METRO AREA TRANSITION

MEMORANDUM OF UNDERSTANDING (MOU)

Between and Amongst the Following Programs:

**FIT Provider Agencies**
- University of New Mexico FOCUS Program
- University of New Mexico Developmental Care Program
- Alta Mira Specialized Family Services
- Native American Professional Parent Resources Inc. (NAPPR)*
- PB & J Family Services Inc.
- LifeROOTS, Inc.
- Abrazos Family Support Services
- Inspirations Early Intervention, Inc.

**Local Education Agencies**
- Presbyterian Ear Institute (PEI)*
- Growing in Beauty Program- To’Hajiilee
- Albuquerque Public Schools
- Bernalillo Public Schools
- Rio Rancho Public Schools

**State Supported Schools (Part C & Part B)**
- New Mexico School for the Deaf
- New Mexico School for the Blind and Visually Impaired

**Local Head Start/Early Head Starts**
- YDI Head Start/Early Head Start Program
- Pueblo of Isleta Head Start Early Head Start and Child Care
- Santo Domingo Early Childhood Learning Center
- Five Sandoval Indian Pueblo Head Start
- San Felipe Head Start
- City of Albuquerque Early Head Start
- NAPPR Early Head Start
- To’Hajiilee Early Childhood Programs
**MISSION**

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

**PURPOSE**

The purpose of this agreement is to facilitate the integration and coordination of services to children (ages birth to 3) who are at risk for a developmental delay or have been identified as having a disability. Further, it is the purpose of this agreement to create a service system flexible enough to meet the needs of children and families within available resources. Through interagency planning and family involvement, it is our goal to help children and families transition, adjust to and experience success in all settings.

**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).
2. Assure that 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.
3. Maximize education, health and developmental outcomes for families whose children have special needs.
4. Support families to be equal 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 and linguistically appropriate.
7. Assure that the privacy requirements for handling confidential, private child and family information contained in HIPAA (Health Insurance Portability and Accountability Act) and FERPA (Family Educational Rights and Privacy Act) are followed.

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*Services in Addition to those Listed Under FIT*

**Provider Agencies**

Presbyterian Ear Institute—private preschool and kindergarten services to children with hearing loss (with or without other impairments) seeking the listening and spoken language option

NAPPR Tribal Home Visiting Program (0-5)
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)** 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:

- 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;
- include the child’s name, date of birth, and contact information for the parent(s);
- be provided at least quarterly in accordance with the process determined in the local transition agreement; and
- be provided no fewer than 90 days before the third birthday of each child who is potentially eligible for IDEA Part B.

### FIT PROVIDER

By the 15th of January, April, July and October, the representative of the FIT Provider will mail or fax a cumulative list – (LEA Notification list) of children including the child’s name, DOB, parent/guardian name and mailing address to the Special Education Directors (or designee) of the LEA.

- If the child is in the custody of

### LEA

Special Education Directors (or designee) will verify receipt of the LEA Notification list by sending an email to the FIT Provider.

- If the list has not been received at the appropriate time, the LEA representative (or designee) will notify the FIT Provider within one

### HEAD START

Head Start will be proactive in maintaining ongoing communication with parents, Part C providers and the LEA to support uninterrupted services

### OTHER

Agencies will follow HIPAA or FERPA confidentiality requirements for the release of information according to each agency’s policy.
Children Youth and Family Dept. (CYFD), information will include only the CYFD representative and CYFD address. If no children are transitioning to the district, the EI representative will send a statement indicating such.

- For a late referral the FIT Family Service Coordinator (FSC) will notify the LEA at the time the Transition Referral Form is sent to the LEA.

