

Memorandum of Agreement (MOA)

BETWEEN

[LOCAL EDUCATION AGENCY (LEA) NAME(s), (collectively "LEAs")]

AND

[HEAD START AGENCY NAME(s), collectively Head Start Agencies ("HSAs")]

AND

[OTHER EARLY CHILDHOOD DEVELOPMENT PROGRAM NAME(s) IF FEASIBLE]

REGARDING THE IMPLEMENTATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) PROVISIONS REGARDING COORDINATION REQUIREMENTS BETWEEN LEAS AND HEAD START AGENCIES AND IF FEASIBLE, OTHER EARLY CHILDHOOD DEVELOPMENT PROGRAMS

I. INTRODUCTION

The LEA NAMES listed above (collectively "LEAs"), the HEAD START AGENCY NAMES listed above, collectively the Head Start agencies ("HSAs"), and/or early childhood development programs as applicable, collectively referred to as the "Parties," enter into this memorandum of agreement ("MOA") for the purpose of establishing a collaborative partnership to ensure the implementation of the Elementary and Secondary Education Act ("ESEA"), as amended by the Every Student Succeeds Act ("ESSA"), P. L. No. 114-95 [20 U.S.C. §6301 et seq.], provisions regarding coordination between LEAs and HSAs and, if feasible, other early childhood development programs.

II. DEFINITIONS

- **Local Education Agency (LEA)** has the definition in ESEA Sec. 8101(30) for DC Public Schools According to the DC School Reform Act, P. L. No. 104-134 as amended, DC public charter schools are each their own LEA for purposes of ESEA Title I [D.C. Code §38-1802.10(a)(1)]; some charter school LEAs have multiple campuses.
- **Head Start agency** is "any local public or private nonprofit agency, including community-based and faith-based organizations or for-profit agency, within a community," pursuant to the requirements of Section 641(a)(1) of the Head Start Act, P. L. No. 97-45 as amended [42 U.S.C. 9836(a)(1)]. The District of Columbia

Public Schools (DCPS) is one of the Head Start agencies in the District of Columbia and for purposes of this MOA has the responsibilities of an HSA as well as an LEA.

- **Early Childhood Development Program** is an entity that provides services supported by (i) "Early Childhood Education Programs" as defined in ESEA Sec. 8101(16), (ii) the Child Care and Development Block Grant (CCDBG) Act, P. L. 101-508 as amended [42 U.S.C. §9857 et seq.], (iii) the Maternal, Infant and Early Childhood Home Visiting programs in Title V, Section 511 of the Social Security Act [42 U.S.C. §711], (iv) Part C of the Individuals with Disabilities Education Act (IDEA), P. L. No. 108-446 as amended [20 U.S.C. §1400 et. seq.], and (v) other locally- or privately-funded programs serving children before the age of kindergarten entry.

III. AUTHORITY OF MOA

ESEA, reauthorized by ESSA, P. L. No. 114-95, enacted Dec. 10, 2015, Sections 1119 and 3116(b)(4)(D) [20 U.S.C. §§6322 and 6826(b)(4)(D)]. The Head Start Act, as reauthorized by the Improving Head Start for School Readiness Act, P. L. No. 110-134, enacted Dec. 12, 2007, Sections 642A and 642(e) [42 U.S.C. §§9837a and 9837(e)].

IV. APPLICABILITY

- A. This MOA applies to children who are served by or enrolled in a Head Start agency and/or early childhood development program, and who enter the LEA in pre-kindergarten or kindergarten.
- B. Unless specified herein, the MOA is in no way intended to modify the responsibilities or authority delegated to the Parties under federal or District of Columbia law.

V. FEDERAL STATUTORY REQUIREMENTS

A. The following statutory requirements apply to LEAs receiving ESEA Title I funds and serving pre-Kindergarten and/or kindergarten students.

ESEA SEC. 1119. [20 U.S.C. 6322] COORDINATION REQUIREMENTS.

- (a) **IN GENERAL.** – Each local educational agency receiving assistance under [Title I Part A] shall carry out the activities described in subsection (b) with Head Start agencies and, if feasible, other entities carrying out early childhood development programs.

