

The Memorandum of Understanding (MOU) Work Sheet is a tool to support Community Transition Teams in the development or revision of their community based MOU. Teams can use the Work Sheet as a template for the development of the MOU, utilizing the sections in color to guide the format, process and discussion. As sections and procedures are agreed on and entered into the format, teams can delete the guiding text appearing in color and will have a document ready for signatures.

It is recommended that the components represented in this tool be discussed at least annually, at one of the periodic transition team meetings scheduled after the implementation of the agreement.

**MEMORANDUM OF UNDERSTANDING  
CONCERNING  
THE TRANSITION OF CHILDREN BETWEEN  
ENTITIES BELONGING TO LOS PASOS EARLY CHILDHOOD TRANSITION COMMITTEE**

**That includes:**

**EnSueños Y Los Angelitos Development Center - an early intervention agency  
Taos Municipal Schools - a local education agency  
Questa Independent Schools - a local education agency  
Peñasco Independent Schools - a local education agency  
Taos Pueblo Early Childhood Education Center - Head Start & My 1<sup>st</sup> School  
Youth Development, Inc. - Head Start  
New Mexico School for the Deaf  
New Mexico School for the Blind and Visually Impaired  
Parents Reaching Out - a parent advocacy group  
Education for Parents of Indian Children with Special Needs- a parent advocacy group  
Children, Youth and Families Department - Child Protective Agency  
Parent Representatives  
UNM Northern TTAP Child Care Inclusion Services**

TEAM MEMBERS  
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## I. PURPOSE

The members of the Los Pasos Early Childhood Transition Committee acknowledge that partnership encompasses families, agencies and committee members. The Los Pasos Transition Team is committed to seamless transition of services to children with developmental delays, birth through five years of age, and their families. Los Pasos recognizes that collaborative efforts will maximize the use of public resources and avoid duplication of efforts while meeting regulatory requirements of individual agencies in serving children. In addition, we come together to collaborate on continuing a system of screening and referral and community health fairs to provide health and developmental screening, education and referral information to parents.

## II. REQUIREMENTS IMPACTING THIS AGREEMENT

The federal and/or State transition laws are listed in the working procedures, timelines and responsibilities in transition process sections of this document.

## III. DEFINITION OF TERMS

**Early Intervention Services/ (Part C):** any or all services that are designed to meet the developmental needs of each eligible child and the needs of the family related to enhancing the child's development. Early intervention services address one or more of the following areas of development: cognitive, physical, communication, social or emotional, and adaptive. Early Intervention services include: assistive technology, hearing services, developmental services (special instruction), family training, counseling and home visits, health services, medical services for diagnostic or evaluation purposes, nursing services, nutrition services, occupational therapy, physical therapy, psychological services, respite services, service coordination, social work services, speech language pathology services, transportation and related services, and vision services.

**Eligible Child (Part C-early intervention services):** means children birth to three years of age who reside in the state and meet the criteria within state regulations for "Developmental Delay", "Established Condition" or "At Risk for Developmental Delay".

**Eligible Child (Part B-preschool special education and related services):** means any child ages 3,4,5 who resides in the state, who is determined to be a child with a disability and meets the Part B eligibility criteria, as defined by the New Mexico Technical Evaluation and Assessment Manual.

**Evaluation (for Part C early intervention services):** means the process through which a child's eligibility for early intervention services is determined. It involves a review of pertinent records related to the child's current health status and medical history; a determination of strengths, needs, quality of performance, and level of functioning of the child in each developmental area; and an explanation of how the status in each of the developmental areas affects the child's overall functioning. A written report summarizing findings completes the evaluation.

**Evaluation (for Part B preschool special education and related services):** means the process through which a child is determined to be a child with a disability and eligible for special education and related services. This involves review of current information about the child provided by the parents, teachers, early interventionists, related services personnel, and other individuals knowledgeable about the child's abilities and **present levels of performance**. This may include, but by no means is limited to formal assessments of the child's functional abilities in each developmental domain. A written report summarizing findings completes the evaluation.