  week (7 days) of the 15th day of the month.
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.
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<th>FIT PROVIDER</th>
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<td>The FIT Family Service Coordinator (FSC) will ensure that the family is aware of the array of service and program options available within their community including home, childcare centers, Head Start programs, preschools, community-based settings, including NMSD, NMSBVI, and/or PEI if appropriate, and the continuum of services within Part B. The FIT Family Service Coordinator (FSC) will meet with the family to identify and document the specific steps and actions that will support the child and family through the transition process including childcare needs. These individualized steps and actions are documented on the transition plan and are included in the IFSP, according to the appropriate transition timelines.</td>
<td>Special Education Directors (or designee) will coordinate efforts with early intervention providers to support parent and family involvement in the transition planning process.</td>
<td>Will provide a comprehensive overview of the transition process and provide information about services to families, including Early Head Start/Head Start eligibility and enrollment information. Will follow the Early Head Start and Head Start transition plan as it pertains to staff responsibilities.</td>
<td>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 and support attainment of outcomes and goals contained in the IFSP/IEP. Provide a comprehensive overview of the transition process and provide information on services to families, including eligibility and enrollment information. NMSBVI WILL: Provide information to parents/guardians of children who are eligible to transition regarding options for services. Coordinate transition information/efforts with other service providers. PEI WILL: Provide information to parents/guardians of</td>
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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.
The FIT Family Service Coordinator will fax or mail (using confidentiality assurance) a Transition Referral Form to the Special Education Directors (or designee) at least 60 days prior to the Transition Conference, and if possible 6 months prior to the child’s third birthday.

The FIT Family Service Coordinator (FSC) will contact the LEA to confirm receipt of referral and to discuss potential dates for the Transition Conference.

For late referral the FIT Provider has two options

1. Send referral to LEA as soon as possible after Part C eligibility has been determined.
2. At the discretion of the FIT provider, (i.e. based on known information, if the FIT Provider believes the child may be a required referral to Part B) and with parent consent, the FIT provider will send the referral to the LEA prior to determining Part C eligibility.

If a parent of a potentially eligible child refuses the referral to be made to Part B, Special Education Directors (or designee) will verify receipt of Transition Referral Form by email to FIT Provider.

Refer, with family’s permission, a child found to be at risk for or to have possible developmental delays to the appropriate LEA (three through five years) for evaluation in accordance with IDEA regulations.

Participate in the development of the IFSP/IEP, including FIT Transition Conferences and transition to kindergarten meeting, when appropriate.
the FIT Family Service Coordinator will provide the parent(s) with Prior Written Notice that Part C services will end at the time of their child’s third birthday. The FIT Family Service Coordinator (FSC) will also provide the family a copy of their Part C parent rights and procedural safeguards at this time.

If a child’s third birthday falls within the summer months, transition activities need to occur early enough to allow sufficient time for all transition activities to take place when school personnel are available.
### 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
### FIT PROVIDER

The FIT Family Service Coordinator (FSC) will request updated assessment information 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).

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).

With parent consent, the FIT Family Service Coordinator (FSC) will facilitate the submission of completed Transition Assessment Summary form through fax or mail (with confidentiality assurance) to the Special Education Directors (or designee) at least 30 days prior to the Transition Conference. Data will not be older than 6 months.

If the child is potentially eligible for Part B preschool services through the LEA, then the LEA representatives must be invited to participate in the Transition Conference. The invitation, with the Transition Conference date (agreed upon with the LEA), will be sent at least 30 days prior to the Transition Conference.

### LEA

Special Education Directors (or designee) will verify receipt of Transition Assessment Summary Form by email to the FIT Provider.

LEA reviews documentation and determines who will attend the Transition Conference.

LEA will coordinate a Transition Conference date with FIT Family Service Coordinator.

### HEAD START


### OTHER


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With consent of the parents, a written invitation will be sent to other relevant, current and potential future service providers (Head Start, NMSBVI, NMSD, PEI, childcare providers, preschools, etc.).

In the case of a child with a hearing loss, and in accordance with DOH procedure and with parent consent, the FIT Service Coordinator (FSC) will contact an NMSD Regional Supervisor for technical assistance during the transition conference in discussing communication considerations. FIT Family Service Coordinator (FSC) will also discuss the continuum of educational options including PEI.

In the case of a child with a documented visual impairment, the FIT Family Service Coordinator (FSC) will contact NMSBVI for technical assistance during the Transition Conference to discuss the Consideration of Special Factors (IDEA-2004) consideration of the child’s 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).
**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.
The FIT Family Service Coordinator (FSC) will (with the consent of the parent(s)) convene and facilitate a Transition Conference at least 90 days and, at the discretion of all parties, but no more than nine months prior to the child’s third birthday.

