



**New Mexico  
Part C Early Intervention**

**Extended Part C Option  
State Incentive Grant Application**

Policies and Procedures  
08/07/09

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**Introduction:**

The New Mexico Department of Health (NMDOH), designated as the State lead agency for the Individuals with Disabilities Education Act (IDEA) Part C, is applying for funding through a State Incentive Grant (SIG) under IDEA Sec. 643(e). This application is for the Extended Part Option in accordance with IDEA Sec. 635(c), as part of P.L. 108-446 and codified in 20 U.S.C. 1431 *et seq.*

The SIG will enable New Mexico to offer the Extended Part C option to parents of children who are determined eligible under IDEA Sec. 619 (the Part B preschool services program) and enable such eligible children to continue to receive services from the Part C Early Intervention program until the beginning of the school year following the eligible child's third birthday.

As part of this State Improvement Grant application, the following are included:

- Policies and Procedures for the Extended Part C Option that were developed jointly with the Public Education Department Special Education Bureau, as required under IDEA Sec. 635(c)(1)
- A budget indicating the proposed use of the IDEA Part C funds available through the American Recovery and Reinvestment Act (ARRA) for the Extended Part C Option.

This final SIG application is submitted after the public participation period ended on July 27<sup>th</sup> 2009 and NMDOH conducted public hearings under the IDEA Part C regulations in 34 CFR §§303.110 through 303.113.

**Public Comment:**

The Department of Health accepted comments regarding its application for funding for the State Incentive Grant (SIG) under IDEA Sec. 643(e) for funds available through the American Recovery & Reinvestment Act (ARRA) funding for early intervention services provided through New Mexico's Family Infant Toddler (FIT) Program. The application is being submitted to the US Department of Education, Office of Special Education Programs (OSEP).

Currently, the FIT Program provides early intervention services through IDEA Part C to eligible infants and toddlers with disabilities and their families until such children reach the age of three. This SIG will provide additional funding for NMDOH to continue to offer early intervention services to eligible children with disabilities and their families until the beginning of the school year following the child's third birthday.

Announcement of the public participation process was made through legal notices published in five New Mexico newspapers and through parent and provider e-mail lists, as well as being posted on the FIT Program website. A copy of the draft policies and procedures and application were available for viewing at [www.fitprogram.org](http://www.fitprogram.org). Also copies were available by mail by calling Nicole Romero at 1-877-696-1472. Written comments were accepted until July 27<sup>th</sup> 2009, via e-mail to [fit.program@state.nm.us](mailto:fit.program@state.nm.us) or faxed toll free to 1-866-829-8838.

An opportunity for oral public comment was provided at two public hearings:

Monday July 20<sup>th</sup> 2009 -2:00pm  
Dona Ana County Health Office  
1170 N. Solano Drive  
Las Cruces, NM 88001

Tuesday July 21<sup>st</sup> 2009 -2:00pm  
DDSD Regional Office  
5301 Central Ave.  
Bank of the West Bldg. 17<sup>th</sup> floor  
Albuquerque, NM 87108

Accommodations for individuals with disabilities were available on request via Nicole Romero at 1-877-696-1472

**Extended Part C Option Policy:**

<b>New Mexico Department of Health (DOH) Developmental Disabilities Supports Division (DDSD)</b>  <b>POLICY</b>	<b>Policy Number: [insert]</b>
	<b>Supersedes: New</b>
<b>Policy Title:</b> Extended Part C Option	
<b>Effective Date:</b> Within 6 months of the approval of the New Mexico’s application by the US Office of Special Education Programs (OSEP) but not later than December 1, 2009.	
<b>Approved:</b> NM-DOH	<b>Date:</b> <b>July 31, 2009</b>

**I. PURPOSE**

To establish a procedure that outlines the requirements and process for toddlers with disabilities and families currently receiving early intervention services through the Family Infant Toddler (FIT) Program to continue to receive Part C early intervention services beyond the child’s third birthday, until the beginning of the school year following the child’s third birthday, provided that the child is eligible for services under IDEA Sec. 619 and the parent consents to the continuity of such services.

To establish requirements for the use of funds made available under the Individuals with Disabilities Education Act, (PL 108-446 Sec. 635(c)), which allows states to apply for the option to serve children in Part C early intervention beyond their third birthday. This option under IDEA requires the State lead agency (under IDEA Part C) and the State Education Agency (under IDEA Part B) to develop and submit policies and procedures to ensure a smooth transition of children at age three from early intervention to preschool or other appropriate services and permits a State to make services available to children ages three to kindergarten age through either the Part C early intervention system or the Part B preschool system (IDEA Sec. 619). New Mexico is electing to allow parents to choose to have their child remain in Part C early intervention until the beginning of the next school year after their third birthday, provided that the child is eligible for services under IDEA Sec. 619 and the parent consents to the continuity of such services.

Community transition teams will ensure that the transition process and the Extended Part C Option are implemented consistent with these policies and procedures.