**Free Appropriate Public Education or FAPE (Part B):** a federal regulation, for children enrolled in the public school system, stating that special education and related services a) are provided at public expense, under public supervision and direction, and without charge; b) meet the standards of the SEA including the requirements of 34 CFR Part 300; c) include preschool, elementary school, or secondary school education in the state; and d) are provided in conformity with an individualized education program (IEP) that meets the requirements of 34 CFR Part 300.340-300.350.

**Head Start:** means a program, funded under Title V of the Economic Opportunity Act of 1964, as amended, and carried out by a Head Start agency or delegate agency, that provides ongoing comprehensive child development services.

**Individuals with Disabilities Education Act (IDEA 2004):** means a federal law that contains requirements for serving eligible children. Part C of IDEA refers to The Early Intervention Program for Infants and Toddlers with Disabilities. Part B of IDEA refers to Assistance to States for the Education of Children with Disabilities ages 3 through 21.

**Individualized Education Plan (IEP):** means a written statement for a child with a disability that is developed, reviewed and revised in a meeting in accordance with requirements of IDEA, Part B.

**Individualized Family Service Plan (IFSP):** the written plan for providing early intervention services to an eligible child and child's family. The plan must be developed jointly by the family and appropriate qualified personnel involved in the provision of early intervention services and include the identification of supports and services necessary to enhance the family's capacity to meet the developmental needs of the eligible infant or toddler. The plan must be developed in accordance with the requirements of IDEA, Part C.

**Interagency Agreement:** means a document signed by authorized representatives of at least two agencies outlining mutually agreed upon responsibilities to perform certain duties under specified conditions. Interagency agreements include Joint Powers Agreements, Memoranda of Understanding and Memoranda of Agreement.

**Least Restrictive Environment (LRE):** An appropriate, educationally beneficial placement for a child with a disability that most closely approximates where the child, if not disabled, would be educated.

**Local Education Agency (LEA):** means a local public school district that is subject to statutes, regulations and policies administered by the State Department of Education.

**Multidisciplinary Team Report (MDT) now Educational Determination Team (EDT):** A report written by qualified professionals, teachers and parents who have reviewed all existing evaluation data, information provided by parents, current observations and present levels of performance to determine if the child is eligible to receive services according to New Mexico State guidelines.

**Parent:** means a natural or adoptive parent of a child; a guardian; a person acting in the place of a parent (such as a grandparent or stepparent with whom the child lives or a person who is legally responsible for the child's welfare); or a surrogate parent who has been assigned in accordance with state regulations. A foster parent may act as a parent under the Act if the natural parents' authority to make the decisions required of parents has been terminated under state law; and the foster parent has an ongoing, long-term parental relationship with the child; is willing to make decisions required of parents under the Act; and has no interest that would conflict with the interests of the child.

**Professional Judgment:** means a process by which a multidisciplinary, evaluation team organizes and weighs information about a child. This information includes impressions regarding skills, abilities, weaknesses in developmental processes, emotional and temperamental patterns as well as more traditional testing information. While individual judgments are part of the team's decision-making process, no single person can determine eligibility via professional judgment. It is a team decision. A team consensus may be one way to determine a preschool aged child's eligibility for special education and related services in the category of "Developmentally Delayed", and other eligibility categories.

**School Year:** means the dates established by LEA for its schools to be in session during a given academic year.

**Service Coordination (Part C):** means services and activities performed by a designated individual to assist and enable the families of children from birth through age three years to access and receive early intervention services.

**Family Service Coordinator (Part C):** means 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. The Family Service Coordinator facilitates periodic reviews of the IFSP and ensures that a transition plan is developed at the appropriate time. The Family Service Coordinator facilitates the transition process to ensure a smooth and effective process.

**State Supported Schools:** means a state supported public program confirmed as such in the State Constitution, such as the New Mexico School for the Blind and Visually Impaired, and the New Mexico School for the Deaf.

**Transition:** means the process for a family and eligible child of moving from one service, location, or program to another. This process includes discussion with, and training of, parents regarding future placements and other matters related to the child's transition; procedures to prepare the child for changes in service delivery, including steps to help the child adjust to and function in the new least restrictive and most appropriate educational setting; and with parental consent, the transmission of information about the child to a program into which the child might transition to ensure continuity of services, including evaluation and assessment information required and copies of IFSPs that have been developed and implemented.

**Transition Conference:** means the required conference convened at least 90 days before the child is eligible to transition from early intervention services to local preschool settings (see **Transition for further information**).