The FIT Family Service Coordinator (FSC) will facilitate this meeting to ensure the following:

- Review the child’s service and program options.
- Review the IFSP, evaluation, assessment information, and other relevant data/information.
- Review whether all current evaluation and/or assessments have been given to the LEA.
- With parental consent, refer child for an initial Part B evaluation.

If a parent of a potentially eligible child does not consent to the Part B evaluation and eligibility determination, the FIT Family Service Coordinator will provide them with Prior Written Notice that Part C services will end at the time of their child’s third birthday. The

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<td>Special Education Directors (or designee) participate in the Transition Conference arranged by the designated FIT Provider. Special Education Directors (or designee) may obtain the consent from the parent(s) using the Consent Form for Preschool Evaluation to conduct the Initial Evaluation for Part B. They will also provide the parents a copy of the procedural safeguards under the IDEA.</td>
<td>With parental consent, will participate in the development of the IFSP/IEP, including FIT Transition Conferences and transition to kindergarten meeting, when appropriate.</td>
<td>NMSD WILL: Participate in the Transition Conference and, if acting as FIT Service Coordinator, facilitate that conference per FIT regulations. Support each family in acquiring a comprehensive and current evaluation, including audiological information. Prior to transition - by providing evaluation options including use of the NMSD evaluation services for a child attending the NMSD preschool. 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 Conference and IEP meeting. PEI WILL: Participate in the Transition Conference and, support each family in acquiring a comprehensive and current evaluation, including audiological information. Prior to transition - by providing evaluation options including</td>
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<td>FIT Family Service Coordinator will also provide the family a copy of their procedural safeguards at this time.</td>
<td>provided by the school district if requested.</td>
<td>use of the PEI evaluation services for a child attending the PEI preschool. 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 Conference and IEP meeting.</td>
<td>NMSBVI WILL: Participate, when invited, in transition conferences/meetings and help the team and family consider placement options and adaptations that may be needed. Discuss the Consideration of Special Factors (mandated by IDEA) at the Transition Conference and IEP meeting. Consideration of the child’s needs, and appropriate reading and writing media (including an evaluation of the child’s future needs for instruction in Braille or the use of Braille). NMSBVI staff is responsible for determining the Literacy Learning Mode of each</td>
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transitioning child: Auditory, Tactile, Visual, and for making recommendations about the recommended literacy mode for the child to the IEP team upon transition.

NOTES:
Collaboration between FIT Family Service Coordinator and the LEA designee will facilitate a smooth and effective transition including communicating frequently with LEA personnel to coordinate the scheduling of conferences.

Collaboration and communication will ensure the timely submission of all relevant documents.

If parent consent is not obtained at the transition conference, the LEA in collaboration with the FIT Provider will make reasonable attempts to obtain consent in order to determine eligibility by the child’s third birthday.
### 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
If a parent does not consent to the Part B evaluation and eligibility determination, the EI Service Coordinator will provide them with Prior Written Notice that Part C services will end at the time of their child’s third birthday.

The FIT Family Service Coordinator will also provide the family a copy of their procedural safeguards at this time.

The Special Education Director (or designee) 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 including Prior Written Notice Prior to the evaluation.

The Special Education Director (or designee) will schedule a date for initial evaluation.

The Special Education Director (or designee) will coordinate the completion of the initial evaluation within 60 days of the signed Consent Form for Preschool Evaluation.

The Special Education Director (or designee) will conduct the initial evaluation in accordance with 34 CFR § 300.304 to include a variety of measures and sources, including functional, aptitude, and achievement tests, parent input, as well as information about the

### FIT PROVIDER

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<td>NMSD WILL: Provide current information regarding present levels of performance and relevant assessment information to be used in eligibility determination and programming design</td>
<td>Provide consultation regarding appropriate assessment/evaluation for children with hearing loss</td>
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<td>The Special Education Director (or designee) will schedule a date for initial evaluation.</td>
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<td>NMSBVI WILL: Provide current information regarding present levels of performance</td>
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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.
<table>
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<th>child’s physical condition, social or cultural background.</th>
<th>and relevant assessment information to be used in eligibility determination and programming design.</th>
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<td>In the event that a child has a vision impairment or hearing loss, the LEA may contact NMSD, and/or PEI, and/or NMSBVI for consultation and assistance with evaluation.</td>
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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.)
With parental consent, the FIT Provider personnel will attend the MET/EDT and/or IEP meetings.