## II. POLICY STATEMENT

- A. A parent whose child is determined eligible for preschool special education (under IDEA Part B Sec. 619) and who has a current IFSP through the Family Infant Toddler (FIT) Program may choose to continue in the FIT Program until the beginning of the next school year after their third birthday.
- B. Parents currently have the choice to remain in Part C until the beginning of the school year following the child's third birthday under state statutes NMSA 28-18-1.C and NMSA 22-13-5 or transition to Part B of IDEA and receive preschool special education and related services.  
If transitioning to Part B, parents have the option to enroll their child in a preschool at the age two, if the child turns three during the school year or when the child turns three. This option will be explained to parents and notice will be provided.
- C. Parents will be provided with the notice required under IDEA Sec. 635(c) (to include written and verbal information) about this Extended Part C Option in order to make an informed choice and provide consent to services under the Extended Part C Option.
- D. Early intervention services under this option shall be provided in accordance with IDEA Part C and state regulations 7.30.8 NMAC Requirements for Family Infant Toddler Early Intervention Services.
- E. Services under the Extended Part C Option will promote preschool readiness that incorporates preliteracy, language, and numeracy skills into the Individualized Family Service Plan (IFSP).
- F. The FIT Program will develop, in collaboration with the family, a transition plan and assist eligible children and families under this option to experience a smooth and effective transition to Preschool Special Education (Part B– IDEA Sec. 619).
- G. As required under IDEA, children under the age of three who experience a substantiated case of trauma due to exposure to family violence (as defined in Section 320 of the Family Violence Prevention and Services Act) shall be referred to the early intervention system for evaluation for early intervention services. (20 USC 1435(c)(2)(G)).

## III. DEFINITIONS

### *Early Intervention (Part C):*

Part C of the Individuals with Disabilities Education Act (IDEA 2004) governs the administration of early intervention services to eligible infants and toddlers and their families. The Department of Health is the Lead agency for IDEA Part early intervention in New Mexico.

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

The Family Infant Toddler (FIT) Program is the program within the New Mexico Department of Health (NMDOH), the State lead agency designated to administer IDEA Part C early intervention in the State of New Mexico.

*Local Education Agency (LEA)*

The Local Education Agency (LEA) is the public board of education or other public authority legally constituted as the administrative agency for its public schools.

*Preschool Special Education (Part B -619):*

Part B, Sec. 619 of the Individuals with Disabilities Education Act (IDEA 2004) governs the administration of preschool special education services. The Public Education Department - Special Education Bureau is the State educational agency responsible for administering IDEA Part B - Sec 619 in the State of New Mexico.

*Preschool Readiness:* In accordance with New Mexico's exercising the option under IDEA Sec 635(c), parents may choose for their child (who is eligible for services under IDEA sec. 619) to continue to receive early intervention services and those services shall include an "education component that promotes school readiness and incorporates preliteracy, language, and numeracy skills." Preschool readiness outcomes and strategies shall be included on the Individualized Family Service Plan (IFSP) for each child under the Extended Part C Option.

*Transition:*

In accordance with IDEA Sec. 637(a)(9) the state must have policies and procedures "to ensure a smooth transition for toddlers receiving early intervention services under this part (and children receiving those services under section 635(c)) to preschool, school, other appropriate services, or exiting the program."

**APPLICABILITY**

This policy applies to the Family Infant Toddler (FIT) Program.

**V. REFERENCE**

- Individuals with Disabilities Education Act (PL 108-446) Part C
- Individuals with Disabilities Education Act (PL 108-446) Part B
- 7.30.8 NMAC Requirements for Family Infant Toddler Early Intervention Services
- 6.31.2 NMAC Special Education Children with Disabilities / Gifted Children

**Extended Part C Option - Procedures**

<p><b>New Mexico Department of Health (DOH) Developmental Disabilities Supports Division (DDSD)</b></p> <p><b>PROCEDURE</b></p>	<p><b>Procedure Number: FIT-002</b></p> <p><b>Supersedes: New</b></p>
<p><b>Procedure Title: Extended Part C Early Intervention Option</b></p>	
<p><b>Effective Date:</b> Within 6 months of the approval of the New Mexico’s application the US Office of Special Education Programs (OSEP) but not later than December 1, 2009.</p>	
<p><b>Approved: NM-DOH</b></p>	<p><b>Date: July 31, 2009</b></p>

**I. POLICY REFERENCE**

Extended Part C Option Policy - FIT-002.

**II. PURPOSE OF PROCEDURE**

To establish procedures for children and families to continue to receive early intervention services Part C Early Intervention until the beginning of the school year following the child’s third birthday, provided that the child is eligible for services under IDEA Sec. 619 and the parent consents to the continuity of such services.

**III. APPLICABILITY**

Family Infant Toddler (FIT) Program

**IV. DEFINITIONS**

*Early Intervention (Part C):*

Part C of the Individuals with Disabilities Education Act (IDEA 2004) governs the administration of early intervention services to eligible infants and toddlers and their families. The Department of Health is the Lead agency for IDEA Part early intervention in New Mexico.