#### **IV. IMPLEMENTATION OF AGREEMENT**

Copies of this Memorandum of Understanding will be provided to each entity listed as a member of the Los Pasos Transition Team. Each Family Service Coordinator of EnSueños Y Los Angelitos Development Center, the early intervention agency, will be given a copy of the Los Pasos MOU so they may inform and train the families they work with on the regulations and procedures for the transition of their children from Part C to other entities within the community.

The LEAs will make available the MOU to all those who are working with the children who are transitioning into Part B.

#### **V. MONITORING AND EVALUATION OF THE AGREEMENT**

The Los Pasos Transition Team will meet annually to evaluate the effectiveness of the procedures used in the agreement.

## VI. INTERAGENCY DISPUTE PROCESS

If there are disputed items identified they will be discussed at the Los Pasos Transition Team annual evaluation meeting. See above.

## VII. DURATION

The MOU will be reviewed annually as noted in the Los Pasos meeting minutes. This MOU is valid for four years unless the committee agrees it needs to be revised.

## 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 years.



**Questions To Consider**

- How will FIT Provider(s) notify the LEA(s) of children they are currently serving who may be potentially eligible for Part B services and are approaching the age of eligibility?
- Who in the FIT Provider agency will be responsible for the notification?
- Who in the LEA will be responsible for receiving and documenting the information? When specifically in quarter will the information be shared? (month/day)
- How will the information be shared and how often? (mail, email, fax, etc.)
- What will happen when children enter early intervention late and are approaching the age of eligibility?

<b>FIT PROVIDER</b>	<b>LEA</b>	<b>HEAD START</b>	<b>OTHER</b>
<p>The Los Angelitos Family Infant Toddler (FIT) Family Service Coordinator will notify each Local Education Agency (LEA) on the Los Pasos Transition Team, by secure fax, of all children potentially eligible for Part B with a Developmental Delay/Established Condition quarterly who will be turning 3 within the next 12 months.</p> <p>The quarterly dates will be by August 1<sup>st</sup>, November 1<sup>st</sup>, February 1<sup>st</sup> and May 1<sup>st</sup>.</p> <p>When children enter the early intervention program late and are approaching the age of eligibility the Los Angelitos FIT Coordinator will notify the LEAs as soon as FIT receives referral.</p>	<p>LEAs will acknowledge receipt of Quarterly list via e-mail.</p>		<p><b>UNM Northern TTAP Child Care Inclusion Services:</b> Child Care Inclusion Specialist will, when appropriate, provide support, information, technical assistance and training to help early childhood educators play an active role in the transition process.</p> <p><b>Parents Reaching Out PRO will:</b> When appropriate conduct training to help parents and families develop the skills and acquire the information needed to play an active role in the transition process.</p> <p>Provide individual support, information and training as needed/requested.</p>

## **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's 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's 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.

**Questions To Consider**

- How will the FIT Family Service Coordinator support families in understanding the transition process, program options, and services provided by the LEA and other programs such as Head Start?
- How will LEA coordinate with FIT providers and other programs to facilitate visits by families to classrooms and/or learn about services provided?
- Are there other ways the LEA and other programs support transition planning (available for questions, family nights, brochures, participation opportunities, etc.)?

<b>FIT PROVIDER</b>	<b>LEA</b>	<b>HEAD START</b>	<b>OTHER</b>
<p>Discussion of the transition process will begin at the initial IFSP meeting. The Family Service Coordinator will outline the timelines for each task necessary for a smooth and effective transition.</p> <p>FIT Family Service Coordinators may contact LEA teachers to set up visits to the classrooms by the families and their children who are potentially eligible for Part B services.</p> <p>FIT Family Service Coordinators may contact Head Start, private Preschool teachers, and/or state supported schools to set up visits to the classrooms by families and their children who may be interested in</p>	<p>Special Education and/or Designee will receive the Transition Assessment Summary Form confirming receipt.</p>	<p>Will participate in transition planning as deemed appropriate by the parents, Part C &amp; Part B programs through the IFSP &amp; IEP processes.</p> <p>Provide program information to agencies for distribution &amp; education for parents and families</p> <p>Coordinate with early intervention providers to facilitate visits by families to classrooms and/or learn about services provided.</p>	<p><b>New Mexico School for the Deaf (NMSD)</b> will work together with other local FIT providers, Early Head Start, Head Start, and /or LEAs to best meet the needs of children who are deaf or hard of hearing in the community and support attainment of outcomes and goals contained in the IFSP/IEP.</p> <ul style="list-style-type: none"> <li>• NMSD and NMSBVI will provide information to parents/guardians of children who are eligible to transition regarding options for services.</li> <li>• NMSD and NMSBVI will coordinate transition information/efforts with other service providers.</li> <li>• NMSD and NMSBVI will</li> </ul>

