. 		

TRANSITION PLANNING

- Individualized steps and services added to 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
<ul style="list-style-type: none"> ▪ The FSC shall complete the transition plan with the family when the child is 24 months old. ▪ The FSC shall ensure that the family is fully aware of the array of service and program options available after transition, such as Part B preschool programs, home, daycare centers, Head Start programs, state supported schools (NMSBVI or NMSD) or 	<ul style="list-style-type: none"> ▪ LEA will coordinate with early intervention providers to facilitate visits by families to classrooms and/or learn about services provided by the school district or other agencies as appropriate. ▪ LEA will inform FIT providers about the procedure to schedule classroom/preschool visits for parents. 	<ul style="list-style-type: none"> ▪ Head Start will coordinate with early intervention providers to facilitate visits by families to classrooms and/or learn about services provided. 	<ul style="list-style-type: none"> ▪ The following agencies: NMSBVI, NMSD, CASA & NIMCYFD and Inclusion Specialists will provide information and support to families and providers regarding transition options as requested.

<ul style="list-style-type: none">community-based settings.The FSC will work with other entities based on parent's choice, (Head Start, CASA, NM Children Medical Services, CYFD, etc.).			
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REFERRAL TO LEA

- Referral form sent to LEA with parent consent

7.30.8.13 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).

7.30.8.13 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.

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.

FIT PROVIDER	LEA	HEAD START	OTHER
<ul style="list-style-type: none"> • FIT FSC will mail or hand deliver the state mandated referral form to the LEA, with parental consent, at least 60 days prior to the transition conference but no later than 90 days before the child's 3rd birthday. • If the family refuses to be referred to the LEA, the FIT FSC will provide the family with Prior Written Notice to inform the family that services will end the day prior to the child's third birthday. • For children referred between 45 and 90 days of the child's third birthday, the FSC will discuss the process for transition with the family during the intake 	<ul style="list-style-type: none"> • Upon receipt of the referral form, the LEA staff will record the date of the written referral form into the Student Teacher Accountability Reporting System (STARS) database, regardless of eligibility. 		<ul style="list-style-type: none"> • LEA will document the date of a late referral in the STARS database and the corresponding non-compliance reason code.

<p>process and the transition plan will be incorporated into the initial IFSP. A referral will be sent to the LEA with parent consent as soon as possible</p> <ul style="list-style-type: none">• For children referred less than 45 days before the child's third birthday, FIT program will not conduct an intake or evaluation to determine FIT eligibility. The FIT program will let the family know of preschool options available and will submit a referral to the LEA as soon as possible.	<ul style="list-style-type: none">• LEA will work with FIT programs and family agencies to facilitate the transition process for children who are referred less than 45 days before a child's 3rd birthday.		
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PRE-PLANNING FOR TRANSITION CONFERENCE

- Coordinate among parents, FIT, LEA on conference date.
- Provide written invitation to Transition Conference to LEA and all parties.
- Send Transition Assessment Summary Form to LEA.
- LEA reviews materials and determines who will attend.

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"> ▪ With parental consent, the IFSP team will complete the Transition Assessment Summary Form, which includes evaluation and assessment information as well as vision and hearing if available, from all parties/team members (NMSBVI, NMSD, etc) and IFSPs to the receiving agency at least 30 days prior to the transition conference. ▪ Invitation will be sent at least 30 days prior to the Transition Conference. With parent consent, invitation will also be sent to involved parties: Head Start, preschools, NMSD, NMSBVI, home visiting program, etc. ▪ In the case of a child with a diagnosed visual impairment that impacts access and/or learning, the FSC will contact NMSBVI for technical assistance during the transition conference to discuss the continuum of educational options. ▪ In the case of a child who is deaf or hard-of-hearing, and in accordance with DOH procedure and with parent consent, contact an NMSD Early Intervention and Involvement Department (EIID) Regional Supervisors for technical assistance to the transition team in discussing communication considerations 	<ul style="list-style-type: none"> ▪ The LEA will review the information in the Transition Assessment Summary Form which may include other partners and determine which of the Part B staff will attend the Transition Conference. • LEA will review existing data to determine if additional evaluation, assessment, and information is needed for the comprehensive evaluation. • LEA will establish and utilize an annual scheduling calendar for transition meetings or schedule meetings by phone with Preschool Transition Coordinator. • In the event files are not complete, LEA will contact FIT agency to request missing or updated information. 		<p>NMSD, NMSBVI - Coordinate transition information/efforts with other service providers as needed.</p>

and the continuum of education options.				
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TRANSITION CONFERENCE

