

# New Mexico LEA Responsibilities Regarding Child Find for Preschool Students who Reside on a Reservation within LEA Jurisdiction



## Child Find GUIDANCE DOCUMENT



November 2019



# **ACKNOWLEDGEMENTS**

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The document is a result of a combined meeting of representatives from New Mexico Department of Health, Family Infant Toddler (FIT) Program, the New Mexico Public Education Department, Special Education Bureau (SEB), Parents Reaching Out (PRO), Education for Parents of Indian Children with Special Needs (EPICS), and Local Education Agencies (LEA).

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## DEFINITION OF TERMS

**APR** – Annual Performance Report

**BIA** – Bureau of Indian Affairs

**BIE** – Bureau of Indian Education

**CHILD FIND:** "Child Find" is the affirmative, ongoing obligation of states and local districts to identify, locate, and evaluate all children with disabilities residing within the jurisdiction who are in need of special education and related services. [34 CFR 300.111 \(a\)\(1\)\(i\)](#). Child Find. Each public agency shall adopt and implement policies and procedures to ensure that all children with disabilities who reside within the agency's educational jurisdiction, including children with disabilities attending private schools or facilities such as residential treatment centers, day treatment centers, hospitals, mental health institutions, detention and correctional facilities, children who are schooled at home, highly mobile children, children who reside on Indian reservations and children who are advancing from grade to grade, regardless of the severity of their disability, and who are in need of special education and related services, are located, evaluated and identified in compliance with all applicable requirements of 34 CFR Secs. 300.111, 300.131, 300.301-306 and these or other department rules and standards. For preschool children, child find screenings shall serve as interventions under Subsection B of 6.31.2.10 NMAC.

**DD** – Developmental Delay

**Eligible children** – Children birth to three years of age who reside in the state as defined in NMAC 7.30.8.7(T) who have an established condition, qualifying degree of developmental delay, environmental risk, or bio/medical risk.

**Part B ages 3-5 years of age:** In order to be eligible as a "student with a disability" under the IDEA, the student must meet the definition of one or more of the categories of disabilities, which include: intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as "emotional disturbance"), an orthopedic impairment, autism, traumatic brain injury, other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities; and need special education and related services as a result of his disability or disabilities.

**FACE** – Family and Child Education (BIE Program)

**FAPE** – Free Appropriate Public Education

**Federally Recognized Tribes:** A federally recognized tribe is an American Indian or Alaska Native tribal entity that is recognized as having a government-to-government

relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation, and are eligible for funding and services from the Bureau of Indian Affairs.

**FERPA** – Family Educational Rights and Privacy Act

**FIT** – Family Infant Toddler Program (Part C)

**FSC** – Family Service Coordinator

**IDEA** – Individuals with Disabilities Education Act

**Part B** – Assistance for Education of all children (age three up to twenty-two) with disabilities

**Part B 619** – Assistance for Education of all children (age three to five) with disabilities

**Part C** – Services for infants and toddlers with disabilities (birth to three) or risk for developmental delay and their families

**IEP** – Individualized Education Program

**IFSP** – Individualized Family Service Plan

**LA** – Lead Agency

**LEA** – Local Education Agency, not including the schools funded or operated by the Bureau of Indian Education, including Charter schools as defined in NMAC (citation).

**MOU** – Memorandum of Understanding

**NM DOH** – New Mexico Department of Health

**NM PED** – New Mexico Public Education Department

**Parent** – 34 C.F.R. 300.20, a “parent” is defined as a natural or adoptive parent of a child, a guardian (but not the State if the child is a ward of the state), 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 appointed in accordance with Section 300.515

**PED 619**– Public Education Department (**Part B**)

**SEA**- State Education Agency

**STARS** – Student Teacher Accountability Reporting System

New Mexico LEA Responsibilities Regarding  
Child Find for Preschool Students  
Who reside on a Reservation within LEA Jurisdiction

**Child Find Guidance Document**

**November 2019**

This document is intended to be used by LEAs (part B-619 and C), schools operated or funded by the Secretary of the Interior, BIE (Tribal, Grant Schools, Family and Child Education (FACE) program, and BIE schools), Head Start Programs, and other agencies working with 3-5 children on reservations. For timelines and regulations see NMAC: 7.30.8.12, NMAC: 7.30.8.10 (d) (7), NMAC 7.30.8.13 (g) (2), NMAC: 6.31.2.10, CFR 300.111, which is cited in the Transition Part C to Part B Guidance Document.