attending these facilities.

refer, with parent consent, NMSD and NMSBVI will refer, with parent consent,

- NMSBVI will support each family's efforts to have a current ophthalmologic report prior to transition.

**PRO will:**

- 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.

## 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's 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's 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's 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.

### **Questions To Consider**

- Who from the FIT program will get parent consent and send the Transition Referral Form to the LEA?
- How will the referral be sent (mail, email, fax, etc.)?
- When will the referral be sent to the LEA? (At least 60 days prior to conference and if possible 6 months prior to 3rd birthday).
- Who from the LEA will confirm and document receipt of referral?
- How will late referrals to FIT be handled by both FIT and the LEA?
- How will late referrals be addressed over the summer?

<b>FIT PROVIDER</b>	<b>LEA</b>	<b>HEAD START</b>	<b>OTHER</b>
<p>The Family Service Coordinator shall ensure that the family is fully aware of the array of service and program options available under Part B including home, day care centers, Head Start programs, schools or community-based settings.</p> <p>Family Service Coordinator will consider the parent(s) needs for child care in the transition planning process.</p> <p>Family Service Coordinator meets with the family to identify and document the specific steps and actions that will support the child and family through the transition process. These individualized steps and actions are documented on the transition plan and are included in the IFSP.</p> <p>Family Service Coordinator will deliver/mail/or securely fax a Transition Referral Form to the Local Education Agency (LEA) at least 60 days prior to the Transition Conference, and if possible 6 months prior to the child's third birthday with parent consent.</p> <p>If the parents refuse the referral to Part B the Family Service Coordinator should provide the parent(s) with prior written notice that Part C services will end at the time of their child's third birthday. The Family Service Coordinator will also provide the family a copy of their Procedural</p>	<p>Special Education Director and/or Designee will receive the Transition Referral Form confirming receipt.</p>		<p><b>UNM Northern TTAP Child Care Inclusion Services will:</b>  Be available as requested to provide support and information to parents &amp;, with parent permission early childhood educators, as it relates to their child's child care program and the transition process.</p>

<p>Safeguards at this time.</p> <p>When children enter the early intervention program late and are approaching the age of eligibility the Los Angelitos FIT Coordinator will notify the LEA as soon as FIT receives referral with parent's consent.</p> <p>The Family Service Coordinator will assist the family with filling out the Los Pasos Referral Form.</p>			
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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's 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's 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.



**Questions To Consider**

- How will scheduling of the Transition Conference be coordinated?
- How will information and communication take place between all parties involved?
- Who will be writing and sending the written invitations to the Transition Conference?
- When will the written invitations be sent?
- Who at the LEA will receive the invitation?
- How will other relevant potential providers (NMSD, NMSBVI, Head Start, etc.) be included?
- What pertinent information and attachments are needed on the Assessment Summary Form?
- What information will FIT make available on the Assessment Summary Form to support determination of the child's educational needs?
- When will the Assessment Summary Form be sent and how (hand delivered, mailed, etc.)
- Who at LEA will receive the Assessment Summary Form and document receipt?
- How will the LEA review the information and plan for the Transition Conference?
- What will be the procedures for children who turn three over the summer?

