

Educational Rights of Children Ages 0-5 who have or who are at Risk of Developmental Delay

The federal Individuals with Disabilities Education Act (IDEA), Part C, ensures the educational rights of children ages 0-5 years, who have a developmental delay or are at risk of it.

The Department of Health/Family Infant Toddler Program (FIT) has been designated the agency in New Mexico dedicated to providing and organizing services and supports to children (0-3) who have or who are at risk for developmental delay.

If you feel your baby/child may be experiencing developmental delays, ask your doctor, nurse or child care worker to refer him/her to a Children's Medical Services (CMS) FIT worker at 841-5324 or the local early intervention program in your area for an evaluation. A service coordinator will meet with your family to explain early intervention, your rights and help plan your child's evaluation. At the first meeting you will be given the opportunity to choose an on-going service coordinator and make arrangements for your Individualized Family Service Plan (IFSP).

While receiving services from FIT your family has the right to:

- participate,
- have your child evaluated,
- give consent for evaluation, services and the exchange of information,
- have a plan for services within 45 days of referral,
- receive prior notice of IFSP meetings and evaluations,
- understand fully what is happening,
- maintain confidentiality about your child and family,
- review records,
- help to resolve disagreements, and
- submit a complaint.

At the age of 3 your child will be eligible for other options for transition such as:

- Head Start,
- special education services (in your local public schools, if your child turns 3 at any time during the school year)
- private childcare or a preschool setting, and/or
- other community supports.

Upon transition your FIT service coordinator will be able to continue working with you and the new program for 3 months to ensure a smooth process. On-going service coordination may then be available through:

- Children's Medical Services (CMS)
- Step HI (for children with hearing loss)
- Medically Fragile Waiver (for children with severe medical involvement)
- Developmental Disabilities Waiver (for children with developmental disabilities).

If you have problems obtaining appropriate (pre)educational services for your child, call:

Disability Rights New Mexico DRNM (formerly P&A) at 256-3100 or 1-800-432-4682

PRO (Parents Reaching Out)
(505) 8653700 or 1-800-524-5176

Educating Parents for Children with Special Needs (EPICS)
(505) 867-3396

New Mexico Family Network (Formerly PBDC)
(505) 265-0432 or 1-800-273-7232

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