

## Attachment A

### MEMORANDUM OF UNDERSTANDING CONCERNING COOPERATION AND COLLABORATION IN PROVIDING SERVICES TO YOUNG CHILDREN – AGES BIRTH THROUGH FIVE IN NORTH DAKOTA

**Parties** The parties to this memorandum of understanding are the Department of Public Instruction, the Department of Human Services, the Department of Health, and the Children's Services Coordinating Committee.

The Department of Public Instruction (DPI) is responsible for Special Education for children ages three (3) through twenty-one (21).

The Department of Human Services (DHS) administers the Medicaid program; Children's Special Health Services; the Head Start Collaboration office; and Developmental Disabilities services.

The Department of Health (DOH) administers programs for Maternal and Child Health; and the Special Supplemental Food Program for Women, Infants, and Children (WIC).

The Children's Services Coordinating Committee (CSCC) sits as the Governor's designee for the resolution of disputes.

**Areas of Cooperation** The parties have identified areas of cooperation to ensure coordinated services for young children, maximize available resources, and avoid the duplication of services. The parties strongly encourage their respective local programs to develop memorandums of understanding that will specify areas of cooperation to support early intervention services.

Numerous methods of cooperation may be employed to implement services to children with disabilities, birth through five, children at risk for developmental delays, and children with special health care needs, and the families of those children. The areas of cooperation are as follows but are not considered to be all-inclusive:

**Communication** Each party will participate in ongoing communication to implement this memorandum of understanding.

**Child Identification** Each party will promote and participate in statewide child find and public awareness effort. Each party will collaborate with the other agencies in their separate child find activities. Each party will provide fiscal and other resources to statewide child find efforts. The parties will establish compatible procedures for referral of young children with developmental delays or disabilities, age's birth through five.

**Screening** The parties will identify and coordinate screening efforts by local agencies.

**Evaluation** The parties will promote and encourage joint team evaluation for the determination of a disability and eligibility for services.

**Individual Program Planning** The parties will promote and encourage the development of individualized plans that reflect services provided by all agencies involved with the child and the family, if the family approves.

**Transition** DHS and DPI have developed joint policies and procedures to meet state and federal mandates for transitioning from infant development programs to early childhood special education programs. Transition procedures are detailed in the chart "Transition Process" attached to this memorandum of understanding as **Appendix A**.

**Family Involvement** The parties will support and empower family members to be active participants in the development and implementation of their child's individual plan. Family members will also be encouraged to have an active voice in policy development.

**Professional Development** The parties will jointly plan, fund, and implement combined professional development activities whenever possible and appropriate.

**Shared Resources and Fiscal Considerations** The parties will develop shared resources which may include shared personnel, cooperative resource libraries, parent training, and contracted services.

**Natural Environments/LRE** To meet federal and state mandates that assure children are served within their natural environment or least restrictive environment, the parties will cooperate to the greatest extent possible to provide services and support to children with developmental

delays or disabilities and special health care needs and their families in settings with other similar aged children.

***Confidentiality of Information*** While conforming to individual agency confidentiality and release of information requirements and procedures, the parties will develop common policies and procedures for the sharing of relevant information that will better serve the needs of the child with developmental delays or disabilities or special health care needs and the families of those children.

***Technical Assistance and Training*** The parties will cooperate in providing technical assistance and training in the development and implementation of local agreements. The parties will provide training to each other regarding each party's program regulations and policies. The parties will coordinate technical assistance and training activities regarding American Indian issues.

**Resolution of Disputes** The Children's Services Coordinating Committee will resolve disputes among the parties, following the roles and responsibilities outlined in **Appendix B**.

**Effective Date of the Memorandum of Understanding** The term of this memorandum of understanding shall begin on this first day of December, 2001 and shall remain in effect until modifications are deemed necessary and mutually acceptable changes are agreed upon in writing. This MOU replaces The Interagency Agreement Concerning Rules And Responsibilities In Providing Services To Children With Special Needs dated September 1994.

This memorandum of understanding (MOU) may be voluntarily terminated by any party by giving 30 days written notice to the other parties. In the event the federal and/or state laws should be amended so as to render the fulfillment of the MOU not feasible, any party shall be discharged from further obligation created under the terms of this MOU.

**Dissemination** Each party will disseminate this memorandum of understanding to that program's respective local agencies, grantees, and contractors.

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Carol K. Olson, Executive Director  
ND Department of Human Services

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Terry Dwelle, State Health  
Officer  
ND Department of Health

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Dr. Wayne Sanstead, Superintendent  
ND Department of Public Instruction  
Coordinating

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Kathryn Keiser, Chairman  
Children's Services  
Committee