FIT PROVIDER	LEA	HEAD START	OTHER
<p>The FIT Coordinator and the LEA representative will schedule 2-3 days a month to allow for Transition Meetings.</p> <p>The Family Service Coordinator will schedule with the parent the most convenient time to hold Transition Meeting.</p> <p>The Family Service Coordinator will communicate with the LEA representative by phone to coordinate information about the Transition Meeting.</p> <p>The Family Service Coordinator will provide the LEA with a signed copy of the Los Pasos Referral.</p>	<p>Special Education and/or Designee will receive the Transition Assessment Summary Form confirming receipt.</p> <p>LEA will review documents in order to determine which LEA staff will attend Transition Conference.</p> <p>Upon receipt of a late referral the Special Education LEA or Designee will retain the documents for the and hold a transition conference within the first month of the next school year.</p>	<p>Head Start will plan to attend Transition Conference upon receipt of invitation.</p>	<p><b>UNM Northern TTAP Child Care Inclusion Specialist will:</b></p> <p>Support the Transition team by providing consultation related to including children in child care programs.</p> <p>Attend the Transition conference as appropriate and with parent permission.</p> <p>Will provide family with information about program/community services.</p>

<p>The Family Service Coordinator will send the Transition Meeting Invitation to all interested parties including NMSD, NMSBI, Head Start and others identified by the team and consent of the family. Family Service Coordinator will Mail/Deliver/or Fax Transition Assessment Summary Form to LEA representative at least 30 days prior to Transition Meeting. Information to be included on the Transition Assessment Summary will be current (within 6 months) skill levels in Gross, Fine Motor, Adaptive, Cognitive, Communication, and Social/Emotional Domains, Hearing and Vision screens, and any pertinent medical information. Also the most recent Early Childhood Outcomes.</p> <p>Family Service Coordinator will transmit invitation to the Special Education Director or Designee at least 30 days prior to Transition Conference.</p>			<p><b>New Mexico School for the Blind and Visually Impaired (NMSBVI):</b></p> <ul style="list-style-type: none"> <li>• NMSBVI will support each family’s efforts to have a current ophthalmologic report prior to transition.</li> <li>• NMSBVI will provide current assessment information, recommendations and consultation as needed to the receiving program &amp; prepare the Transition Functional Vision Evaluation for meetings when given sufficient notice by the child’s family service coordinator.</li> <li>• Participate in EI team meetings to complete the vision portion of the transition assessment summary form.</li> </ul>
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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's 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.

**Questions To Consider**

- How will the Family Service Coordinator conduct the meeting (agenda, time frame, etc.)?
- Who from the LEA will participate in the Transition Conference?
- What forms and information will be shared?
- How and when will LEA obtain parental consent to conduct initial evaluation?
- How and when will LEA schedule a date for qualified professionals and parents to review existing data as part of the process for determining eligibility?
- How and when will LEA schedule further evaluation activities if needed?
- What happens if parent is not ready to proceed with eligibility determination during the conference?
- What happens if any party is unable to attend the Transition Conference?

FIT PROVIDER	LEA	HEAD START	OTHER
<p>The Family 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.</p> <p>If the child is potentially eligible for Part B preschool services through the LEA, then the LEA representative must be invited to participate in the Transition Conference. The invitation will be sent at least 30 days prior to the Transition Conference</p> <p>With approval of the parents, other relevant service providers should also be invited (Head Start, child care providers, etc.).</p>	<p>LEA Special Education Director or Designee will participate in the Transition Conference arranged by the designated early intervention provider.</p> <p>LEA will determine the need for additional evaluation, assessment, and information.</p> <p>LEA will provide the parents a copy of the procedural safeguards under the IDEA and request parental consent to conduct an initial evaluation.</p> <p>If family needs additional time to precede with the process the LEA will discuss timeline.</p> <p>LEA will coordinate with early intervention providers to facilitate visits by families to classrooms and/or learn about services provided by the school district.</p>	<p>Attend Transition Conference if Head Start is being considered as an option</p> <p>Provide family with information about the Head Start program</p> <p>Review eligibility information and financial/application process with family.</p> <p>Encourage parents to visit local Head Start center prior to application process.</p>	<p><b>NMSD will:</b></p> <ul style="list-style-type: none"> <li>• Participate in the Transition Conference and, if acting as FIT Family Service Coordinator, facilitate that conference per FIT regulations.</li> <li>• Support each family in acquiring a comprehensive and current evaluation including audiological prior to transition.</li> <li>• 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</li> </ul>

