

HHSC Contract No.
TEA Contract No.

Memorandum of Understanding



I. PURPOSES

The purposes of this Memorandum of Understanding (“**MOU**”), as required by the 2020-21 General Appropriations Act Rider 33, Article II, HHSC, and Rider 82, Article III, TEA, are to:

A.

2. LEAs locat a TE4i9-0 † Twoc locat

birthday and the child may be potentially eligible for Part B services, the ECI program, with parental consent, shall refer the child to the LEA for a Part B eligibility determination. The ECI program is not required to determine the child's eligibility for Part C services in this situation;

7. With parental consent, ECI programs refer all children who have, or are suspected of having, an AI to the LEA for an evaluation by a teacher certified to teach children with AI.
8. With parental consent, ECI programs refer all children who have, or are suspected of having, a VI to the LEA for evaluation by a teacher certified to teach children with VI, and a certified orientation and mobility specialist; and
9. Pursuant to section 303.209 of title 34 of the Code of Federal Regulations (CFR), HHSC will ensure that notification to TEA of children potentially eligible for Part B occurs at least 90 days before each child's third birthday, or as soon as possible for children determined eligible for Part C services between 90 and 45 days before the child's third birthday. With parental consent, referral to TEA will be provided for all children referred to an ECI program fewer than 45 days before each child's third birthday. Local ECI contractors will provide these same notifications to the appropriate LEAs.
10. The ECI program shall include the date the child enrolled for Part C services, if applicable, in the notification sent to the LEA informing them of a child potentially eligible for early childhood special education services under Part B of IDEA,

B. TEA ensures that it has policies and procedures in effect to ensure that:

1. LEAs understand that receiving notification of a child who is potentially eligibility for Part B services constitutes a referral to the Part B system and that steps must be taken to initiate the evaluation process to determine whether the child is eligible for Part B services;
2. LEAs coordinate efforts with ECI programs to support parent involvement in the transition planning process; and
3. Personally identifiable data, information, and records collected or maintained are protected and remain confidential pursuant to all state and federal regulations.

VI. TRANSITION CONFERENCE

A. HHSC ensures that it has policies and procedures in effect to establish requirements that:

1. If a child may be eligible for Part B early childhood special education services under IDEA, with family approval, a transition conference be convened not fewer than 90 days and not more than nine months before the child's third birthday to discuss any services the child may receive under Part B;
2. ECI programs document inviting the LEA to the transition conference 14 days in advance of the conference, the date of the transition conference, the discussion during the conference, and the contents of the transition plan in the child's record; and
3. Any conference or meeting to develop the transition plan may be combined into one meeting and must meet the requirements for IFSP meeting accessibility and

Department of S

2. Resolutions agreed upon at the local level;
3. Issues that remain unresolved at the local level; and
4. Local contact persons.

B. State Agency Disputes:

Disputes concerning implementation of this MOU between the Parties must first be resolved at the staff level. If resolution is not reached after a reasonable period

Attn: Office of the Chief Counsel
4601 W. Guadalupe Street; Mail Code 1100