**Purpose**

There has been confusion about who is responsible for providing special education services for preschool children (age zero to three), and preschoolers (age 3–5) who reside on a Reservation within the Local Education Agency's (LEA's) jurisdiction in accordance with the Individuals with Disabilities Education Act (IDEA).

It is not enough for schools to wait until parents inquire about, or request, an IDEA evaluation based on a suspicion of a disability. Schools must maintain a system of notices, outreach efforts, staff training, and referral processes designed to determine when there are reasonable grounds to suspect a disability and potential need for special education services.

**Framing the Issue**

There are many children in New Mexico (Birth to age 5) who reside on a Reservation within an LEA's Jurisdiction. This document provides guidance as to who is responsible for providing special education services, reporting to the Office of Special Education Programs (OSEP), and ensuring that Child Find is carried out for those children. The following are some of the questions addressed in this document:

1. How are Child Find responsibilities carried out?
2. How do children birth to age 3 and their families on the reservation receive special education Part C services?
3. How are federal reporting requirements carried out?
4. How do the BIE age 3 to 5 population and FACE programs interface with LEAs?
5. How should memorandums of understanding (MOUs) be used to ensure services are provided for children (birth to age 3 and ages 3 to 5) residing on reservations and Lead Agencies (LAs)/LEAs that have jurisdiction for those children?

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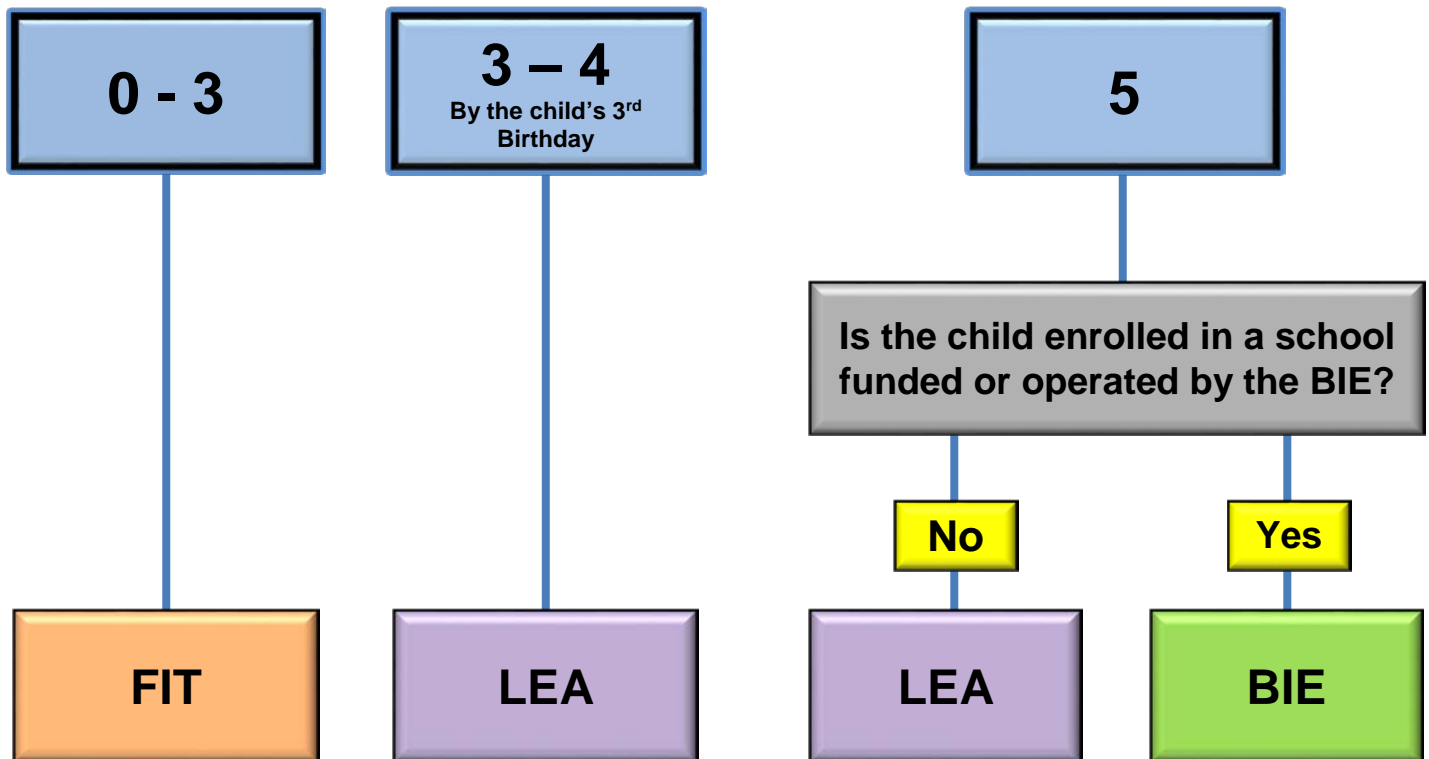
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## Who Provides Direct Services to Children who Reside on Reservations?