Parents who decide not to proceed with Part B eligibility determination will be informed by the FIT Family Service Coordinator (FSC) that they may contact the Special Education Director (or designee) at the LEA that serves the area in which they reside.

The family can then request an initial evaluation for eligibility determination for Part B services at that time. The FIT Family Service Coordinator (FSC) will provide the family with the contact information for the LEA in writing.

The Special Education Director (or designee) will assure that a group of qualified professionals and the parent of the child determine whether the child is a child with a disability in accordance with State and Federal regulations.

The Special Education Director (or designee) will determine eligibility (prior to the child’s third birthday) 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. Tests must have been administered within the previous six months in order to be considered valid.

For a child with a sensory impairment, appropriate LEA staff must be included in the review.

With parental consent and when appropriate, Head Start staff will attend MET/EDT and/or IEP meetings.
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.

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<tr>
<th>FIT PROVIDER</th>
<th>LEA</th>
<th>HEAD START</th>
<th>OTHER</th>
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<tr>
<td>The Special Education Director (or designee) will 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 FIT Family Service Coordinator if in attendance at the meeting. If the FIT Family Service Coordinator is not able to attend the eligibility determination meeting/ multidisciplinary evaluation team meeting (EDT/MET), the eligibility determination team documentation will be sent to the FIT Provider within seven (7) calendar days.</td>
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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.

7.30.8.13 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.

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<td>Participate, with the parent/guardian permission, in the development of IFSP/IEPs (Individual Family Service Plan / Individualized Education Plan). Early intervention services will be provided in accordance with the IFSP to children and families until the date specified on the IFSP. At time of transition, Part C will provide LEA with information on current levels.</td>
<td>The Special Education Director (or designee) will conduct the initial IEP meeting prior to the child’s third birthday. The Special Education Director (or designee) must send an invitation to NMSBVI, and/or NMSD, if appropriate.</td>
<td>Will participate in IFSP/IEP meetings when invited and with parent consent. Through collaboration with community agencies Head Start will ensure appropriate services for Head Start children who are NOT eligible for Part B services.</td>
<td>NMSBVI will: Participate, with parent permission, on IFSP/IEP team. NMSD will: participate on the IFSP/IEP team as invited by the parent, LEA or FIT provider. In the event NMSD is the service coordination agency they will contact the local LEA, through its Joint Powers Agreements, and other FIT providers in order to collaboratively consider placement options and participate in and conduct IFSP/IEP meetings</td>
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<tr>
<td>Provide referral to the NMSD</td>
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of performance.

Post transition services will 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 documented in the IFSP.

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<th>services.</th>
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<td>In the case of a child with a hearing loss and/or visual impairment, the IEP team MUST complete the appropriate Special Factor(s) attachment page. A teacher of the visually impaired MUST present the Special Factor(s) attachment for vision impaired to the IEP team.</td>
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</table>

Preschool services will begin on the first school day following the third birthday unless otherwise stated on the IEP.

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<tr>
<th>CECT- Center for Educational Consultation and Training to the receiving LEA, Head Start, or other placement agency if placement is other than NMSD Preschool.</th>
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<tbody>
<tr>
<td>In the case of a child with a hearing loss, NMSD Regional Consultants are available to IEP teams for support and consultation.</td>
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</table>

**PEI WILL:** participate on the IFSP/IEP team as invited by the parent, LEA or FIT provider.
**All AGENCIES AGREE TO:**

1. Share information about available resources and collaborate on the development of needed resources.
2. Plan and conduct collaborative Child Find/identification and screening activities.
3. Work collaboratively to coordinate evaluation and assessment activities.
4. Inform families about options for services available that are appropriate to the unique needs of each child and family.
5. Provide education and training within their agencies to personnel regarding the terms of this agreement.
6. Sponsor, conduct and inform participating agencies of training and in-service opportunities for staff development.
7. Work together to advocate for resources that address the needs of families and children in the communities that we serve.
8. Inform the team, via the list serve, when an individual agency changes an internal process that affects the team. This communication will occur at least two weeks prior to the changes taking effect so that team members can plan accordingly. If needed, a detailed description of the process will be provided in writing along with contact information for those members who may need additional clarification.
9. Participate in review, evaluation and effectiveness of this MOU and the process of transition and coordination of services at least annually. Will be sent out for signatures only when changes are made.

