

# **BOARD OF TRUSTEES AGENDA**

<input type="checkbox"/> Workshop	<input type="checkbox"/> Regular	<input type="checkbox"/> Special
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- (A) ☐ Report Only ☐ Recognition

**Presenter(s):**

**Briefly describe the subject of the report or recognition presentation.**

- (B) ☐ Action Item  
**Presenter(s):**

**Briefly describe the action required.**

**CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN KIDS ARE FIRST, INC. AND THE EAGLE PASS ISD.**

- (C) **Funding source: Identify the source of funds if any are required.**

- (D) **Clarification: Explain any question or issues that might be raised regarding this item.**



**Kids Are First, Inc.  
Head Start/Early Head Start Program  
PO Box 1378**

Carrizo Springs, TX 78834  
(830) 876-9265 phone • (830) 876-9285 fax

**MEMORANDUM OF UNDERSTANDING BETWEEN  
*KIDS ARE FIRST, INC.*  
AND  
*EAGLE PASS INDEPENDENT SCHOOL DISTRICT***

Kids Are First, Inc. ("KAF") and the Eagle Pass Independent School District ("EPISD") will work together to better meet the needs of the children and their families, to avoid the duplication of services, and to ensure that all families served receive the best possible service.

**I. Purpose of Agreement**

The purpose of this Agreement is to establish joint services/activities to be carried out by both parties. To establish the best cooperative method of providing services to preschool children including children with disabilities and their families in compliance with Federal and State laws and regulations. This agreement will address the following key areas:

- ❖ The services that will be provided by each agency.
- ❖ Assertion that children eligible for Special Education Programs receive a free and appropriate public education within the least restrictive surroundings as required by law.
- ❖ Coordination of services with interagency planning to avoid duplication of services and best utilize available resources.

**11. Programs Description:**

Person responsible for implementing agreement for Kids Are First, Inc.: Mr. Aniceto Colunga  
CEO/Program Director  
Kids Are First, Inc.  
P.O. Box 1378  
Carrizo Springs, Texas 78834  
(830) 876-9265

Person responsible for implementing agreement for EPISD:

Mr. Samuel Mijares Superintendent  
Eagle Pass Independent School District  
587 Madison St.  
Eagle Pass, Texas 78852  
(830) 773-51 81

### **III. Program Mandates**

This agreement is being executed in part to fulfill congressional mandates requiring Head Start Programs to recruit, enroll, and provide services to children with disabilities. (The Equal Opportunity Act Amendments - P.L. 92-424, Rehabilitation Act of 1973- P.L. 93-112). Congressional mandates also state that The Individuals with Disabilities Educational Improvement Act, which makes the Local Educational Agency the responsible party in providing free appropriate education to children, ages 3-21 with disabilities in the least restrictive surroundings. (IDEA 2004). (The Education of Handicapped Children Act of 1975 and amendments- P.L. 94- 424, P.L. 94- 142, The Education of Handicapped Children Act of 1990- P.L. 94-101-476 and Individual with Disability Act P.L. 102-119). Additional responsibilities to both agencies include but are not limited to the following as mandated in Head Start Performance Standards and in Education Regulations TEC SI.002 and SBOE S89.1001.

### **IV. Head Start Responsibilities**

KAF Head Start has the following responsibilities:

1. Fill at least ten (10%) percent of total enrollment slots with children with disabilities who are eligible for services in accordance with Head Start Performance Standards (45 CFR 1302.6).
2. Provide children enrolled with a Health and Developmental screening within the first 45 days of attendance in agreement with Head Start Performance Standards (45 CFR 1302.63).
3. Refer children with suspected disabilities to appropriate professionals for a diagnostic evaluation in accordance with Head Start Performance Standards (45 CFR 1302.63).
4. Develop and implement procedural safeguards to ensure the rights of persons in the Head Start setting and issues regarding the confidentiality of records.
5. Participate in the Texas Education agency's Child Find System (34 CFR 300.128) under part B of the IDEA.
6. Assist in identifying other appropriate community agencies that provide services to children from birth to 5 years of age.
  - a. Contacts the identified agencies and invites them to participate in this agreement.
  - b. Continues to work with these agencies as outlined in this agreement, to provide services to children with disabilities.
7. For child who have been screened by KAF Head Start, KAF teachers will complete Teacher Observation Packet, provided from LEA, and return to LEA so that assessments and referral process may begin.

## **V. EPISD RESPONSIBILITIES.**

### **A. EPISD has the following responsibilities:**

1. Provide services to preschool children with disabilities ages 3-5 as mandated by the current Individuals with Disabilities Education Act. (P.L. 102-119).
2. Complete comprehensive individual assessments of referred children within 60 calendar days of receiving parental approval to assess.
3. Hold an Admission, Review and Dismissal (ARD) meeting within 30 and develop and implement the Individual Education Plan (IEP) for all children with disabilities and ensure confidentiality of all students' records consistent with the timelines established and the regulations.
4. Coordinate with other community agencies to provide services to children with disabilities.
5. Inform parents of disabled children of the procedural safeguards that ensure their rights in the educational system.