*Family Infant Toddler (FIT) Program:*

Under the lead agency for IDEA Part C the Family Infant Toddler (FIT) Program is the program within the New Mexico Department of Health (NMDOH), the State lead agency designated to administer IDEA Part C early intervention in the State

of New Mexico.

*FAPE (Free Appropriate Public Education):*

Special Education and related services which: are provided at public expense, under public supervision and direction, and without charge; include an appropriate preschool, elementary school, or secondary school education; are provided in conformity with an Individualized Education Program (IEP) that meets the requirements of 34 CFR 300.320 - 300.324; and which meet all Public Education Department rules and standards including Standards of excellence and rules pertaining to school personnel preparation, licensure and performance, student rights and responsibilities and student transportation.

*Local Education Agency (LEA):*

The Local Education Agency (LEA) is the public board of education or other public authority legally constituted as the administrative agency for its public schools.

*Preschool Special Education (Part B -619):*

Part B, Sec. 619 of the Individuals with Disabilities Education Act (IDEA 2004) governs the administration of preschool special education services. The Public Education Department - Special Education Bureau is the State educational agency responsible for administering IDEA Part B Sec 619 in the State of New Mexico.

*Preschool Readiness:* In accordance with New Mexico's exercising the option under IDEA Sec 635(c), parents may choose for their child (who is eligible for services under IDEA sec. 619) to continue to receive early intervention services and those services shall include an "education component that promotes school readiness and incorporates preliteracy, language, and numeracy skills." Preschool readiness outcomes and strategies shall be included on the Individualized Family Service Plan (IFSP) for each child under the Extended Part C Option

*Transition:*

In accordance with IDEA Sec. 637(a)(9) the state must have policies and procedures "to ensure a smooth transition for toddlers receiving early intervention services under this part (and children receiving those services under section 635(c)) to preschool, school, other appropriate services, or exiting the program"

**V. PROCEDURE**

		<b>Extended Part C Option</b>	
	<b>Area</b>		<b>Actions</b>
<b>1.</b>	<b>Individual Steps and Services for Transition Planning</b>	A.	<p>By 24 months of age, but at least 6 months prior to the beginning of the school year in which the child turns three, the Service Coordinator will:</p> <ol style="list-style-type: none"> <li>1) The Service Coordinator will develop a Transition Plan with the parent(s) to, to be included in the IFSP that includes outcomes, transition steps, strategies, activities, timelines and services to prepare the child and family for transition.</li> <li>2) Provide the parent(s) with notice (both written and verbal) of the Extended Part C Option.</li> <li>3) Explain the option in New Mexico for the child to receive FAPE prior to age three, (i.e. the parent(s)' option to receive IDEA Part B Sec 619 preschool services at the beginning of the school year in which the child turns three) if eligible. This option includes having the IEP implemented in a setting with typically developing peers. If a parent elects to consider early FAPE and consents to the referral to the LEA, the service coordinator shall convene the transition conference. The parent(s) shall receive notice that if they consent for their child to receive FAPE prior to age three they cannot later choose the Extended Part C Option after their child turns three. NMSA 28-18-1.C and NMSA 22-13-5</li> </ol>
		B.	<p>As part of the transition plan the Service Coordinator will:</p> <ol style="list-style-type: none"> <li>1) Discuss with the parent(s) their resources, priorities, and concerns, for their child's transition.</li> <li>2) Coordinate with other community partners to ensure that families have needed information.</li> <li>3) Assist the parent(s) to visit potential preschool options (e.g. public school, Head Start, etc.) in their community;</li> <li>4) Access training and / or information regarding transition and their rights in Preschool Special Education (Part B - 619);</li> </ol>

		<p>C. Notice regarding the Extended Part C Option shall be provided to the parent(s) under 635(c) (in English and/or Spanish). The notice shall be explained in the family’s native language. The notice shall include:</p> <ol style="list-style-type: none"> <li>1) A description of the rights of parents to continue to receive services under Part C (after their child turns three) and an explanation of the differences between the Extended Part C Option and Part B preschool, which are set forth in the Side-by-Side Comparison (see Appendix A) including:             <ol style="list-style-type: none"> <li>a. Explanation of the Part B evaluation process.</li> <li>b. Eligibility determination;</li> <li>c. Types of services provided;</li> <li>d. Locations where services may be provided;</li> <li>e. Parent rights and procedural safeguards, (including the information in 1.F. below);</li> <li>f. Family cost participation</li> </ol> </li> <li>2) Written consent from the parent(s) for their child to remain in the Part C Early Intervention system until the beginning of the school year following the child’s third birthday.</li> <li>3) Procedural Safeguards (including the content listed in 1.F. below):             <ol style="list-style-type: none"> <li>a. Part C “Notice of Child and Family Rights and Safeguards” document,</li> <li>b. Part B Procedural safeguards “Parent and Child Rights in Special Education Procedural Safeguards Notice”</li> </ol> </li> </ol>
		<p>D. A parent shall provide informed written consent under Part C for their child to continue to receive Part C services under the Extended Part C Option.</p>
		<p>E. Parent’s will be informed that the following FIT Program family cost participation* rules that apply to the Extended Part C Option:</p> <ol style="list-style-type: none"> <li>1) No fees will be charged to parent(s).</li> <li>2) With the parent(s) informed written consent the parent(s)’ private health insurance may be billed up to \$3,500 dollars per year in accordance with state statute 59A-22-34.2 E (NMSA 1978).</li> <li>3) The parent(s) will not be charged nor shall incur any out-of-pocket expense, including co-payments or deductibles, for any service billed to their private health insurance.</li> </ol> <p>*Note there is no charge/out-of-pocket expense to families for any FIT Program services.</p>