<p>In the case of a child with a hearing loss, and in accordance with DOH procedure and with parent consent, contact an NMSD Early Intervention &amp; Involvement Division Regional Supervisors for technical assistance during the transition conference in discussing communication considerations and the continuum of education options.</p> <p>The family's Family Service Coordinator shall facilitate this meeting to ensure the following:</p> <ul style="list-style-type: none"> <li>• Review the child's service and program options</li> <li>• Review the IFSP, evaluation, assessment information, and other relevant and current data/information (within 6 months)</li> <li>• Decide what other activities need to be completed before the child transitions (including enrollment; immunizations; transportation; or medical needs, etc.)</li> <li>• Decide what other activities need to be</li> </ul>			<p>Transition Conference and IEP meeting.</p> <ul style="list-style-type: none"> <li>• Contact the local LEA through its Joint Power's Agreements to collaboratively consider placement options and participate in and conduct IFSP/IEP meetings.</li> <li>• Provide referral to the NMSD Outreach School Age Consultation Program, for consultation to the receiving LEA if placement is other than NMSD preschool.</li> </ul> <p><b>New Mexico School for the Blind &amp; Visually Impaired will:</b></p> <ul style="list-style-type: none"> <li>• NMSBVI will be invited to attend transition conferences. and will assist with consideration of placement options and adaptations that may be needed.</li> <li>• NMSBVI will provide current assessment information and present levels of performance in a timely manner when</li> </ul>
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<p>completed before the child transitions (including enrollment; immunizations; transportation; or medical needs, etc.)</p> <p>Family Service Coordinator shall document all outcomes and decision of the Transition Conference in the IFSP.</p> <p>If a parent refuses the referral to Part B the Family Service Coordinator should provide the parents(s) with a prior written notice that Part C services will end at the time of their child's third birthday. The Family Service Coordinator will also provide the family a copy of their Procedural Safeguards at this time.</p>			<p>given sufficient notice to prepare reports.</p> <ul style="list-style-type: none"> <li>The NMSBVI staff will assist with determining 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 transitioning child: Auditory, Tactile, Visual, and for making recommendations about the recommended literacy mode for the child to the IEP team upon transition.</li> </ul> <p><b>UNM-Taos Early Childhood Resource Center (ECRC) will:</b></p> <ul style="list-style-type: none"> <li>When invited by families attend Transition conference, as appropriate.</li> <li>Will provide family with information about program/community services.</li> </ul>
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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.

**Questions To Consider**

- Who from the LEA is responsible for conducting the initial comprehensive evaluation in all areas of suspected disability?
- How will a group of qualified professionals from the LEA review existing information provided by FIT?
- How will the LEA evaluation team use FIT information in supporting Part B eligibility determination?
- How will the parent have input?
- If additional data and assessment are needed, how will the LEA coordinate activities?
- If needed, how will NMSBVI and NMSD be involved?
- What is FITs role in the process?
- When and where is the eligibility determination meeting held?

FIT PROVIDER	LEA	HEAD START	OTHER
	<p><b>LEA Special Education Coordinator or Designee will:</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• schedule a date for initial evaluation</li> <li>• conduct the initial evaluation within 60 days of the Consent Form for Preschool Evaluation signed by the parent(s).</li> <li>• conduct the initial evaluation in</li> </ul>		



	<p>accordance with 34 CFR § 300.304 to include a variety of measures and sources, parents may be contacted for further information.</p> <ul style="list-style-type: none"><li>• Provide qualified professionals with existing FIT documentation.</li></ul>		
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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.)

### Questions to Consider

- [How will the LEA meet to determine eligibility?](#)
- [How will the parents be involved in the process?](#)
- [How will FIT be involved in the process?](#)
- [How will state supported schools or other partners be involved in the process?](#)

FIT PROVIDER	LEA	HEAD START	OTHER
	<p><b>Eligibility Determination Meeting</b></p> <p>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.</p> <p>LEA will determine eligibility for Part B services that includes the review and use of existing Part C evaluations and assessments and the IFSP information as part of the initial evaluation. Evaluations provided by Early Intervention must have been administered within six months of transition conference date in order to be considered valid.</p>	<p>Appropriate Head Start staff will attend the Eligibility Determination Meeting upon invitation from the LEA.</p>	<p><b>NMSBVI &amp; NMSD:</b></p> <ul style="list-style-type: none"> <li>• NMSBVI will participate, with parent permission on the IFSP/IEP team.</li> <li>• NMSBVI and NMSD will provide current assessment information and present levels of performance in a timely manner <b><u>when given sufficient notice</u></b>, to be used in eligibility determination and program design.</li> </ul>

## 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.

Questions to Consider

- Who sends and who are the recipients of the Evaluation Report and documentation?
- If FIT and state supported school providers are to receive a copy of the report from the LEA, when will parent consent to release it to them be obtained (at the Transition Conference, at the Eligibility Determination Meeting, etc.)?
- How will FIT providers verify if the child was made eligible for Part B?