**CONFIDENTIALITY**

Confidentiality of information is required for the protection of children and families. Information shared between agencies will need a signed release by the parent/guardian. Consent to release information may be revoked at any time by the parent/legal guardian. Agencies that are known as Covered Entities will be compliant within the guidelines and regulations set by the Health Insurance Portability and Accountability Act (HIPAA) and Family Educational Rights and Privacy Act (FERPA).

**EFFECTIVE DATE AND TERMINATION**

This agreement shall take effect when signed by all parties 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.
IMPLEMENTATION OF AGREEMENT

A copy of this agreement will be provided to each listed stakeholder and will be available online at http://cdd.unm.edu/ec/Transition/teams.ECT.htm. Each participating agency involved in the development of this agreement will assure, either through policy and procedure and/or staff training, all individuals implementing or participating in the requirements to meet the required activities of this MOU understand their role and responsibility.

INTERAGENCY DISPUTE PROCESS

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

DEFINITION OF TERMS

FERPA - Family Educational Rights and Privacy Act
FIT – Family Infant Toddler (FIT) Early Intervention Service Programs
Part B – Assistance for Education of all school age children with disabilities
Part C – Services for infants and toddlers with disabilities (birth-3) or risk for developmental delay and their families FIT
LEA – Local Education Agency
IEP – Individualized Education Program
IFSP – Individualized Family Service Plan
EDT – Eligibility Determination Team
IDEA - Individuals with Disabilities Education Act
NMSD - New Mexico School for the Deaf/PIC- Parent Infant Child Program serves children statewide
NMSBVI - New Mexico School for the Blind and Visually Impaired serves children statewide
PEI- Presbyterian Ear Institute provides FIT Services AND private preschool special education services (through Kindergarten) to children with hearing loss seeking the listening and spoken language option.
Potentially eligible - Those children eligible under the Part C’s “established condition” or “developmental delay” category
PARTICIPATING AGENCIES

The following agencies have participated in the development of this agreement and agree to sign this agreement indicating their willingness and commitment to participate:

**FIT Provider Agencies**
- University of New Mexico FOCUS Program
- University of New Mexico Developmental Care Program
- Alta Mira Specialized Family Services
- Native American Professional Parent Resources Inc. (NAPPR)*
- PB & J Family Services Inc.
- LifeROOTS, Inc.
- Abrazos Family Support Services
- Inspirations Early Intervention Inc.
- Presbyterian Ear Institute (PEI)*
- Growing In Beauty Program- To’Hajiilee

**Local Education Agencies**
- Albuquerque Public Schools
- Bernalillo Public Schools
- Rio Rancho Public Schools

**State Supported Schools (Part B & Part C)**
- New Mexico School for the Deaf (NMSD)
- New Mexico School for the Blind and Visually Impaired (NMSBVI)

**Local Head Start/Early Head Starts**
- YDI Head Start/Early Head Start Program
- Pueblo of Isleta Head Start Early Head Start and Child Care
- Santo Domingo Early Childhood Learning Center

**Local Head Start/Early Head Starts**
- Five Sandoval Indian Pueblo Head Start
- San Felipe Head Start
- City of Albuquerque Early Head Start
- NAPPR Early Head Start
- To’Hajiilee Early Childhood Development Programs

*Services in Addition to those Listed Under FIT Provider Agencies*
- Presbyterian Ear Institute (PEI)-private preschool and kindergarten services to children with hearing loss (with or without other impairments) seeking the listening and spoken language option
- NAPPR Tribal Home Visiting Program (0-5)
Attachment to Transition Team MOU

Transition MOU Information

Child Care Inclusion Specialist

Purpose: The Child Care Inclusion Specialist provides training and support to early childhood educators who work in home and center-based childcare settings. This work is done in collaboration with other systems such as Family Infant Toddler Programs and Local Education Agencies.