		F.	<p>The following Procedural Safeguards apply to children served under the Extended Part C Option:</p> <ol style="list-style-type: none"> <li>1) The NM FIT Program Procedural Safeguards shall apply to the provision of IDEA Part C early intervention services and all services identified or provided through an IFSP under the Extended Part C option (and any consent for those Part C services).</li> <li>2) The NM Public Education Department – Special Education Bureau’s Procedural Safeguards shall apply to consent for evaluation and the eligibility determination under IDEA Sec. 619, alternative dispute resolution, dispute resolution, the right to an Independent Educational Evaluation, and the development and implementation of any IEP (including the determination of what constitutes FAPE for a child).</li> </ol>
		G.	<p>The service coordinator will provide the parent(s) with notice (written and verbal information) regarding the option to transition to Preschool Special Education at the beginning of the school year in which the child turns three, in accordance with state statute and regulation NMSA 28-18-1 C or, if the child is referred to Part C after the age of two, at the initial IFSP meeting.</p>
<b>2.</b>	<b>Referral to the Local Education Agency (LEA)</b>	A.	<p>For all potentially eligible children (eligible for the FIT Program under either developmental delay or established condition) the service coordinator will:</p> <ol style="list-style-type: none"> <li>1) Complete a Transition Referral Form</li> <li>2) Obtain the parent’s consent to send the Transition Referral Form</li> <li>3) Submit the 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. The LEA must complete the evaluation within 60 days of written parental consent.</li> </ol>
		B.	<p>If the parent does not consent to the referral to the LEA, the service coordinator will inform the parent(s) that IDEA Part C services would end at the child’s third birthday.</p>
		C.	<p>The Service Coordinator will provide the family with the Part C Prior Written Notice of the Transition conference meeting in order for them to attend.</p>

		D.	The Service Coordinator will send a written invitation to the LEA and other potential preschool providers, (e.g. child care; Head Start; NM School for the Deaf; NM School for the Blind & Visually Impaired) to participate in the Transition Conference. The invitation will be sent at least 30 days prior to the Transition Conference.
		E.	With parent consent, the Service Coordinator will coordinate the completion and submission of the Transition Assessment Summary Form to the LEA at least 30 days prior to the Transition Conference.
<b>3.</b>	<b>Transition Conference</b>	A.	The 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, nine months prior to the child’s third birthday. (or earlier if under 1.G. above the parent requests consideration of early FAPE)
		B.	Attending the Transition Conference will be: The parent(s); Service coordinator; LEA representatives; other early childhood providers (e.g. child care; Head Start; NM School for the Deaf; NM School for the Blind & Visually Impaired) as appropriate; and other FIT Program early intervention personnel to assist in transition planning.
		C.	The following activities are completed at the Transition Conference: <ol style="list-style-type: none"> <li>1) The parent(s) will be provided a copy of the Notice of the Extended Part C Option (1.C. above) and, if the parent wishes, the parent shall sign consent;</li> <li>2) The parent(s) will be provided a copy of, and requested to sign for receipt for, the Part C FIT Procedural Safeguards and the Part B Procedural Safeguards;</li> <li>3) The LEA representative will review with the parent(s) the Consent Form for Preschool Evaluation (the evaluation must be completed within 60 days of parent consent) and, if the parent wishes, the parent shall sign this consent;</li> <li>4) Review whether all current evaluation and / or assessments have been given to the LEA, so that the LEA will be able to determine if additional evaluations are needed for Part B eligibility.</li> <li>5) The service coordinator shall complete the IFSP Transition Conference page.</li> </ol>

