MEMORANDUM OF UNDERSTANDING (MOU)

LEA COUNTY TRANSITION TEAM:

MECA Therapies, LLC

and

Regional Education Cooperative VII (REC7):
Eunice Public Schools,
Hobbs Municipal Schools,
Jal Public Schools,
Tatum Municipal Schools,
Lovingston Public Schools,
New Mexico Department of Children, Youth and Families Protective Services (CYFD)
New Mexico School for the Blind and Visually Impaired (NMSBVI)
New Mexico School for the Deaf-PICP (NMSD)
Child and Family Services, Inc. of Lea County-Head Start,
Parents Reaching Out (PRO)

MOU Lea County March 2013
Team Members

Child & Family Services Inc. / Head Start
Signatory: Patricia Grove - Director
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Email: lscharf@cfsnm.net

Children Youth & Families Protective Services
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Eunice Public Schools
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Email: shaynes@eunice.org

Hobbs Municipal Schools
Signatory: T.J Parks - Superintendent
Cheryl Aguilar - Director of Special Education
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Jal Public Schools
Contact: Ron Verschueren
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MECA Therapies, LLC
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Email: leepplant@hotmail.com

Lovingston Municipal Schools
Neva Byrd - Director of Special Programs
Phone: (575) 739-2705, (575) 631-5473
Email: nevabyrd@leaco.net
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Tatum Municipal Schools
Contact: Buddy Little-Superintendent
Phone: (575) 398-4455
Email: blittle@tatumschools.org

MOU Lea County March 2013
New Mexico School for the Blind & Visually Impaired
Signatory: Ronda Dalley - Developmental Vision Specialist
Email: rdalley@nmsbvi.k12.nm.us
Phone: (575) 430-7621, (575) 762-0310 (Fax)

New Mexico School for the Deaf
Signatory: Ana Torres
700 North Missouri Avenue #1
Roswell, Nm 88201
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Parents Reaching Out
1920 B Columbia Dr. SE
Albuquerque, NM 87112
Contact: Camilla Gutierrez
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REC 7
Signatory: Belinda Morris-Director
Phone: (575)393-0755
Email: morrisb@hobbsschools.net

MOU Lea County March 2013
I. MISSION

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

II. PURPOSE

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

III. Objectives

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

MOU Lea County March 2013
IV. RESPONSIBILITIES IN TRANSITION PROCESS

NOTIFICATION

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

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

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

FIT PROVIDER:
- FIT provider will email a list of potentially eligible children with a Developmental Delay / Established Condition to the Lead Educational Agency (LEA).
- The deadlines for submissions are as follows:
  Monthly: Last Day of the Month

LEA:
- N/A

HEAD START:
- N/A

OTHER:
- N/A

MOU Lea County March 2013
TRANSITION PLANNING

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

NMAC7.30.8.13

A. Transition planning shall begin early enough to allow the parents to exercise all their rights under state and federal statutes and regulations. Transition planning must be undertaken for each child and family at least 6 months before the child is eligible to transition from early intervention services. Transition planning shall be a process involving meeting(s) and progressive steps toward the smooth and effective transitioning of each child and family.

B. Steps/actions shall be identified and included in the IFSP that support the child and family and ensure a smooth and effective transition. With involvement of the parents, such steps/actions shall include, at a minimum:
1. Discussions with the parents regarding future program/service options to include preschool special education services and other community services that may be available and appropriate; representatives from these programs and services shall be included in these discussions to ensure an informed decision;
2. Preparing the child and family for the changes and adjustments to a new setting;
3. With parental consent and in accordance with regulation, the transmission of information, including evaluation and assessment information and copies of IFSPs to ensure continuity of services.

FIT PROVIDER:
- By 24 months of age, but at least 6 months prior to the beginning of the school year in which the child turns three,
- Service Coordinator meets with the family to identify and document the specific steps and actions that will support the child and family through the transition process. These individualized steps and actions are documented on the transition plan and are included in the IFSP.

MOU Lea County March 2013
• Service Coordinator will deliver/mail a Transition Referral Form to the Local Education Agency (LEA) in which the child resides at least 60 days prior to the Transition Conference, and if possible, 6 months prior to the child’s third birthday with parent consent.
• If a parent refuses the referral to be made to Part B, the Service Coordinator will provide the parent(s) with prior written notice that Part C services will end at the time of their child’s third birthday. The Service Coordinator will also provide the family a copy of their procedural safeguards at this time.
• With parent consent, the Service Coordinator will coordinate the completion and submission BY MAIL OR DELIVERY of the Transition Assessment Summary Form to the LEA at least 30 days prior to the Transition Conference. The information should not be older than 6 months.
• For late referrals to FIT, provider will contact LEA to notify as appropriate.