Transition Planning:

To meet the needs of children who are in early care programs, the Child Care Inclusion Specialist will be available to:

- With parent permission, support the transition process by collaborating with area agencies and childcare providers regarding inclusion services.
- Provide information to families regarding inclusion services within the transition process.

Transition Conference:

With parental consent, the Child Care Inclusion Specialist will be available to attend the transition conference for children in early care programs if requested.

Eligibility:

- For children who are not eligible for Part B services and who attend early care programs, parents will be informed at the eligibility determination meeting about Child Care Inclusion services for child care providers.
- For children who are eligible for Part B services and who attend early care programs, parents will be informed at the eligibility determination meeting about Child Care Inclusion services for child care providers.
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print):  _______________________________________________________________________

Signature: __________________________________________________________________________

Title: ______________________________________________________________________________

Agency: ____________________________________________________________________________

Date: ______________________________________________________________________________
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): Jim Copeland
Signature: Jim Copeland
Title: EXECUTIVE DIRECTOR
Agency: ALTA MIRA
Date: 3/4/16
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): V. Sue Cleveland

Signature: V. Sue Cleveland

Title: Superintendent

Agency: Rio Rancho Public Schools

Date: 2/25/16
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print):  Molly Sanchez

Signature:  Molly Sanchez

Title:  Executive Director

Agency:  Pueblo of Isleta Head Start & Child Care

Date:  2/29/2016
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): Debra L Baca

Signature: Debra Baca

Title: Vice-President, ECE

Agency: Youth Development, Inc.

Date: 2/22/14
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): Dr. Karen Sanchez-Clark

Signature: [Signature]

Title: Superintendent

Agency: Tottajiloe Community Schools

Date: 4/20/16
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): Michael A. Rivera

Signature: [Signature]

Title: Chief Executive Officer

Agency: Native American Professional Parent Resources

Date: 2/24/16
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): Seema Lagrae

Signature: _____________________________

Title: Executive Director

Agency: Presbyterian Ear Institute

Date: 2/24/16
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print):  Dee Mody

Signature:  

Title:  Disabilities Coord  Director

Agency:  Santo Domingo Early Childhood Learning Center

Date:  02/23/2016
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): Lorraine Crespin
Signature: [Signature]
Title: Regional Supervisor
Agency: NM School for the Deaf
Date: 2-24-2016
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print):  Susannah Burke

Signature:  Susannah Burke

Title:  Exec. Dir.

Agency:  PB&J Family Services Inc.

Date:  2/28/14
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): Kathleen Holger Costes

Signature: [Signature]

Title: CEO/President

Agency: LifeROOTS, Inc

Date: Feb 23rd, 2016
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): April Spaulding

Signature: April Spaulding

Title: Executive Director

Agency: Abrazos Family Support Services

Date: 2/23/2016
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): Ciny FARIS

Signature: Ciny Faris

Title: Program Coordinator, Infants & Toddlers

Agency: PM School for the Blind & Visually Impaired

Date: 2-19-16
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): Lucinda Sanchez

Signature: ____________________________

Title: Interim Associate Superintendent

Agency: Albuquerque Public Schools

Date: 2/19/16
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): Jane Pitts

Signature: Jane Pitts

Title: Director of Special Education Services

Agency: Bernalillo Public Schools

Date: 2/12/16
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MCU.

Name (Print):  Karen Grimm Lucero

Signature:  Karen Grimm Lucero

Title:  Chief Executive Officer

Agency:  Inspirations Early Intervention, Inc.

Date:  2-17-16
By attaching my signature to this document, I attest that I am familiar with the contents of the Agreement, and commit this agency to adhering to the contents of the MOU.

Name (Print): __Arlene Sandoval__________________________________________

Signature: _____________________________________________________________

Title: __Head Start Director_____________________________________________

Agency: __San Felipe Pueblo Head Start_____________________________________

Date: __March 14, 2016___________________________________________________