4.	<b>Evaluation and Eligibility Determination for IDEA Part B Preschool Special Education</b>	A.	A group of qualified professionals from the LEA and the parent(s) must review any existing data, including evaluations and information provided by parents or other data as allowed under IDEA Part B regulations in 34 CFR 300.305). These data may include evaluations and assessments conducted by FIT providers and shall not be older than one year.
		B.	The LEA will conduct any additional evaluations required to determine the child’s eligibility for IDEA Part B preschool special education.
		C.	The IDEA Part B initial evaluation must be completed within 60 days of the Consent Form for Preschool Evaluation signed by the parent(s).
		D.	The LEA will send a copy of the evaluation report and documentation of eligibility to the parent and (with the parent(s)’s consent) to the referring FIT Program provider. 6.31.2.10 F(1)(b) NMAC
		E.	For a child served under the Extended Part C Option there is no requirement that their eligibility for Part B be re-determined or a re-evaluation prior to transition. However, current data and information are needed for the initial IEP and placement in the IDEA B preschool program.
5.	<b>Continued early intervention in accordance with the IFSP</b>	A.	<p>If the child is determined eligible for IDEA Part B and the parents has signed consent to the Extended Part C Option:</p> <ol style="list-style-type: none"> <li>1) Early intervention services through the FIT Program will continue in accordance with the Individualized Family Service Plan (IFSP) under IDEA sec. 635(c)(2)(D) until an Individualized Education Program (IEP) is developed (15 days prior to the first day of the school year or the child’s entry into preschool) and implemented (i.e. the child transitions and begins to receive IDEA Part B special education services).</li> </ol> <p>If the child is determined not to be eligible for IDEA Part B, but continues to meet the eligibility criteria for the FIT Program:</p> <ol style="list-style-type: none"> <li>2) In accordance with State Statute, the child may continue to receive FIT services until the beginning of the school year following their third birthday. These services will be funded with State funds appropriated to the Department of Health. NMSA 28-18-1.C and NMSA 22-13-5.</li> </ol>

		B.	If the child is determined eligible for IDEA Part B and the parent has signed consent to the Extended Part C Option the IFSP must include preschool readiness outcomes and strategies that incorporate preliteracy, language, and numeracy skills. The IFSP team shall convene to: <ol style="list-style-type: none"> <li>1) Add preschool readiness outcomes and strategies to the IFSP; and / or</li> <li>2) Revise IFSP to code existing outcomes and strategies to address preschool readiness</li> </ol>
		C.	There is no requirement for LEA personnel to participate in revising the IFSP to include preschool readiness outcomes and strategies.
<b>6</b>	<b>Individualized Education Program (IEP)</b>	A.	At least 60 days prior to the transition to the IDEA Part B preschool program, the FIT provider shall provide the LEA with the data and information pertaining to the child. This includes data on preschool readiness and early childhood outcomes. In addition, the FIT provider must include the most current IFSP that documents the child’s progress in meeting his/her goals.
		B.	The LEA shall develop an Individualized Education Program (IEP) no later than 15 days prior to the first day of the school year of the LEA where the child is enrolled, or no later than 15 days prior to the child’s entry into Part B preschool services if the transition process is initiated after the start of the school year, whichever is later. 6.31.2.11 A (4) (g) NMAC
		C.	The LEA shall invite, with the permission of the parent(s), the service coordinator to attend the initial IEP meeting.
		D.	A parent cannot later choose to have their child receive early intervention services under the Extended Part C Option once they consent to Special Education and related services under the IEP, and their child has turned three years of age.

**VI. REFERENCE**

- Individuals with Disabilities Education Act (PL 108-446) Part C.
- Individuals with Disabilities Education Act (PL 108-446) Part B
- 7.30.8 NMAC Requirements for Family Infant Toddler Early Intervention Services
- 6.31.2 NMAC Special Education Children with Disabilities / Gifted Children
- Developmental Disabilities Supports Division (DDSD) Service Definitions and Standards

**Extended Part C Option Procedures - Appendix A.**

***Side-by-side Comparison of Early Intervention and Preschool Special Education***

The following is a side-by-side comparison of:

- Early intervention services provided through the Department of Health, Family Infant Toddler (FIT) Program under the Individuals with Disabilities Education Act (IDEA), Part C; and
- Preschool Special Education services provided through the Public Education Department Special Education Bureau, IDEA Part B.

Your service coordinator will help explain the similarities and differences between these two programs so that your family can make informed decisions regarding transition options the year in which your child turns 3.

**OVERVIEW**

<b>IDEA Part C Early Intervention Extended Part C Option</b>	<b>IDEA Part B Special Education Preschool Services</b>
<p>Specifically designed supports and services provided by public and private agencies and mandated under law to support eligible children and their families in enhancing a child’s development from birth to age 3.</p> <p>Supports the priorities or changes that the family wants for their child and family.</p>	<p>Specifically designed instruction and services to meet the education needs of children ages 2 if the child turns three during the school year through 22, if the child turns 22 after school begins. Provided by local school districts for children who are eligible in preschool or other settings.</p> <p>Supports the educational goals that are established for the child by the IEP team. Supports the child’s participation in appropriate activities. Addresses educational needs that arise due to the disability.</p>