If Eligible:

**FIT:** Family Infant Toddler (FIT) Program

**LEA:** Local Education Agency, who is not the Bureau of Indian Education, including Charter Schools

**BIE:** Bureau of Indian Education

**1. Is the FIT Program responsible for providing early intervention services to children (birth to age three) who have or are at risk for developmental delay or disability, and their families residing on a reservation within the State of New Mexico?**

**Answer:** Yes, the FIT Program is responsible for ensuring that early intervention services are available to all eligible children (birth to age three) and their families, including those children who reside on a reservation geographically located in the state. NMAC: 7.30.8.7(z).

When a child birth to three has been identified through Child Find, it is the responsibility of the FIT Program to provide an appropriate evaluation, as defined in the NMAC: 7.30.8.10.A

**2. Who is responsible for the cost of Child Find and for direct services to eligible children who reside on a reservation geographically located in the state?**

**Answer:** The FIT Program is responsible for the cost of Child Find and for direct services who reside on a reservation geographically located in the state. The FIT Program is ultimately responsible for providing services at no cost to the family as the “payer of last resort”; however, other public and private resources, if authorized, must be explored.

34 CFR 303.731 (d) (1) “Use of funds.--The funds received by a tribe, tribal organization, or consortium shall be used to assist States in Child find, screening, and other procedures for the early identification of Indian children under 3 years of age and for parent training. Such funds may also be used to provide early intervention services in accordance with this part. Such activities may be carried out directly or through contracts or cooperative agreements with the Bureau of Indian Affairs, local educational agencies, and other public or private nonprofit organizations. The tribe, tribal organization, or consortium is encouraged to involve Indian parents in the development and implementation of these activities. The above entities shall, as appropriate, make referrals to local, State, or Federal entities for the provision of services or further diagnosis.”

**3. Where are eligible children served?**

**Answer:** To the maximum extent appropriate for the needs of the child and family, early intervention services must be provided in natural environments, including the home and community settings in which children without disabilities participate. NMAC: 7.30.8.7

Early intervention services are provided in natural environments in a manner/method that promotes the use of naturally occurring learning opportunities and support the integration of skills and knowledge into the family’s typical daily routine and lifestyle.

This includes settings where a child typically lives, learns and plays. This may also include a home, a childcare setting, recreation centers or other community settings, and a child’s typical daily routines such as playtime, bath time and mealtime. Natural environments can be inclusive of all settings regardless of geographic location.

**4. Who is responsible for early child outcomes (ECO) data collection?**

**Answer:** The FIT Program is responsible for the collection and entry of ECO data and submission to OSEP. Please reference the New Mexico Part C to Part B Transition



## **5. What occurs when a child turns 3 years?**

**Answer:** All eligible children are transitioned from Part C to Part B. When a child eligible for FIT services turns 3, the child legally ages out of Part C services. All children transition to something (sometimes home!). With parent permission, children served under FIT categories of DD and EC are referred to Part B, and those who are evaluated and found eligible for Part B services transition to Part B. Parent consent is required for each step of this process up to consent for initial provision of Part B services for Part B-eligible children. Please reference the New Mexico Part C to Part B Transition Guidance Document.