Each local educational agency shall develop agreements with such Head Start agencies and other entities to carry out such activities.

- (b) ACTIVITIES. – The activities referred to in subsection (a) are activities that increase coordination between the local educational agency and a Head Start agency and, if feasible, other entities carrying out early childhood education programs serving children who will attend the schools of the local educational agency, including-
- (1) developing and implementing a systematic procedure for receiving records regarding such children, transferred with parental consent from a Head Start program or, where applicable, another early childhood education program;
 - (2) establishing channels of communication between school staff and their counterparts (including teachers, social workers, and health staff) in such Head Start agencies or other entities carrying out early childhood education programs, as appropriate, to facilitate coordination of programs;
 - (3) conducting meetings involving parents, kindergarten or elementary school teachers, and Head Start teachers or, if appropriate, teachers from other early childhood education programs, to discuss the developmental and other needs of individual children;
 - (4) organizing and participating in joint transition-related training of school staff, Head Start program staff, and, where appropriate, other early childhood education program staff; and
 - (5) linking the educational services provided by such local educational agency with the services provided by local Head Start agencies.

LEAs receiving funding under ESEA Title III for English Language Acquisition must meet the following provision of law:

ESEA Sec. 3116(b)(4)(D) [20 U.S.C. 6826] Local Plans

(D) The eligible entity [LEA(s)] will, if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers.

B. The following statutory requirements apply to Head Start agencies:

Improving Head Start for School Readiness Act of 2007

SEC. 642A [42 U.S.C. 9837a] Head Start Transition and Alignment with K-12 Education

(a) In General-Each Head Start agency shall take steps to coordinate with the local educational agency serving the community involved and with schools in which children

participating in a Head Start program operated by such agency will enroll following such program to promote continuity of services and effective transitions, including—

(1) developing and implementing a systematic procedure for transferring, with parental consent, Head Start program records for each participating child to the school in which such child will enroll;

(2) establishing ongoing channels of communication between Head Start staff and their counterparts in the schools (including teachers, social workers, local educational agency liaisons designated under section 722(g)(l)(j)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(l)(j)(ii)), and health staff) to facilitate coordination of programs;

(3) establishing ongoing communications between the Head Start agency and local educational agency for developing continuity of developmentally appropriate curricular objectives (which for the purpose of the Head Start program shall be aligned with the Head Start Child Outcomes Framework and, as appropriate, State early learning standards) and for shared expectations for children's learning and development as the children transition to school;

(4) organizing and participating in joint training, including transition-related training for school staff and Head Start staff;

(5) establishing comprehensive transition policies and procedures that support children transitioning to school, including by engaging the local educational agency in the establishment of such policies;

(6) conducting outreach to parents and elementary school (such as kindergarten) teachers to discuss the educational, developmental, and other needs of individual children;

(7) helping parents of limited English proficient children understand-

(A) the instructional and other services provided by the school in which such child will enroll after participation in Head Start; and

(B) as appropriate, the information provided to parents of English learners under section 1112(e)(3) of the Elementary and Secondary Education Act of 1965;

(8) developing and implementing a family outreach and support program, in cooperation with entities carrying out parent and family engagement efforts under Title I of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6301 et seq.], and family outreach and support efforts under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act [42 U.S.C. 11431 et seq.], taking into consideration the language needs of parents of limited English proficient children;

(9) assisting families, administrators, and teachers in enhancing educational and developmental continuity and continuity of parental involvement in activities between Head Start services and elementary school classes;

(10) linking the services provided in such Head Start program with educational services, including services relating to language, literacy, and numeracy, provided by such local educational agency;

(11) helping parents (including grandparents and kinship caregivers, as appropriate) to understand the importance of parental involvement in a child's academic success while teaching them strategies for maintaining parental involvement as their child moves from Head Start to elementary school;

(12) helping parents understand the instructional and other services provided by the school in which their child will enroll after participation in the Head Start program;

(13) developing and implementing a system to increase program participation of underserved populations of eligible children; and

(14) coordinating activities and collaborating to ensure that curricula used in the Head Start program are aligned with—

(A) the Head Start Child Outcomes Framework, as developed by the Secretary; and

(B) State early learning standards, as appropriate, with regard to cognitive, social, emotional, and physical competencies that children entering kindergarten are expected to demonstrate.