- Explain Part B and C procedures and safeguards.
- Provide prior written notice.
- Review if all current evaluations and/or assessments have been given to the LEA.
- Obtain consent for evaluation.
- Complete IFSP Transition Conference page; discuss program options and next steps with LEA

7.30.8.13 (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;
- (f) 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 FSC will (with the approval of the parent(s)) convene and facilitate a Transition Conference at least 90 days prior to the child's 3rd birthday but no more than nine months prior. ▪ If the child is potentially eligible for Part B preschool services through the local education agency (LEA), then the LEA representatives must be invited to participate in the Transition Conference. The invitation will be sent at least 30 days prior to the Transition Conference. ▪ With approval of the parents, other relevant service providers should also be invited (Head Start, child care providers, Medically Fragile Program, etc.). ▪ Following legal guidelines, CASA and/or Guardians Ad Litem will be notified of Transition Conferences for foster children under their jurisdiction as applicable. The FSC shall facilitate this meeting to ensure the following: <ul style="list-style-type: none"> ➢ Will ensure parents are provided a copy of both the Part C and Part B Procedural Safeguards. ➢ Review the child's service and program options. ➢ Review the IFSP, evaluation, assessment information, and other relevant data/information. 	<ul style="list-style-type: none"> ▪ LEA will participate in the Transition Conference arranged by the designated early intervention provider. ▪ LEA will obtain parental consent to conduct an initial evaluation as required. ▪ LEA will provide the parents a copy of the IDEA procedural safeguards which include the Dispute Resolution Process, the right to an Independent Educational Evaluation if they disagree with assessment results and the rights to Prior Written Notice before any programs are implemented. ▪ If parent(s) refuse to sign consent, LEA will provide information regarding Child Find Services. In the event the parent perceives a need in the future. 	<ul style="list-style-type: none"> ▪ If applicable, review developmental information and explain the application process with family. ▪ Provide family with information about the Head Start program. ▪ Head Start will coordinate with early intervention providers to facilitate visits by families to programs and/or learn about service provided. ▪ Head Start will support transition activities as outlined in the plan or conference. 	<p>CASA and/or Guardians Ad Litem will:</p> <ul style="list-style-type: none"> ▪ Following legal guidelines, attend Transition Conference, as applicable. <p>NMCFD will:</p> <ul style="list-style-type: none"> ▪ Participate, when invited, in Transition Conferences/meetings and help the team consider educational and/or developmental placement options and adaptations that may be needed. <p>NMSD will:</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 ▪ Contacts the local LEA through its Joint Power's Agreements to collaboratively consider placement options and participate in and conduct IFSP/IEP meetings. ▪ Participate in the Transition Conference and, if acting as FSC, facilitate that conference per FIT regulations. ▪ Support each family in acquiring a comprehensive and current evaluation including audiological evaluation prior to transition. ▪ Support the IEP team by providing consultation related to Special Considerations for Children who are Deaf or Hard-of-Hearing as mandated by IDEA at the Transition
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<ul style="list-style-type: none"> ➤ Review whether all current evaluation and / or assessments have been given to the LEA. ➤ The FSC shall document all outcomes and decisions of the Transition Conference in the IFSP. 		<ul style="list-style-type: none"> ▪ Conference and IEP meeting. ▪ Provide referral to the NMSD Center for Educational Consultation and Training Program to the receiving LEA, Head Start, or other placement agency if placement is other than NMSD Preschool. ▪ 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>New Mexico School for the Blind and Visually Impaired (NMSBVI) will:</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. ▪ Refer, with parent consent, to the local FIT early intervention providers or LEA, when appropriate. ▪ Participate, when invited, in transition conferences/meetings and help the team and family consider placement options and adaptations that may be needed. ▪ Participate, with parent permission, on IFSP/IEP team.
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			<p>Provide current information regarding present levels of performance and relevant assessment information to be used in eligibility determination and programming design.</p> <ul style="list-style-type: none">▪ Attend (NMSBVI Early Childhood Program or Outreach staff) the IFSP/IEP meeting and provide a current functional vision assessment or determine if further vision assessment is needed; assist in setting goals and objectives, provide suggestions for environmental modifications, and provide recommendations for level of service.▪ Support each families' effort to have a current ophthalmologic report prior to transition.▪ Complete the Consideration of Special Factors form (from IDEA 2004): consideration of the child's future needs and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille). NMSBVI staff are responsible for determining the Literacy Mode (auditory, visual, tactile) of each transitioning child who we are serving in our infant toddler program, completing the Consideration of Special Factors Form, and for making recommendations concerning the literacy mode for the child to the IEP team upon transition.
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			<ul style="list-style-type: none">▪ Provide current assessment information, recommendations and consultation as needed to the receiving program. Prepare the Transition Functional Vision Evaluation for meetings when given sufficient notice by the child's service coordinator.▪ Participate in EI team meetings to complete the vision portion of the transition assessment summary form.
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INITIAL COMPREHENSIVE EVALUATION FOR PART B