## **6. Who is responsible for the transition of eligible children to the Part B preschool program?**

**Answer:** The FIT Program is responsible for notifying the LEA(s) when a potentially eligible child is transitioning. Please reference the New Mexico Part C to Part B Transition Guidance Document.

New Mexico Part C to Part B Transition Guidance Document

<https://webnew.ped.state.nm.us/wp-content/uploads/2019/08/NM-Guidance-Children-Transitioning-from-IDEA-Part-C-to-Part-B.pdf>

## **Three- to Five- Year-Olds:**

### **1. Tribal entities may receive funds for Child Find; under Section 618 of the IDEA. Who counts the children when reporting to OSEP?**

**Answer:** Each state is required to submit an annual report of the number of students receiving special education and related services. 34 CFR § 300.644

Tribal entities receive IDEA Part B funds **to assist** States in conducting Child find for children aged three to five suspected of having a disability. BIE is not responsible for conducting Child find or providing special education and related services to children with disabilities aged three through five (with the exception of five-year-old children enrolled in a BIE school).

BIE should not be counting the students in the Annual Report of children served. The LEA is responsible for conducting Child find and providing special education and related services to children with disabilities aged three through five who reside on a reservation within the LEA's jurisdiction. The LEAs are responsible for including those children in their child count, reporting data under section 618 of IDEA, reporting in the Student Teacher Accountability Reporting System (STARS) completing evaluations, and determining eligibility.

## **2. How is placement for a 3- to 5-year-old child decided?**

**Answer:** Placement, including educational setting, is an IEP team decision. The team, which includes the parent, determines the appropriateness of the setting and how services will be provided. Unless the student's IEP requires some other kind of arrangement the student attends the same school i.e., FACE, Head Start or alternative program, he or she would attend if not eligible for special education services. If the parent does not agree with the decision of placement, they have a right to access the alternative dispute resolution process or formal dispute resolution system to resolve the dispute. Please reference the Parent and Child Rights in Special Education: Procedural Safeguards Notice. <https://webnew.ped.state.nm.us/bureaus/special-education/>

Placement is not the physical location of the special education services. Rather, it is the set of services **and** the type of environment, or the spot on the continuum of services, in which those services are delivered.

**Note:** Under 34 CFR 300.116(a), the placement decision must be made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options. In some States, the IEP team serves as the group making the placement decision. This does not violate the IDEA so long as the required members of the group that determines the educational placement meet the requirements of the IDEA as set

**Regulations Governing Placement: 34 CFR § 300.114 to 300.116**

Sec. 300.114 LRE requirements <https://sites.ed.gov/idea/regs/b/b/300.114>

Sec. 300.115 Continuum of alternative

placements <https://sites.ed.gov/idea/regs/b/b/300.115>

Sec. 300.116 Placements <https://sites.ed.gov/idea/regs/b/b/300.116>

**3. If the IEP team determines that FACE, Head Start, or an alternative program is the appropriate placement and setting, how is that data collected?**

**Answer:** The LEA will be responsible for entering the students into the Student Teacher Accountability Reporting System (STARS) each reporting period.

**4. Indicator #7 in the State Performance Plan (Early Childhood Outcomes) requires annual reporting to OSEP. Who is responsible for the data collection and reporting?**

**Answer:** The LEA is responsible for data collection and reporting results, by the student's unique identifying number, to the State for submission to OSEP

**Indicator 7:** Percent of preschool children with IEPs who demonstrate improved:

- Positive social-emotional skills (including social relationships),
- Acquisition and use of knowledge and skills (including early language/communication and early literacy), and
- Use of appropriate behaviors to meet their needs 20 U.S.C. 1416 (a)(3)(A))

**5. Does the FACE program provide direct Special Education and Related Services under Part B for the 3–5 population?**

**Answer:** No, the LEA is responsible for providing the special education and related services. FACE is a Bureau-funded program but does not receive funding for a preschool program to provide Part B special education and related services for children aged three to five. However, the FACE program may help with Child Find and Screening. It is important to note that the FACE program is an educational setting.

**6. What are the Federal Requirements for States, LEAs, and BIE for Child Find and services for children qualifying disabilities aged 3–5 with in special education?**

**Answer:** Pursuant to 34 CFR § 300.111 (Child Find Responsibility), all children are to be identified, located, and evaluated. For further detail, see the regulations below.