(b) Construction- In this section, a reference to a Head Start agency, or its program, services, facility, or personnel, shall not be construed to be a reference to an Early Head Start agency, or its program, services, facility, or personnel.

SEC. 642(e) [20 U.S.C. § 9837] Collaboration and Coordination

(e) Collaboration and Coordination- To be so designated, a Head Start agency shall collaborate and coordinate with public and private entities, to the maximum extent practicable, to improve the availability and quality of services to Head Start children and families, including carrying out the following activities:

(1) Conduct outreach to schools in which children participating in the Head Start program will enroll following the program, local educational agencies, the local business community, community-based organizations, faith-based organizations, museums, and libraries to generate support and leverage the resources of the entire local community in order to improve school readiness.

(2) (A) In communities where both a public prekindergarten program and a Head Start program operate, collaborate and coordinate activities with the local educational agency or other public agency responsible for the operation of the prekindergarten program and providers of prekindergarten, including outreach activities to identify eligible children.

(B) With the permission of the parents of children enrolled in the Head Start program, regularly communicate with the schools in which the children will enroll following the program, to—

(i) share information about such children;

(ii) collaborate with the teachers in such schools regarding professional development and instructional strategies, as appropriate; and

(iii) ensure a smooth transition to school for such children.

(3) Coordinate activities and collaborate with programs under the Child Care and Development Block Grant Act of 1990 [42 U.S.C. 9858 et seq.], the agencies responsible for administering section 106 of the Child Abuse Prevention and Treatment Act [42 U.S.C. 5106a] and parts B and E of title IV of the Social Security Act [42 U.S.C. 621 et seq., 670 et seq.], programs under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act [42 U.S.C. 11431 et seq.],

programs under section 619 and part C of the Individuals with Disabilities Education Act [20 U.S.C. 1419, 1431 et seq.], and other entities providing early childhood education and development programs or services, serving the children and families served by the Head Start agency.

(4) Take steps to coordinate activities with the local educational agency serving the community involved and with schools in which children participating in the Head Start program will enroll following the program, including--

(A) collaborating on the shared use of transportation and facilities, in appropriate cases;

(B) collaborating to reduce the duplication and enhance the efficiency of services while increasing the program participation of underserved populations of eligible children; and

(C) exchanging information on the provision of noneducational services to such children

(5) Enter into a memorandum of understanding, not later than 1 year after December 12, 2007, with the appropriate local entity responsible for managing publicly funded preschool programs in the service area of the Head Start agency, that shall--

(A) (i) provide for a review of each of the activities described in clause (ii); and

(ii) include plans to coordinate, as appropriate, activities regarding--

(I) educational activities, curricular objectives, and instruction;

(II) public information dissemination and access to programs for families contacting the Head Start program or any of the preschool programs;

(III) selection priorities for eligible children to be served by programs;

(IV) service areas;

(V) staff training, including opportunities for joint staff training on topics such as academic content standards, instructional methods, curricula, and social and emotional development;

(VI) program technical assistance;

(VII) provision of additional services to meet the needs of working parents, as applicable;

(VIII) communications and parent outreach for smooth transitions to kindergarten as required in paragraphs (3) and (6) of section 642A(a) [20 U.S.C. 9837a(a)];

(IX) provision and use of facilities, transportation, and other program elements; and

(X) other elements mutually agreed to by the parties to such memorandum;

(B) be submitted to the Secretary and the State Director of Head Start Collaboration not later than 30 days after the parties enter into such memorandum, except that—

(i) where there is an absence of publicly funded preschool programs in the service area of a Head Start agency, this paragraph shall not apply; or

(ii) where the appropriate local entity responsible for managing the publicly funded preschool programs is unable or unwilling to enter into such a memorandum, this paragraph shall not apply and the Head Start agency shall inform the Secretary and the State Director of Head Start Collaboration of such inability or unwillingness; and

(C) be revised periodically and renewed biennially by the parties to such memorandum, in alignment with the beginning of the school year.