**AGE REQUIREMENTS**

<b>IDEA Part C Early Intervention Extended Part C Option</b>	<b>IDEA Part B Special Education Preschool Services</b>
<p>Early Intervention is available for infants and toddlers birth to age 3 who are eligible and their families.</p> <p>If your child is eligible for preschool special education services and he/she turns 3 during the school year, you have the option to receive early intervention supports and services until the beginning of the next</p>	<p>The preschool program provides services for children 2, if the child turns three during the school year through 5 years of age in a preschool setting with typically developing peers.</p> <p>If your child is eligible for preschool special education services and will have his/her third birthday during a school year, you</p>

school year.	have the option for your child to receive preschool special education services from the beginning of that school year.
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**ELIGIBILITY REQUIREMENTS**

<b>IDEA Part C Early Intervention Extended Part C Option</b>	<b>IDEA Part B Special Education Preschool services</b>
<p>Until the age of three, your child may be eligible for Part C services due to -- (1) Developmental Delay (A delay in development of 25% in one or more development areas); (2) Established Condition; (3) At Risk Factors – Biological/Medical/ (e.g., prematurity, child abuse) or (4) Environmental risk factors</p> <p>After the age of three until the beginning of the school year following the child’s third birthday, your child may be eligible for services under either the Extended Part C Option <b>OR</b> Part B preschool services if the child has one of the following disability conditions and are determined to need special education and related services as a result of the disability:</p> <ul style="list-style-type: none"> <li>◆ Autism</li> <li>◆ Deaf-Blindness</li> <li>◆ Deafness</li> <li>◆ Emotional Disturbance</li> <li>◆ Hearing Impairment</li> <li>◆ Mental Retardation</li> <li>◆ Multiple Disabilities</li> <li>◆ Orthopedic Impairment</li> <li>◆ Other Health Impairment</li> <li>◆ Specific Learning Disability</li> <li>◆ Speech/Language Impairment</li> <li>◆ Traumatic Brain Injury</li> <li>◆ Visual Impairment including blindness</li> </ul> <p>34 CFR Sec. 300.8</p> <p>Developmental Delay – At the option of the local school district, children ages 3 through 9 who do not meet eligibility under the listed categories and show a developmental delay of 30% or more in one or more areas of development are eligible for special education. 6.31.2.7(B)(4) NMAC; 6.31.2.10(F)(2) NMAC.</p> <p>The district will ask you to sign consent to conduct an evaluation to determine your child’s eligibility for Part B Special Education services. The Individualized Education Program (IEP) team will review current evaluation and assessment information to determine if there is a need for addition assessments. After any additional assessments are completed the IEP team (including you as the parent(s) will meet to determine the child’s eligibility for Part B special education and the Extended Part C Option.</p>	

**EXAMPLES OF SERVICES AVAILABLE UNDER:**

<b>IDEA Part C Early Intervention Extended Part C Option</b>	<b>IDEA Part B Special Education Preschool Services</b>
All children with IFSPs receive service	The IEP Team, that includes the parent,

coordination services. In addition, if identified as needed by the IFSP Team, the child may also receive early intervention services, which include--	identifies those services that are needed to provide a free, appropriate public education. These services may include--
	Early Identification and Assessment
Assistive Technology Services	Assistive Technology Services
Audiology	Audiology
Interpreter services as needed to provide the Part C services on the IFSP	Educational Interpreting Services
Developmental Consultation (Special Instruction)	Special Education/Specifically Designed Instruction
Family Training, Counseling and Home Visitation	Counseling Service
	Parent Counseling and Training
Health Services to assist in developmental child outcomes	School Health Services
Medical Services (For Diagnostic Purposes Only)	Medical Services (For Diagnostic Purposes Only)
Nursing Services	School Nurse Services
Nutrition Services	
Occupational Therapy	Occupational Therapy
Physical Therapy	Physical Therapy
Psychological Services	Psychological Services
	Recreation
Service Coordination	
Social Work Services	Social Work Services in Schools
Speech-Language Therapy	Speech-Language Pathology Services
Transportation	Transportation
Vision Services	Orientation and Mobility Services
	Rehabilitation counseling

**LOCATION OF SERVICES:**

<b>IDEA Part C Early Intervention Extended Part C Option</b>	<b>IDEA Part B Special Education Preschool Services</b>
<p>Early intervention services must be provided, to the maximum extent appropriate, in natural environments, which include:</p> <ul style="list-style-type: none"> <li>• the child’s home</li> <li>• other community settings in which</li> </ul>	<p>All special education and related services must be provided in the least restrictive environment that is appropriate to each child’s needs.</p> <p>To the maximum extent appropriate children under IDEA Part B must be</p>

<p>children without disabilities participate, including but not limited to</p> <ul style="list-style-type: none"> <li>- Child care &amp; private preschools;</li> <li>- Early Head Start;</li> <li>- Parks &amp; play areas;</li> <li>- Play groups;</li> <li>- Swimming pools</li> </ul> <p>Early intervention services are provided in everyday routines, activities and places.</p>	<p>educated with children who do not have a disability.</p> <p>Regular early childhood program, separate special education classes, separate schooling or residential facility. <del>other</del> removal of children with disabilities from the general education environment occurs only if the nature or severity of the disability is such that the education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.</p>
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**PROVISION OF SERVICES:**