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

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

OTHER:
New Mexico School for the Deaf (NMSD) and New Mexico School for the Blind and Visually Impaired (NMSBVI) will:
• Provide a comprehensive overview of the transition process and provide information on services to families, including eligibility and enrollment information.
• Support each family in acquiring a comprehensive and current evaluation including audiological / ophthalmological prior to transition.

NM Department of Children, Youth, & Families Protective Services will:

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- Be available as requested to provide support and information to families about the transition process.
- Develop a family supports plan in collaboration with the local Early Intervention agency as requested by the agency.
- Offer families opportunities to connect with other families who have had children transition to share experiences.
- Support families in understanding the differences between IDEA Part B and IDEA Part C.

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<tr>
<th>REFERRAL TO LEA</th>
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<tr>
<td>REFERRAL TO LEA: The Transition Referral Form should be sent with monthly eligibility lists at least 60 days prior to the Transition Conference, and if possible, at least 6 months prior to the child's third birthday. To support the use of the Part C information in determining Part B eligibility, the FIT Transition Assessment Summary Form will be completed and sent to the LEA at least 30 days prior to the Transition Conference.</td>
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<tr>
<td>- Service Coordinator will deliver/mail a Transition Referral Form to the Local Education Agency (LEA) in the district in which the child resides in at least 60 days prior to the Transition Conference, and if possible, 6 months prior to the child's third birthday with parent consent.</td>
</tr>
<tr>
<td>- Provide a comprehensive overview of the transition process and provide information on services to families, including eligibility and enrollment information.</td>
</tr>
<tr>
<td>- If a parent refuses the referral to be made to Part B, the Coordinator will provide the parent(s) with prior written notice that Part C services will end on the day of the child's third birthday.</td>
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<td>- Special Education Director and/or Coordinator will receive the transition referral form confirming receipt.</td>
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<th>HEAD START:</th>
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OTHER:
Parents Reaching Out (PRO) will:

- When appropriate, conduct training to help parents and families develop and acquire the information needed to play an active role in the transition process.
- Be available as requested to provide support and information to families about the transition process.

PLANNING FOR THE TRANSITION CONFERENCE

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

FIT PROVIDER:

- With approval of the parents, other relevant service providers will also be invited as needed (Head Start, child care providers, etc.).
- The Service Coordinator will work with the family, the LEA, and other key providers to determine a date for the transition conference at least 90 days prior to the child’s third birthday and no more than 9 months prior to schedule a date that is agreeable to everyone. The family will receive prior written notice of the Transition Conference. With parent consent, the Service Coordinator will send a written invitation to the LEA and any other potential preschool providers with the details about the conference (e.g. Head Start, child care, NM School for the Deaf, NM School for the Blind & Visually Impaired).
- To support the use of the Part C information in determining Part B eligibility, the FIT Transition Assessment Summary Form will be completed and sent to the LEA at least 30 days prior to the Transition Conference. Assessment information is defined as current if it is within 6 months of the Transition Conference.

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- Pertinent assessment/evaluation reports, IFSPs, and other information that may support Part B eligibility determination will be included with the Transition Assessment Summary Form.
- With parent consent, the Service Coordinator will coordinate the completion and submission of the Transition Assessment Summary Form to the LEA at least 30 days prior to the Transition Conference. The information will be no older than 6 months.
- For late referrals to FIT, the provider will contact LEA to notify as appropriate.

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

**HEAD START:**
- N/A

**OTHER:**
**Parents Reaching Out will:**
- Support families in understanding the differences between IDEA Part B and IDEA Part C.

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**TRANSITION CONFERENCE**

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

**NMAC 7.30.8.13 (F) TRANSITION**

With approval of the parents, a Transition Conference shall be convened at least 90 days prior to the anticipated date of transition from early intervention services but no later than 90 days prior to the child's third birthday. If the child

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may be eligible for preschool services, including special education and related services offered through the local education agency, this conference shall include, at a minimum, the parents, the relevant early intervention service providers, and the local education agency representative(s). Other relevant service providers should be invited to attend this meeting. The transition process must take into account availability of Head Start and other child care services in the community.