VI. PROGRAMMATIC OBLIGATIONS OF THE LEA AND HEAD START AGENCY AND/OR OTHER EARLY CHILDHOOD DEVELOPMENT PROGRAMS

The following are the ways Parties to this MOA will meet federally required areas of coordination in DC:

A. Data and Records Sharing

<p align="center">ESSA Section 1119 – Coordination Requirement</p> <p>(b) Each LEA shall carry out agreements with Head Start and other early childhood development programs on coordination, including...</p>	<p align="center">Head Start Act Section 642A – Transition and Alignment with K-12 Education</p> <p>[Each HSA shall take steps to coordinate with LEAs and schools in which the children will enroll after the Head Start program, including...]</p>
<p>(1) Developing and implementing a systematic procedure for receiving records regarding such children, transferred with parental consent from a Head Start program or, where applicable, another early childhood education program.</p>	<p>(a)(1) Developing and implementing a procedure for transferring program records for each participating child to the school in which the child will enroll.</p>

Definition:

For the purposes of this MOA, "records" in ESEA Sec. 1119(b)(1) or Head Start Act Sec. 642A(a)(1) above are defined as including at least the following information, transferred with parental consent and following all applicable District and federal privacy laws:

- Student immunization and health records;
- Individualized Family Service Plan (IFSP) and/or Individualized Education Programs (IEPs), if applicable as those terms are defined in the Individuals with Disabilities Education Act [20 U.S.C. 1400et seq.];
- Health action plan and nutrition needs, if applicable;
- Behavior plan, if applicable;
- Results of assessments based on the Head Start Early Learning Outcomes Framework across multiple domains, or assessments from other early childhood development programs if applicable; and
- Any other applicable records maintained by the HSA or early childhood development program regarding the child.

LEAs will:

- Examine received incoming students’ transition packets, portfolios or other early childhood data on accomplishments and needs and use the data to inform instructional strategies, special education placement, health services, family support, and/or other supports; and
- Share incoming transition packets with teachers responsible for incoming students.

HSA’s and other early childhood development programs, to the extent feasible, will:

- Provide parents of exiting students with transition packets, which include for each student, if applicable: immunization records, health action plans, behavior plans, nutrition and physical needs, Individualized Family Service Plan (IFSP), family goals and academic assessments from the most recent year;
- Manage the collection of consent forms, sharing data only for students whose parents or guardians have signed them; and
- Share with OSSE and the DC Head Start Association (DCHSA) information on selection priorities for eligible children.

B. Communication and Coordination of Services

<p align="center">ESSA Section 1119 – Coordination Requirement</p> <p>(b) Each LEA shall carry out agreements with Head Start, and other early childhood development programs if feasible, on coordination, including...</p>	<p align="center">Section 642A – Head Start Transition and Alignment with K-12 Education</p> <p>[(a)] Each HSA shall take steps to coordinate with LEAs and schools in which the children will enroll after the Head Start program, including...</p>
<p align="center">Communication and Coordination of Services</p>	
<p>(2) Establishing channels of communication between school staff and their counterparts (including teachers, social workers and health staff) in such Head Start agencies or other entities carrying out early childhood education programs, as appropriate, to facilitate coordination of programs.</p>	<p>(2) Establishing ongoing channels of communication between Head Start staff and their counterparts in the schools (including teachers, social workers, LEA homeless liaisons, and health staff) to facilitate coordination of programs; [...]</p> <p>(5) Establishing comprehensive transition policies and procedures that support children transitioning to school, including by engaging the local educational agency in the establishment of such policies; [...]</p>

	(13) Developing and implementing a system to increase program participation of underserved populations of eligible children
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Transition Planning

In DC, families attending Head Start or other early childhood development programs use the My School DC common lottery process to enroll in a seat for public pre-K in a DC public school or for a public K-12 school that is outside their DC Public Schools (DCPS) boundary. It is important for early childhood development programs to help families understand the process and critical timelines associated with student enrollment via the My School DC lottery. The suggested activities outlined below are designed to help facilitate smooth and effective transitions for families enrolled in HSAs or other early childhood development programs.

