

New Mexico Public Education Department  
Special Education Bureau

**ACE Leadership High School  
POLICIES AND PROCEDURES  
FOR THE  
PROVISION OF  
SPECIAL EDUCATION SERVICES  
FOR  
STUDENTS WITH DISABILITIES AND GIFTED STUDENTS**

Chapter 5.1 - INDIVIDUAL EDUCATION PROGRAM (IEP)

Date Chapter 5.1 Adopted by Governing Body: \_\_\_\_\_

Date Chapter 5.1 First Revision: \_\_\_\_\_

- (i) Consistent with NMPED policy; and
  - (ii) Agreed to by the agency and the child's parents.
- (2) In implementing the requirements of paragraph (b)(1) of this section, the ACE Leadership will--
- (i) Provide to the child's parents a detailed explanation of the differences between an IFSP and an IEP; and
  - (ii) If the parents choose an IFSP, obtain written informed consent from the parents.

Authority: NMAC 6.31.2.11 EDUCATIONAL SERVICES FOR CHILDREN WITH DISABILITIES:

A. Preschool programs for children aged 3 through 5

- (1) The ACE Leadership shall ensure that a free appropriate public education is available for each preschool child with a disability within its educational jurisdiction no later than the child's third birthday and that an individualized education program (IEP) under Part B or an individual family services plan (IFSP) under Part C of the IDEA is in effect by that date in compliance with 34 CFR §§300.101, 300.124 and 300.323(b).
- (2) A child who will turn three at any time during the school year who is determined eligible may enroll in a Part B preschool program when the child turns three if the parent so chooses, whether or not the child has previously been receiving Part C services.
- (3) To ensure effective transition from IDEA Part C programs to IDEA Part B programs, each ACE Leadership must conduct a full and individual evaluation, at no cost to the parent, and in compliance with requirements of 34 CFR §§300.300, 300.301, 300.302, 300.304 and 300.305 and other department rules and standards before the initial provision of Part B special education and related services to a child with a disability.
- (4) The ACE Leadership shall develop and implement appropriate policies and procedures to ensure a smooth and effective transition from Part C to Part B programs for preschool children with disabilities within the agency's educational jurisdiction, in compliance with 34 CFR §300.124. Each LEA and other public agencies as appropriate shall make reasonable efforts to establish productive working relations with local Part C programs and when given reasonable notice shall participate in the ninety day transition planning conferences arranged by local Part C providers.
- (5) In particular:
  - (a) Each LEA shall survey Part C programs within its educational jurisdiction in its child find efforts to identify children who will be eligible to enter the LEA's Part B preschool program in future years.
  - (b) Each LEA shall promote parent and family involvement in transition planning with Part C programs, community programs and related services providers at least six months before the child is eligible to enter the LEA's Part B preschool program.
  - (c) Each LEA shall establish and implement procedures to support successful transitions including parent training, professional development for special educators and general educators, and student and parent self-advocacy training and education.
  - (d) Each LEA shall assist parents in becoming their child's advocates as the child makes the transition through systems.
  - (e) Each LEA shall participate in transition planning conferences arranged by the designated Part C lead agency no less than 90 days prior to the anticipated transition or the child's third birthday, whichever occurs first, to facilitate informed choices for all families.
  - (f) Each LEA shall designate a team including parents and qualified professionals to review existing evaluation data for each child entering the LEA's preschool program in compliance with 34 CFR §300.305, and based on that review to identify what additional data, if any, are needed to determine the child's eligibility for Part B services or develop an appropriate program.
  - (g) Each LEA shall initiate a meeting to develop an eligible child's IFSP, IEP or IFSP-IEP, in accordance with 34 CFR §300.323, 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, to ensure uninterrupted services. This IFSP, IEP, or IFSP-IEP will be developed by a team constituted in compliance with 34 CFR §300.321 that includes parents and appropriate early intervention providers who are knowledgeable about the child.
  - (h) In compliance with 34 CFR §300.101(b)(2), if a child's birthday occurs during the summer, the child's IEP team shall determine the date when services under the IEP or IFSP will begin.