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

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

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

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

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

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

**New Mexico School for the Blind & Visually Impaired will:**
- Provide information to parents/guardians of children who are eligible to transition regarding options for services.
- Coordinate transition information/efforts with other service providers.

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- Support each family's efforts to have a current ophthalmologic report prior to transition.
- Provide current assessment information, recommendations and consultation as needed to the receiving program.
- Participate, when invited, in transition conferences/meetings and help the team and family consider placement options and adaptations that may be needed.
- Participate with parent permission and provide current functional vision assessment or determine if further vision assessment is needed.

New Mexico Department of Children, Youth & Families Protective Services will:
- Participate in the Transition Conference and help the team/family/guardian consider placement options and adaptations that may be needed.

### INITIAL EVALUATION FOR PART B

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

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

**LEA:**
- LEA will provide and explain to the parent(s) in their native language or other mode of communication the Procedural Safeguards.

MOU Lea County March 2013
• LEA will secure written informed parental consent for evaluation
• LEA will schedule and conduct the initial evaluation within 60 days of the parental consent.
• LEA will conduct the initial evaluation in accordance with 34CFR§301-311 and the NM Team.

HEAD START:
• N/A

OTHER:
NM School for the Deaf will:
• In the case of a child who is deaf or hard-of-hearing, and in accordance with DOH procedure and with parent consent, contact an NMSD Step*Hi Regional Supervisor for technical assistance to the transition team in discussing communication considerations and the continuum of education options.
• Provide consultation regarding appropriate assessment/evaluation for children with hearing loss.

NM School for the Blind & Visually Impaired will:
• Provide current information regarding present levels of performance and relevant assessment information to be used in eligibility determination and programming design.
• Provide consultation regarding appropriate assessment/evaluation for children with a visual impairment.

ELIGIBILITY DETERMINATION

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

FIT PROVIDER:
• N/A

LEA:

MOU Lea County March 2013
• LEA must assure that a group of qualified professionals and the parent of the child determine whether the child is a child with a disability in accordance with state and federal regulations.
• LEA shall provide a copy of the evaluation report and the documentation of the eligibility determination to the parent(s) and with parental consent, a copy of this documentation to the referring FIT provider.

HEAD START:
• N/A

OTHER:
• N/A

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

VI. IMPLEMENTATION OF AGREEMENT
All agencies participating in this agreement will support their staff in implementation of the MOU.

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

VIII. INTERAGENCY DISPUTE PROCESS

MOU Lea County March 2013
The event of a dispute or concerns relating to the MOU and/or transition process, all cooperating agencies agree to contact specific agency in which the concern arises in attempt to resolve concerns. If concerns cannot be resolved in this way, or if concerns affect the larger group, concerns will be addressed during the Lea County Transition Team meeting.
SIGNATURES:

IN WITNESS WHEREOF, the following signatures are affixed:

Child and Family Services, Inc. of Lea County - HeadStart

By: _______________________________ Date: _______________________________

MECA Therapies, LLC

By: _______________________________ Date: 3-21-13

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

By: _______________________________ Date: _______________________________

Regional Education Cooperative VII (REC#7)

By: Belinda Morris Date: March 28, 2013

MOU Lea County March 2013
SIGNATURES:

IN WITNESS WHEREOF, the following signatures are affixed:

Child and Family Services, Inc. of Lea County - Head Start

By: ____________________________ Date: ____________________________

MECA Therapies, LLC

By: ____________________________ Date: ____________________________

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

By: ____________________________ Date: ____________________________

Regional Education Cooperative VII (REC#7)

By: ____________________________ Date: ____________________________

MOU Lea County March 2013
Eunice Public Schools
By: Dwain J. Haynes
Date: 28 March 2013

Hobbs Municipal Schools
By: J. Hale
Date: 3/27/13

Jal Public Schools
By: Jerred H. Canova
Date: 03/28/2013

Tatum Municipal Schools
By: Amanda Little
Date: 3/27/2013

Lovingston Public Schools
By: David Wamer
Date: 3-28-13

MOU Lea County March 2013
Parents Reaching Out (PRO)
Camila Gutierrez
By: Camila Gutierrez
Date: 3-27-2013

New Mexico School for the Blind & Visually Impaired
Ronda D. Alston
By: Ronda D. Alston
Date: 3/28/13

New Mexico School for the Deaf
Ana Torres
By: Ana Torres
Date: 3/28/13

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