- 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
<ul style="list-style-type: none"> ▪ If the parent refuses to consent to the Initial Evaluation through the LEA, the FSC will provide the family with Prior Written Notice to inform them that services for their child will end as of the child's third birthday. The service coordinator will also provide the family a copy of their procedural safeguards at this time. 	<ul style="list-style-type: none"> ▪ LEA will provide and explain to the parent(s), in their native language or other mode of communication used by the parent(s), the IDEA Procedural Safeguards including prior written notice prior to the evaluation. ▪ Prior to conducting evaluations, LEA will review any existing data, including evaluations and information provided by parents and the FIT Program, assessments, and observations. ▪ LEA will schedule a date for initial evaluation. ▪ LEA will conduct the initial evaluation before the child's third birthday and within 60 calendar days of signed consent. ▪ LEA will conduct the initial evaluation in all areas of suspected disability in accordance with 34 CFR § 300.304. LEA will use a variety of assessment tools and strategies to gather functional and developmental information about the child including: <ul style="list-style-type: none"> ➢ Information provided by the parent(s). ➢ Cultural and linguistic factors. ➢ Information provided by the FIT program. ➢ Other factors, i.e, health, vision, hearing, social emotional status, adaptive behavior skills, academic performance, communication, and 		

	<p>motor skills.</p> <ul style="list-style-type: none">▪ Upon completion of the evaluation process, the LEA will schedule a date for the Eligibility Determination Meeting.		
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ELIGIBILITY DETERMINATION MEETING

6.31.2.11(A)(5)(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, 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(B)(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(B)(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.

(6.31.2.7(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 service providers will attend the Eligibility Determination Meeting if requested to do so by the family. 	<ul style="list-style-type: none"> ▪ The LEA will schedule a meeting with parents and all parties involved ▪ LEA, with consent of parent, shall invite the FIT service providers to the Eligibility Determination Meeting. ▪ LEA, including of a team of qualified professionals and the parent of the child, must determine whether the child is a child with a disability in accordance with state and Federal regulations by the child's third birthday. 		

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
<ul style="list-style-type: none"> ▪ FSC will contact the LEA to verify if the child was made eligible for Part B. The child's eligibility will be documented in the child's record. 	<ul style="list-style-type: none"> ▪ LEA shall provide a copy of the evaluation report at no cost to parent 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. 		

INDIVIDUALIZED EDUCATION PROGRAM (IEP) DEVELOPED

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.


7.30.8.131 (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
<ul style="list-style-type: none"> ▪ Early intervention follow-up services shall be provided in accordance with the IFSP. ▪ Post transition service coordination and service provision 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 and Definitions. ▪ Post transition service coordination and service provision 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 provision activities must be documented in the IFSP. 	<ul style="list-style-type: none"> ▪ The LEA shall conduct an initial IEP meeting with all parties involved as appropriate (NMMSD, NMSBVI, Head Start, etc.) no later than 30 days after determination of eligibility. ▪ With parent consent, Part C staff and other agency members are invited to attend the IEP meeting. ▪ Following legal guidelines, CASA and/or Guardians Ad Litem will be notified of IEPs for foster children under their jurisdiction as appropriate ▪ An IEP will be developed no later than the child's 3rd birthday. ▪ LEA will begin Part B services on the date specified in the IEP but not later than the first day school starts. 	<ul style="list-style-type: none"> ▪ When appropriate Head Start will attend IEP meetings as invited. 	<ul style="list-style-type: none"> ▪ When appropriate NMMSD will attend IEP meetings as invited. ▪ When appropriate NMSBVI will attend IEP meetings as invited. ▪ When appropriate NMCYFD or designee (foster parent, social worker, etc.) will attend the IFSP/IEP team meetings as invited. ▪ When appropriate and following legal guidelines, CASA and/or Guardians Ad Litem will attend IEP meetings.