**34 CFR § 300.111 Child Find** <https://sites.ed.gov/idea/regs/b/b/300.111>

**34 CFR § 300.712 Payments for education and services for Indian children with disabilities aged three through five** <https://sites.ed.gov/idea/regs/b/q/300.712>

**34 CFR § 300.707 Use of amounts by Secretary of the Interior.**  
<https://sites.ed.gov/idea/regs/b/q/300.707>

**Note:** SEAs often assign LEAs the responsibility for conducting Child Find for children suspected of having a disability within the jurisdiction of the LEA.

**Note:** While some tribal entities receive Part B funds to assist in Child Find, screening, and other procedures for the early identification of children aged three through five, it is the SEA that is responsible for conducting child find for all children aged three through five on reservations, with the exception of five-year-olds enrolled in an elementary school operated or funded by the Secretary of the Interior.

**Note:** It's still the LEA's responsibility to report on the IDEA Section 618 data for child count and educational environments.

- 7. What should be included in the MOU between the LEAs and the BIE to ensure special education and related services and child find are appropriately provided for children with qualifying disabilities residing on reservations within the jurisdiction of the LEA?**

**Answer:**

- Define which service will be provided by each party.
- Ensure that children eligible for special education services receive a free appropriate public education (FAPE), as required by law, in the least restrictive environment (LRE).
- Ensure that each party cooperatively maintains communication and shares leadership responsibilities at the local level to ensure available resources are used in the most effective manner.
- Ensure that cooperative arrangements between LEAs and FACE are developed, implemented, and preserved. Review MOU annually to ensure all new staff for all agencies are notified of responsibility.

## Contacts

Phone numbers are included within each website provided

GENERAL SUPERVISION, SECTION 619-PRESCHOOL, EARLY CHILDHOOD ED	<a href="https://webnew.ped.state.nm.us/bureaus/special-education/staff/">https://webnew.ped.state.nm.us/bureaus/special-education/staff/</a>
FAMILY INFANT TODDLER PROGRAM MANAGER	<a href="https://nmhealth.org/about/ddsd/pgsv/fit/staff/">https://nmhealth.org/about/ddsd/pgsv/fit/staff/</a>
FACE DIRECTOR	<a href="https://www.faceresources.org/contact/">https://www.faceresources.org/contact/</a>
TRIBAL EDUCATION DEPARTMENTS	<a href="https://webnew.ped.state.nm.us/bureaus/indian-education/grants/">https://webnew.ped.state.nm.us/bureaus/indian-education/grants/</a>
SCHOOL DISTRICTS & CHARTERS	<a href="https://webnew.ped.state.nm.us/bureaus/indian-education/school-district-initiatives/">https://webnew.ped.state.nm.us/bureaus/indian-education/school-district-initiatives/</a>

**MEMORANDUM OF UNDERSTANDING  
BETWEEN Name of County PUBLIC  
SCHOOLS AND School Name**

This Memorandum of Understanding, hereinafter referred to as "Agreement", is between Name of County County Schools, a Local Education Agency (LEA), hereinafter referred to as "Initials of County" and School Name, hereinafter referred to as "School Initials" and its Family and Child Education Program, hereinafter referred to as "FACE", respectively, and is in effect from January 2009 to January 2012.

**I. PURPOSE**

The purpose of this Agreement is to establish a cooperative relationship and working procedures between Initials of County and School Initials FACE program in the provision of special education and related services to eligible children in compliance with applicable federal, Tribal Name and state laws and regulations. Eligible children are those children, ages 3 to 5, with disabilities who reside in Initials of County.

The intent of this Agreement is to

6. define which services will be provided by each party;
7. ensure that children eligible for special education services receive a free appropriate public education (FAPE), as required by law, in the least restrictive environment (LRE);
8. ensure that each party cooperatively maintains communication and shares leadership responsibilities at the local level to ensure available resources are used in the most effective manner; and
9. ensure that cooperative arrangements between Initials of County and School's FACE are developed, implemented, and preserved.