<p><b>IDEA Part C Early Intervention Extended Part C Option</b></p>	<p><b>IDEA Part B Special Education Preschool Services</b></p>
<p>Early intervention services are provided year round, including summer months when school is not in session.</p>	<p>Services are provided during the school year according to the school district’s calendar. Services begin on the first day of school. In order for services to be provided for an Extended School Year (ESY) during the summer, there must be a documented need identified on the Individualized Education Program (IEP). The IEP team decides the type of ESY services.</p>
<p>Services are family-centered, with an emphasis on supporting the parent(s) to help their child develop and learn.</p>	<p>Services are based on the unique needs of the individual student. emphasis on academics educational performance, and behavior.</p>

**FAMILY COST PARTICIPATION**

<p><b>IDEA Part C Early Intervention Extended Part C Option</b></p>	<p><b>IDEA Part B Special Education Preschool Services</b></p>
<p>No fees are charged to parent(s).</p> <p>With the parent(s) informed written consent the parent’s private health insurance may be billed up to \$3,500 dollars per year in accordance with state statute 59A-22-34.2 E (NMSA 1978).</p> <p>The parent(s) will not be charged nor shall incur any out-of pocket expense, including co-payments or deductibles, for any service billed to their private health insurance.</p>	<p>Services must be provided at public expense and without charge to parent(s) as part of the requirement that eligible children receive a Free Appropriate Public Education (FAPE).</p> <p>The Local Education Agency (LEA) must obtain a parent(s) informed written consent for proposed use of private and public insurance benefits.</p> <p>Parent(s) may not incur an out-of-pocket</p>

	expense such as the payment of a deductible or co-payment amount incurred in filing a claim for services provided.
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**PROCEDURAL SAFEGUARDS NOTICE**

<b>IDEA Part C Early Intervention Extended Part C Option</b>	<b>IDEA Part B Special Education Preschool Services</b>
<p>Parent(s) will receive a procedural safeguards notice that includes:</p> <ul style="list-style-type: none"> <li>• Parent right to consent to each individual service</li> <li>• Opportunity to examine their child’s records</li> <li>• Confidentiality</li> <li>• Prior notice of meetings</li> <li>• Prior notice of proposed or refused actions</li> <li>• Communication in Native / understandable language</li> <li>• Surrogate Parents</li> <li>• Resolving disputes:                             <ul style="list-style-type: none"> <li>- Mediation</li> <li>- Formal State Level Complaint</li> <li>- Due Process hearing</li> </ul> </li> </ul> <p>7.30.8.14 NMAC</p>	<p>Parent(s) will receive a procedural safeguards notice that includes: Written consent for initial evaluation</p> <ul style="list-style-type: none"> <li>• Parent right to consent to the initial provision of a free appropriate public education through the initial IEP that identifies special education and related services</li> <li>• Opportunity to examine their child’s records</li> <li>• Confidentiality</li> <li>• Prior written notice of meetings</li> <li>• Prior written notice of proposed or refused actions</li> <li>• Communication in Native / understandable language</li> <li>• Surrogate Parents</li> <li>• Resolving disputes:                             <ul style="list-style-type: none"> <li>- Facilitated IEP meeting</li> <li>- Mediation</li> <li>- Formal State Level Complaint</li> <li>- Due Process hearing</li> </ul> </li> <li>• Independent Educational Evaluation</li> <li>• Discipline</li> </ul> <p>6.31.2.13 NMAC 6.11.2 NMAC</p>
<p>1) The NM FIT Program Procedural Safeguards shall apply to the provision of IDEA Part C early intervention services and all services identified or provided through an IFSP under the Extended Part C option (and any consent for those Part C services).</p> <p>2) The NM Public Education Department – Special Education Bureau’s Procedural Safeguards shall apply to consent for evaluation, the eligibility determination under IDEA sec. 619 for both the Part B preschool services, alternative dispute resolution, dispute resolution, and the Extended Part C Option, and the development and implementation of any IEP (including the determination of what constitutes FAPE for a child).</p>	

**Extended Part C Option Proposed Budget:**

The following is a description of the use of funds under the State Improvement Grant, American Recovery and Reinvestment Act (ARRA) funding for the Extended Part C Option. The amount requested is based on historical expenditures, as well as projected cost for activities to effectively implement the Extended Part C Option. This funding request is for a two-year period and is based on serving an estimated 2,100 children in each year under the Extended Part C option during this period of time.