SIGNATURES/DATES

IN WITNESS WHEREOF, the following signatures are affixed:


John Ross Null, Superintendent
Artesia Public Schools

5/27/2021
Date


Kathy Hughes, Director of Children Services
CARR, INC. - Child Development Services

5-19-21
Date


Gerry Washburn, Superintendent
Carlsbad Municipal Schools

6/3/2021
Date


Lee White, Superintendent
Loving Municipal Schools


6-3-2021
Date


Karla Sanchez, Regional Supervisor
New Mexico School for the Deaf

Date


Amy Fletcher, Developmental/Vision Specialist
New Mexico School for the Blind & Visually Impaired

5/28/21
Date

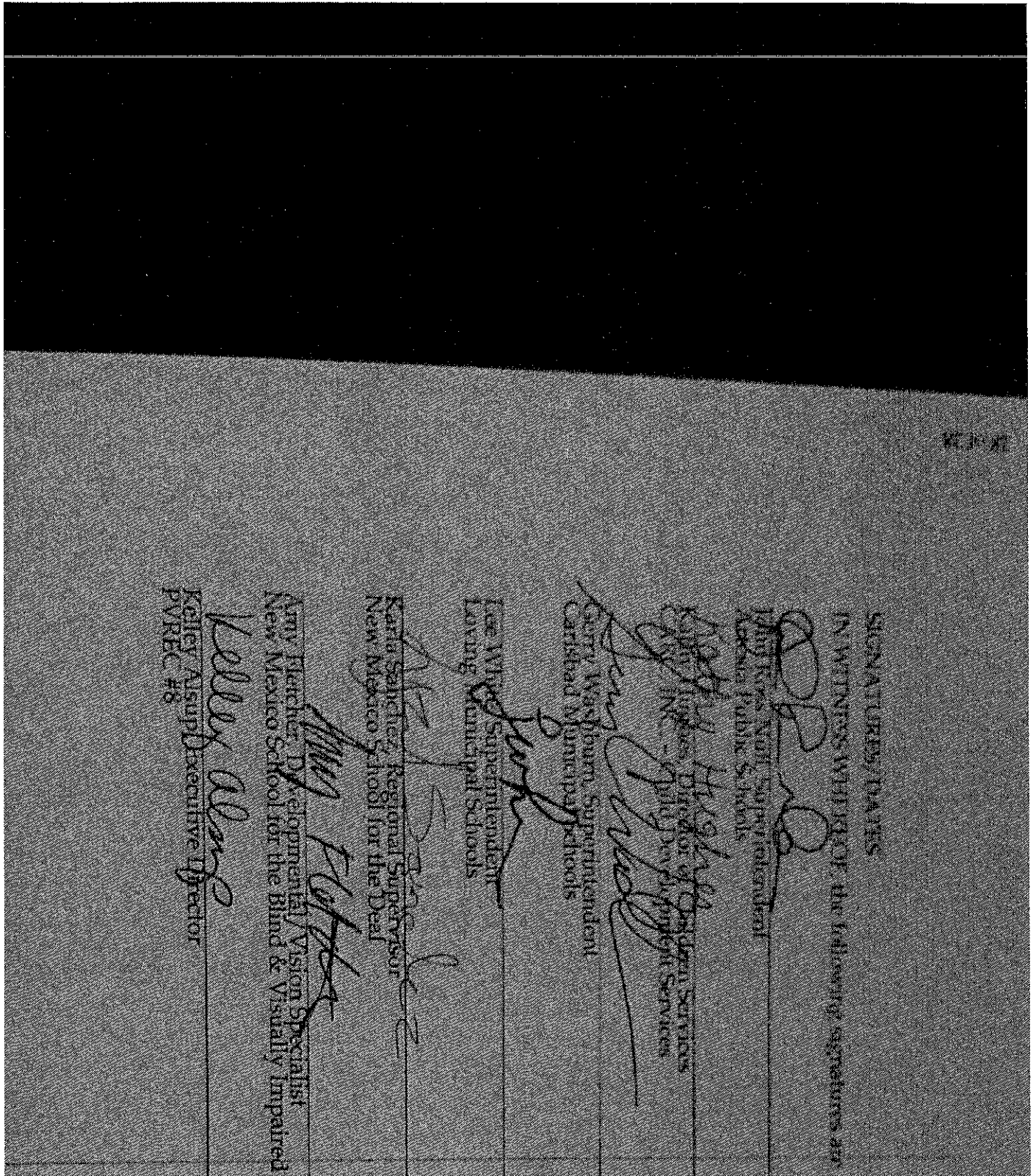

Kelley Alsup, Executive Director
PVREC #8

5/17/21
Date

Scanned image from CARC CDS

Sanchez, Karla <karla.sanchez@nmsd.k12.nm.us>
To: Kathy Hughes <kathy.hughes@carcinc.org>

Fri, Jun 4, 2021 at 12:32 PM



From: Kathy Hughes <kathy.hughes@carcinc.org>
Sent: Thursday, June 3, 2021, 3:57 PM
To: Sanchez, Karla
Subject: Fwd: Scanned image from CARC CDS

I'm attaching the page signed.
Have a nice day,
Karla Sanchez