**II. PROGRAM MANDATES**

Initials of County will be responsible for

1. providing services to eligible children, ages 3-5, on a mandatory basis as defined by Public Law 108-446, Individuals with Disabilities Education Act (IDEA 2004; IDEIA);
2. providing eligible children a free appropriate public education (FAPE), including the development and implementation of an Individual Education Program (IEP), which contains all of the required components, as well as parental participation, procedural safeguards, and the provision of related services; and
3. determining and placing eligible children in the most appropriate setting, which shall be the least restrictive environment (LRE) with multiple opportunities to learn, develop, and form positive relationships with peers who do not have disabilities.

FACE will be responsible for

1. supporting Child Find activities;

2. screening children for potential problems in health and early development within 45 days of enrollment when Initials of County has not performed such screening; and
3. referring children determined to have developmental delays to appropriate professionals, including Initials of County providers, for diagnostic evaluation within established time frames.

Initials of County and FACE will be responsible for

1. working closely with community and other agencies in order to provide effective services to eligible children;
2. working cooperatively with parents/legal guardians to develop and implement IEPs for eligible children; and
3. providing native language interpretation for families as needed.

### III. PROGRAM CONTACT INFORMATION

A. For Initials of County: B. For School District:

First and Last name, Superintendent First and Last Name, Superintendent Name of County District Name  
P.O. Box Address Street Address  
City, State, Zip Code P.O. Box Address  
(Area Code) Phone Number City, State, Zip Code  
(Area Code) Phone Number

### IV. SPECIAL EDUCATION SERVICES

A. Child Find/Screening

Initials of County and FACE will

1. participate jointly on Child Find teams to plan and assist with Child Find screening events for children, ages 3–5, who reside in Initials of County;
2. coordinate the screening process and procedures as well as the selection and use of screening instruments and assessment materials; and
3. conduct Child Find screenings together at designated community-based sites in Initials of County, preferably at Name of School FACE located in Initials of County.

Initials of County will

1. provide screening results to parents/guardian(s) and FACE and inform parents/guardians(s) of program options that may be available to them and their child; and

2. provide a native language interpreter for families and children who need such assistance throughout the Child Find screening process.

FACE will

1. provide transportation, when needed, to families and children, ages 3–5, residing in Initials of County; and
2. provide a native language interpreter for families and children who need such assistance throughout the Child Find screening process.

## **B. Referral for Evaluation**

Initials of County will

1. follow all Initials of County and New Mexico Public Education Department (NMPED) guidelines for referral;
2. provide referral forms and a “single” point of contact or use appropriate FACE forms to avoid duplication;
3. provide training to FACE staff on the delivery of special education services and the timely completion of referral forms;
4. provide all appropriate written evaluation reports to FACE; and
5. schedule and facilitate IEP team meetings, using a native language interpreter when needed, to share evaluation results with parents/guardian(s) and

FACE will

1. obtain information documenting the need for referral;
2. provide a referral for each child by completing designated referral forms; and
3. submit completed referral forms to Initials of County for action as per Initials of County/NMPED and Name of School timelines.

## **C. Comprehensive Evaluation**

Initials of County will

1. formally evaluate children who may require special needs services at FACE, in their most natural environment, with agreed upon assessments for vision, hearing, speech/language (SLP), occupational therapy (OT), physical therapy (PT), and psycho- educational development;
2. whenever possible, conduct appropriate evaluations at designated Name of School sites;
3. provide evaluation assessments, materials and testing protocols;
4. provide a native language interpreter for families in need of such assistance for all formal evaluations;
5. provide written evaluation reports according to IDEIA requirements; and
6. initiate Individualized Education Program (IEP) meetings, when appropriate.

FACE will



1. provide initial developmental, hearing, and vision screening within 45 days after a child's enrollment and report results to Initials of County when there are identifiable concerns;
2. compile background information for all children with identified concerns using the appropriate Initials of County and FACE forms;
3. obtain signatures from parents/ guardian(s) for permission to share information that may result in an evaluation;
4. notify Initials of County that parental permission to share information has been obtained within twenty-four (24) hours of obtaining consent;
5. notify parents/ guardian(s) verbally and in writing of the date, time and place of evaluation;
6. provide families with transportation, when necessary, to appointments at designated Initials of County sites and/or Name of School sites;
7. provide a native language interpreter for families in need of such assistance for all evaluations; and
8. participate in IEP team meetings when appropriate and notify parents/ guardian(s) in a timely manner of such meetings.