FIT PROVIDER	LEA	HEAD START	OTHER
FIT Family Service Coordinator will receive Eligibility Determination from the LEA with parental consent.	LEA shall provide a copy of the evaluation report and the documentation of the eligibility determination to the parent(s). Documentation of eligibility must be sent to the referring FIT provider no later than the child's third birthday with parent consent.	Head Start will receive Eligibility Determination from the LEA with parental consent.	<b>UNM Northern TTAP Child Care Inclusion</b> When invited, and with parent permission, the Inclusion Specialist will attend the IEP meeting

## 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 Family Service Coordinators or other representatives of the Part C system.

**7.30.8.13 I (1)**

The family 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 Family Service Coordinator, with parent consent, shall provide any new or updated documents to the LEA in order to develop the IEP.

### Questions to Consider

- Who from the LEA is responsible for developing the IEP?
- How and when will the LEA inform the parents of their right to invite other representatives (FIT, Head Start, etc.) to the IEP meeting?
- If needed, how will NMSBVI and NMSD be involved?
- How and when will FIT and others be invited to the IEP meeting with parental consent?
- When invited, how will FIT coordinate participation of appropriate early intervention staff in the IEP meeting?
- What is the process for children whose third birthday occurs during the summer?

<b>FIT PROVIDER</b>	<b>LEA</b>	<b>HEAD START</b>	<b>OTHER</b>
<p>FIT Provider will participate in the IEP meeting at the parent's request.</p> <p><b>Once child transitions to Part B Programs:</b></p> <p>Post transition service coordination 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</p>	<p>LEA at the request of the parent must send an invitation to the Part C Family Service Coordinator or other representatives of the Part C system to assist with the smooth transition services.</p> <p>LEA will provide a copy of the Procedural Safeguards to the parents.</p> <p>LEA will begin Part B services on</p>	<p>If the family selects Head Start, Early Head Start/Head Start staff will, once contacted by the family initiate the application process. A completed application is the first step to be considered for enrollment. Complete all necessary paperwork.</p>	<p><b>UNM Taos Early Childhood Resource Center will:</b></p> <p>When invited, and with parent permission, the Inclusion Specialist will attend the IEP meeting</p> <p><b>PRO will:</b></p> <p>Collaborate with the PTI to support families with IEP questions</p>