## **VI. Service Implementation:**

In the formulation of this agreement **EPISD** and **KAF** mutually agree to work cooperatively in providing services to children with disabilities. Such determined efforts in providing services including the following activities:

## **VII. Child Find:**

### **A. EPISD agrees to conduct Child Find Activities, which may be include but are not limited to:**

1. Conducting the district's Child Find Activities
2. Notifying KAF Head Start of program screening dates so the KAF Head Start may participate.
3. Providing KAF Head Start with information on district criteria used to determine if Special Education services are warranted.
4. Accepting and processing referrals from KAF Head Start as a referring agent.

### **B. KAF Head Start agrees to conduct the following activities:**

- I. KAF Head Start/EHS must comply with screening requirements within 45 calendar days of start of program year.
2. Providing school districts with information on Head Start Eligibility Criteria.
3. Informing parents of the referral process and obtaining written parent consent to evaluate.
4. Informing parents of their right regarding evaluation and services.
5. Ensuring safeguard procedures are implemented.
6. Accepting and processing referrals made to KAF Head Start by local school districts, of parents and families that are eligible and meet the Head Start guidelines.

### **VIII. Assessments:**

- A. EPISD agrees to conduct the following activities:
  - 1. Evaluate children with suspected disabilities aged 3 years or older whom KAF Head Start refers.
  - 2. Hold multi-disciplinary team meetings (IEP/ARD) to determine if the child meets eligibility requirements.
  - 3. Upon submission of appropriate parental consent, make available a copy of the student's evaluation reports to KAF.
- B. KAF Head Start agrees to conduct the following activities:
  - 1. Hold an In-House Staffing for children with suspected disabilities. If the in-house staffing results concur with initial findings, the child will be referred for an evaluation.
  - 2. Obtain parent's written consent before the child is referred to EPISD.
  - 3. Depending on the elapsed time between the referral and the evaluation, if necessary initiate the evaluation process in accordance with regulation 45CFR 1308.6.

### **IX. Individual Education Plan/ Multidisciplinary Team Meeting (IEP/ARD)**

- A. EPISD agrees to conduct the following activities:
  - 1. Hold a multidisciplinary team meeting and develop an IEP.
  - 2. Invite KAF Head Start to participate in the IEP/ ARD meeting to act as contributing members to the child's education program, at least three (3) days in advance of time and date of the ARD meeting.
  - 3. ARD Committee will develop the IEP for the child and give the KAF Head Start/EHS program a copy of the IEP.
  - 4. LEA will provide the KAF Head Start/EHS program with a copy of the IEP/ARD & Eligibility Report.
- B. KAF Head Start agrees to conduct the following activities:
  - 1. Attend and participate in multidisciplinary team meetings and assist in the formulation of an IEP.
  - 2. Encourage parents to participate in multidisciplinary team meetings and writing of the IEP.
  - 3. KAF Head Start/EHS will implement their role as outlined in the IEP.

### **X. Individual Education Plan Review:**

- A. EPISD agrees to conduct the following activities when parental consent has been obtained:
  - 1. Provide a copy of the IEP to KAF for children who are being provided services by KAF Head Start and EPISD.
  - 2. Inform Head Start of any changes to services as primarily indicated in the IEP.
  - 3. Review child's progress toward identified goals.
- B. KAF Head Start agrees to conduct the following activities when parental consent has been obtained:
  - 1. Provide information on child's progress toward identified goals.

2. Assist parents in the understanding of child's IEP and encourage their attendance in reviews and/or teacher conferences.

## **XI. Transition Services**

In accordance with the Title 1 Act (Sec.'s 1112 & 1115), KAF HEAD START/EHS and LEA will coordinate their efforts in transitioning children from the early childhood program to the public school. Arrangements will be made ahead of time by the Center Managers for the children's orientation into the public-school system.

A. EPISD agrees to conduct the following activities:

1. Meet with KAF Head Start staff to discuss transitioning of Head Start children into school.
2. Assign a representative from the school district to attend transition meetings in order to expedite the process and continue services to children.
3. LEA will arrange for the children's visit beforehand by notifying the pre-k teachers or the visit.

B. KAF Head Start agrees to conduct the following activities:


1. Coordinate with EPISD to discuss transitioning of Head Start children to Kindergarten or Preschool Programs for children with disabilities.
4. Share information regarding children who will transition, contingent upon signed parent release of information.
5. Devise a transition plan that will address placement options including name of contacts, possible site visits by the child and families, and time frames for completion.


## **XII. TERMINATION/REVIEW**

This Memorandum of Understanding will be reviewed and revised by the Kids Are First, Inc. and Eagle Pass Independent School District on as needed basis or updated every year. This agreement may be terminated by either party upon thirty (30) days written notice. The agreement will automatically terminate: when Kids Are First, Inc. is no longer funded as the Head Start/Early Head Start Program.

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Eagle Pass Independent School District  
Superintendent  
Samuel Mijares

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Date

  
\_\_\_\_\_  
Kids Are First, Inc.  
CEO/ Program Director  
Aniceto Colunga

  
\_\_\_\_\_  
Date