#### **D. Individualized Education Program (IEP) Development**

Initials of County and FACE will

1. set up IEP meetings cooperatively, including the provision of a native language interpreter when needed; and
2. develop IEP goals and objectives cooperatively with parents/ guardian(s) to meet each child's educational needs and in accordance with ADA requirements.

Initials of County will

1. initiate the IEP process by notifying appropriate Name of School staff that all evaluations are completed;
2. use Initials of County's IEP forms; and
3. provide copies of each child's IEP to parents/ guardian(s) and to appropriate Name of School staff and teachers, with the signed parent consent form.

FACE will

confirm the date/time/place of IEP meetings with parents/ guardian(s) verbally and in writing.

#### **E. Placement**

Initials of County will

1. follow federal and state guidelines and requirements for placement;

2. conduct IEP meetings with parents/guardian(s) to determine the least restrictive environment (LRE) for each child and inform them of procedural safeguards and due process; and
3. provide a native language interpreter for families when needed.

**FACE will**

1. provide community-based placement for identified children in the least restrictive environment (LRE);
2. follow eligibility criteria for enrollment in FACE; and
3. provide program information packets to parents/guardian(s) of children referred to any of Name of School's family/early education programs.

**F. Specific Program Service Delivery**

**Initials of County will**

1. provide direct educational and related services and/or consultative therapy to meet each child's IEP goals;
2. plan and conduct continuous in-service training to FACE staff on culturally sensitive techniques for working with and supporting young children with disabilities; and
3. provide ongoing staff consultation and training to meet each child's IEP goals.

**FACE will**

1. collaborate with Initials of County to implement IEP goals;
2. provide educational materials and equipment for classroom curriculum and IEP implementation;
3. provide appropriate services to children in accordance with ADA eligibility guidelines as necessary; and
4. provide transportation for children, when needed, to designated community sites for service delivery.

**G. Procedures for Review/Monitoring Child's Progress**

**Initials of County will**

1. provide ongoing consultation to appropriate FACE staff regarding each child's progress;
2. prepare written progress reports for each child as requested by parents/guardian(s) to maintain consistent communication and submit them to the appropriate FACE staff;
3. initiate an annual review meeting on the child's progress with parents/guardian(s) and appropriate staff and, when needed, provide native language interpretation; and

4. notify parents/guardian(s) of the annual review meeting in a timely manner, verbally and in writing.

FACE will

1. keep daily attendance records for each child served and a current log of Initials of County and other service provider visits;
2. consult with Initials of County staff regarding each child's progress;
3. report the child's progress to parents/guardian(s) at scheduled meetings;
4. meet with parents/guardian(s) when Initials of County progress reports are received to share and explain their child's progress and Initials of County progress reports; and
5. participate in annual review meetings with Initials of County staff and parents/guardian(s).

#### **H. Procedures for Hiring and Supervising Staff Providing Special Services**

Initials of County and Name of School will

1. follow their own specific hiring procedures;
2. hire and supervise their own staff;
3. provide appropriate personnel for carrying out the terms of this Agreement;
4. notify each other of any concerns and needs of the staff on site at Name of School; and
5. communicate with each other about any other pertinent information/situations that will affect children and/or the timely delivery of services.

#### **V. SPECIAL EDUCATION SERVICES**

FACE will be responsible for:

1. documenting and providing written observations of each child's social-emotional development and any identified issues/concerns, in collaboration with other Name of School staff;
2. obtaining a completed Medical Health History for each child enrolled;
3. using the Ages & Stages Questionnaire (ASQ) and Ages & Stages Questionnaire: Social Emotional Checklist (ASQ:SE) to assess the developmental level of each child within 45 days after enrollment;
4. conducting interviews with parents/guardian(s) on their child's social-emotional development when there are concerns that staff and/or parents/guardian(s) may have identified;
5. conducting more specific screening of a child by appropriate staff and/or health professionals when the observational assessments indicate a need for further attention;

6. immediately informing parents/guardian(s) when further screening of their child indicates the need for special education services and requesting their permission, with signed consent forms, to have their child undergo further professional evaluation by
  - i. Mental Health Physician (Westernized Mental Health Services) or
  - ii. Native Practitioner (Traditional Diagnostician/Healer) or
  - iii. Both
7. making referrals for FACE children by
  - i. having parents/guardian(s) and their child's teacher complete the appropriate assessments as mandated by each program (e.g., ASQ, ASQ:SE, Work Sampling System, Mental Health Behavior Checklist); and
  - ii. completing the appropriate referral and consent forms for each child and forwarding them to Initials of County; and
8. ensuring that each child and family will have transportation to the evaluation and assessment site(s).