<p>Program’s service standards.</p> <p>Post transition service coordination may involve visits with the family, consultation to staff of the receiving agency/agencies, an evaluation of the effectiveness of the transition process.</p> <p>Post transition service coordination activities must be documented in the IFSP.</p>	<p>the date specified on the IEP.</p> <p>Preschool services will begin at the child’s third birthday, unless otherwise stated on the IEP.</p> <p>In the case of a child with a hearing loss, even if the hearing loss is not the child’s primary condition, the Communication Considerations for Children with a Hearing Loss IEP addendum MUST be completed by the IEP team to facilitate discussion around the child’s communication needs. NMSD Outreach are available to IEP teams for support and consultation.</p>	<p>If child is to receive special education services, Early Head Start/ Head Start will attend IEP as requested by parent</p>	<p><b>NMSBVI and NMSD (PICP &amp; CECT) will:</b></p> <ul style="list-style-type: none"> <li>• be invited to the IEP at the parent/guardian’s request. NMSBVI &amp; NMSD CECT Consultant will collaborate with the LEA in planning placement options and provide for appropriate programming and service delivery.</li> </ul> <p>Recommended process if district has their own TVI/O&amp;M or contracts for those services:</p> <ul style="list-style-type: none"> <li>• Contact the district’s TVI; share FVE, LMA, O&amp;M assessment</li> <li>• Identify needs of the student for TVI</li> <li>• Work with TVI, if requested, to complete paperwork for IEP</li> <li>• Districts’ TVI/O&amp;M contact information attached</li> </ul> <p>Recommended approach for district with no VI services:</p> <ul style="list-style-type: none"> <li>• Contact SPED director to notify district of student who will need services</li> <li>• Contact school or individual from district who will hold the IEP</li> </ul>
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			<ul style="list-style-type: none"> <li>• Follow the lead of the district.</li> </ul> <p><b>PLEASE, make sure you let NMSBVI know if this student needs but will not receive services.</b></p> <p>NMSBVI’s role in school-based programming statewide.</p> <p>NMSBVI provides the following supports to districts:</p> <ul style="list-style-type: none"> <li>• NMSBVI will complete functional vision/learning media assessments in districts that have no VI personnel;</li> </ul> <p>Additional services:</p> <ul style="list-style-type: none"> <li>• Complete the assessment of the student and provide a written report</li> <li>• Attend IEP if needed</li> <li>• Complete a district wide needs assessment. This is a type of file review that helps a district identify all of the students in the district that have a VI diagnosis; identifies which services each student receives, date of the last FVE/LMA; meets with SPED</li> </ul>
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			<p>director to review.</p> <ul style="list-style-type: none"> <li>• Support the district's efforts to secure highly qualified staff for students in district</li> <li>• NMSBVI does not provide direct services to a school district's students with visual impairments.</li> <li>• AA statewide database for students who are blind/visually impaired is under development as a way to follow students and help ensure services are/become available to them.</li> <li>• Please make sure you get information to the Outreach department (Valerie: 505 859-0430) about all students around the state that you transition.</li> <li>• NMSBVI Infant Toddler staff or NMSBVI Outreach staff will attend 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</li> </ul>
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			<p>environmental modifications and provide recommendations for level of service. NMSBVI will complete the Consideration of Special Factors form (from IDEA-97): consideration of the child's future needs and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille). 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 for Special Factors Form, and for making recommendations concerning the literacy mode for the child to the IEP team upon transition.</p> <p><b>NMSD</b>  In the case of a child with a hearing loss, even if the hearing loss is not the child's primary condition, the Communication Considerations for Children with a Hearing Loss IEP</p>
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			addendum MUST be completed by the IEP team to facilitate discussion around the child's communication needs. NMSD Outreach is available to IEP teams for support and consultation.

IN WITNESS WHEREOF, the following signatures are affixed:

**SIGNATURES/DATES**

Make sure that all the parties to the agreement sign and date it. All the parties listed in the heading of the agreement must sign. Without a signature to the agreement, the agency is not accountable. Assure that a person in authority from the agency is signing the agreement. The agreement can be signed at a meeting with the agencies involved.

\_\_\_\_\_  
Jose Rodriguez, Executive Director  
EnSueños Y Los Angelitos Development Center

\_\_\_\_\_  
Date

\_\_\_\_\_  
Megan McPeek, Director of Exceptional Programs  
Taos Municipal Schools

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lynn Galusky, Special Education Director  
Questa Independent Schools

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dr. Theresa Baca Watson, Superintendent  
Peñasco Independent Schools

\_\_\_\_\_  
Date

\_\_\_\_\_  
Melvin Valdez, Head Start Manager  
Taos Pueblo Early Childhood Education Center  
Head Start & My 1<sup>st</sup> School

\_\_\_\_\_  
Date

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Judy Jiron-Garcia  
Youth Development, Inc. Head Start

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Date

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Kristi Halus, Early Intervention Involvement, NE Regional  
Supervisor  
New Mexico School for the Deaf

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Date

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Winton Wood, Family Representative

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Date

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Loreta Martinez-Cargo, Regional Consultant  
New Mexico School for the Blind and Visually Impaired,  
Early Childhood Program

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Date

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Melissa Quintana, Supervisor  
Children Youth and Families Department,

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Date

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Sandra Harrington, Childcare Inclusion Specialist  
UNM Northern Training and Technical Assistance Programs

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Date

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Camila Gutierrez, Family Liaison  
Parents Reaching Out

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Date

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Alvino Sandoval  
Education for Parents of Indian Children with Special Needs

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Date