**A. Description of Use of ARRA Extended Part C Option Funds for the Lead Agency**

Positions Funded	Number of Positions	% of Time Spent on Part C	Salaries & Fringe Benefits	Description of Duties
100% funded with Part C Funds	0			
< 100% funded with Part C Funds	0			
<b>Subtotal A</b>			<b>\$0</b>	

**B. Maintenance and Implementation Activities for the Lead Agency**

Major Activity	Funds to be spent	Description of Activities
Comprehensive System of Personnel Development	\$160,000.00	Training and Technical Assistance Center at UNM Comprehensive with: <ul style="list-style-type: none"> <li>• Development and dissemination of materials regarding school readiness, Development including preliteracy, language and numeracy.</li> <li>• Training and technical assistance to FIT Providers and Local Education Agencies (LEAs) regarding:                             <ul style="list-style-type: none"> <li>- School readiness activities</li> <li>- Extended Part C Option</li> <li>- Effective transition practices</li> </ul> </li> <li>• Development of a web-based training</li> </ul>

Public Awareness	\$25,000.00	Development of materials for families regarding the Extended Part C Option: <ul style="list-style-type: none"> <li>• Informational brochure on the Part C Option</li> <li>• Side by side comparison of Part C Early Intervention and Part B Preschool Special Education</li> </ul>
External Evaluation	\$24,000.00	An external evaluation will be conducted in order to: <ul style="list-style-type: none"> <li>• Survey early intervention personnel regarding effectiveness of training and technical assistance to increase competency of staff to promote preschool readiness.</li> <li>• Survey of parents regarding the effectiveness of the Extended Part C Option to promote preschool readiness.</li> </ul>
<b>Subtotal B</b>	<b>\$209,000.00</b>	

**C. Description of Use of ARRA Extended Part C Option for the Interagency Coordinating Council (ICC)**

Positions Funded	Number of Positions	% of Time Spent on Part C	Salaries & Fringe Benefits	Description of Duties
100% funded with Part C Funds				
< 100% funded with Part C Funds				
<b>Subtotal C</b>			<b>\$0</b>	

**D. Maintenance and Implementation Activities for the Interagency Coordinating Council (ICC)**

Major Activity	Part C Funds to be Spent	Description of Activities
ICC Costs		
<b>Subtotal D:</b>	<b>\$0</b>	

**E. Direct Services Funded by the ARRA Extended Part C Option**

Direct Service	Part C Funds to be Spent	Summary of Methods to be Used to Provide Service
Service Coordination	\$1,507,000.00	The Department of Health, Family Infant Toddler (FIT) Program has Provider Agreements with 34 agencies in order to provide service coordination services to eligible children and their families across New Mexico. It is expected that over two year period that service coordination will be provided to approximately 2,100 children in each year through the extended Part C Option.
Early Intervention Services	\$3,875,000.00	The Department of Health, Family Infant Toddler (FIT) Program has Provider Agreements with 34 agencies in order to provide early intervention services to eligible children and their families across New Mexico. Early intervention services will be provided to approximately 2,100 children through the extended Part C Option each year. Services are funded on a fee-for-service basis with rates established for services provided in the home / community or at a center.
<b>Subtotal E:</b>	<b>\$5,382,000.00</b>	

Direct Service Employees (Discipline)	Salary and Fringe	% Part C	Description of Duties
N/A	0	-	-
<b>Sub Total:</b>	<b>0</b>		

**F. Description of Optional Use of Part C Funds (For States that Do Not Provide Direct Service for At-Risk Infants and Toddlers)**

Description of Activity	Amount of Funds
N/A New Mexico serves at-risk infants and toddlers)	n/a
<b>Subtotal F:</b>	n/a

**G. Activities by Other Agencies**

Agency Receiving Funds	Amount of Funds	Purpose
New Mexico School for the Deaf	\$125,000.00	To provide service coordination and early intervention services to children who are deaf or hearing impaired whose families choose the Extended Part C Option. Services are funded on a fee-for-service basis with rates established for services provided in the home / community or at a center.
New Mexico School for the Blind	\$125,000.00	To provide service coordination and early intervention services to children who are blind or visually impaired whose families choose the Extended Part C Option. Services are funded on a fee-for-service basis with rates established for services provided in the home / community or at a center.
<b>Subtotal of amount under G:</b>	\$250,000.00	

**H. Totals**

Enter the subtotal amounts for Sub Sections A-G found in Section III of this application.		
Row No.	Section	Amount
1.	III.A.	\$0.00
2.	III.B.	\$209,000.00
3.	III.C.	\$0.00

4.	III.D.	<b>\$0.00</b>
5.	III.E. ( <i>Direct Service</i> )	<b>\$5,382,000.00</b>
	III.E. ( <i>Direct Service Employees</i> )	<b>\$0.00</b>
6.	III.F.	<b>\$0.00</b>
7.	III.G.	<b>\$250,000.00</b>
Enter any Indirect Costs Charged (See Section IV.B of this application.)		
8.	IV.B	<b>\$0.00</b>
<b>Total (Rows 1-8)</b>		<b>\$5,841,000.00</b>