Initials of County will be responsible for

1. accepting the referral and supporting documents from FACE staff and timely action on the concerns identified; and
2. providing formal evaluation and assessment in the following areas:
  - a. Physical Coordination/Development
  - b. Intellectual Development
  - c. Sensory Development
  - d. Emotional Development
  - e. Social Development
  - f. Speech/Language Development
  - g. Physical Examination

Initials of County and Name of School will be responsible for

1. actively participating as members of a Study Team. The Study Team, comprised of the parents/guardian(s), child's teacher, and as appropriate, the Health Initials of County representative, and other concerned service providers for the child, will attend this meeting; and
2. ensuring that the parents/guardian(s), members of the Study Team and other service providers review the child's progress.

## VI. TRANSITION

The transition of children with disabilities in the Name of School Community occurs when a child is exiting the Name of School Early Intervention Program (EI) or another EI program and enters Name of School FACE, Head Start, or a local preschool or child care center. Another transition occurs when a child is exiting from a preschool setting and enters a kindergarten program at Initials of County or at Name of School District

Schools, a Bureau of Indian Education (BIE)-funded grant school. Effective transition occurs when all appropriate parties are communicating, including but not limited to Initials of County, Name of School District Schools, EI, and the parents/guardian(s) of the child with a disability. In order to assure the effective transition of children from one educational setting to another, the following procedures have been established.

Initials of County and Name of School will

1. cooperate in coordinating the scheduling of transition activities, including 90-day transition conferences, initiated by EI, for parents/guardian(s) of children exiting EI and appropriate staff to discuss options for the most appropriate placement for their children;
2. cooperate in arranging family visits and transport, when needed, for transitioning children and their parents/guardian(s) to local family/early education programs and schools, before their annual review meeting;
3. provide each family with written parent information for the program/school in which their child has enrolled; and
4. provide a native language interpreter for families in need of such assistance throughout the transition process.

## TECHNICAL ASSISTANCE

Initials of County and FACE will

1. inform each other of all pertinent training opportunities related to services for young children with disabilities and invite staff to participate;
2. coordinate Initials of County training and technical assistance activities, as appropriate, with all program calendars to ensure full staff and, as applicable, family participation; and
3. network and collaborate with local/regional resource programs, such as Indian Children's Program (ICP), Parents Reaching Out (PRO), Educating Parents of Indian Children with Special Needs (EPICS), and National Indian Parent Information Center (NIPIC), on staff training and family/parenting education, advocacy and ongoing support.

## VII. CHILD COUNT AND REPORTING

Initials of County and FACE will maintain their own records according to regulatory guidelines and provide documentation and support to any of the other parties as requested.

## VIII. DISPUTE RESOLUTION

In the event that a misunderstanding or difference of opinion occurs with regard to the procedures necessary to accomplish the objectives of this Agreement, both parties will meet to find a solution.

#### **X. TERMINATION/REVIEW**

This Agreement will be reviewed annually and be revised by Initials of County and Name of School on an as-needed basis, in order to remain in effect. This Agreement may be terminated by either party upon thirty (30) days' written notice.

#### **XI. SIGNATURES**

***FOR Initials of County - AUTHORIZED LEA REPRESENTATIVE***

First Name & Last Name, Superintendent Date Name of School District  
P.O. Box Address  
City, State, Zip Code  
(Area Code) Phone Number

**FOR Name of School - AUTHORIZED REPRESENTATIVE**

First Name & Last Name, Principal Date School District  
School Address City,  
State, Zip Code  
(Area Code) Phone Number

**FOR SCHOOL BOARD PRESIDENT - AUTHORIZED REPRESENTATIVE**

First Name & Last Name, Board President Date School Name  
School Address City,  
State, Zip Code  
(Area Code) Phone Number

**FOR EDUCATION LINE OFFICER - AUTHORIZED REPRESENTATIVE**

First Name & Last Name Date  
Agency Representing  
Agency Address City,  
State, Zip Code  
(Area Code) Phone Number