The Parties to this MOA will help prepare families for transition from early childhood development programs to LEAs. The parties will take the following actions annually (unless another timeline is stated):

LEAs will:

- Designate a point of contact for early childhood transition and communication with Head Start programs and share the point of contact with OSSE and DCHSA;
- Publicly post the LEAs’ transition policy and/or any requirements (e.g. orientation, tours, enrollment forms) for new pre-K and kindergarten students;
- Ensure schools publicly post the dates of transition events for prospective pre-K or Kindergarten students on school websites; and
- Ensure the dates of open houses, playdates, summer academies, or transition events for the upcoming school year for enrolled students are publicly posted on the school or LEA’s website.

HSAs, and other early childhood development programs if feasible, will:

- Establish policies and procedures for students transitioning to school;
- Designate a point of contact for communication with LEAs and share the point of contact with OSSE and DCHSA; and
- Share information about events held by LEAs for prospective students with Head Start staff and families.

C. Family Engagement

Family Engagement	
<p>(3) Conducting meetings involving parents, kindergarten or elementary school teachers and Head Start teachers or, if appropriate, teachers from other early childhood education programs, to discuss the developmental and other needs of individual children.</p>	<p>6) Conducting outreach to parents and elementary school (such as kindergarten) teachers to discuss the educational, developmental, and other needs of individual children; [...]</p> <p>(8) Developing and implementing a family outreach and support program, in cooperation with entities carrying out parent and family engagement efforts under Title I of [ESEA], and family outreach and support efforts under [the McKinney-Vento Homeless Assistance Act], taking into consideration the language needs of parents of limited English proficient children;</p> <p>(9) Assisting families, administrators, and teachers in enhancing educational and developmental continuity and continuity of parental involvement in activities between Head Start services and elementary school classes; [...]</p> <p>(11) Helping parents (including grandparents and kinship caregivers, as appropriate) to understand the importance of parental involvement in a child's academic success while teaching them strategies for maintaining parental involvement as their child moves from Head Start to elementary school;</p> <p>(12) Helping parents understand the instructional and other services provided by the school in which their child will enroll after participation in the Head Start program.</p>

LEAs will:

- Ensure schools publicly post parent/teacher organization or other meetings that new or prospective parents may join on school websites;
- Conduct meetings with parents, kindergarten teachers and Head Start teachers to discuss developmental and other needs of individual children, as appropriate;
- Invite Head Start staff to participate in meetings to develop or review a child’s IEP upon receipt of parental consent, as appropriate; and
- Conduct activities to inform parents and community members of the availability of special education and related services, including methods to request those services.

HSAs will:

- Support families in navigating the My School DC lottery and selecting a school;
- Support families in understanding LEAs’ instructional and other services, including English language instructional program, if needed;
- Refer young children who may be suspected of having a disability to Strong Start, Early Stages, or the corresponding LEA for evaluation and early intervention as needed; and
- Participate in meetings with Strong Start, Early Stages or other relevant LEAs to develop or review a child’s IEP or IFSP upon receipt of parental consent, as appropriate.

D. Joint Professional Development

<p align="center">ESSA Section 1119 – Coordination Requirement</p> <p>[(b) Each LEA shall carry out agreements with Head Start and other early childhood development programs on coordination, including...]</p>	<p align="center">Head Start Act Section 642A – Transition and Alignment with K-12 Education and Section 642 (e)(5) – Memorandum of Understanding</p>
<p>(4) Organizing and participating in joint transition-related training of school staff, Head Start program staff and where appropriate, other early childhood education program staff.</p>	<p>Head Start Act Sec. 642A (a)(1)(4) [Coordination with LEAs and schools shall include...] Organizing and participating in joint training of staff on topics such as academic content standards, instructional methods, curricula, and social and emotional development</p> <p>Head Start Act Sec. 642(e)(5)(A)(ii)(V) and (VI) [MOU between Head Start and the</p>

	<p>local entity managing public preschool shall include...]</p> <p>(V) Staff training, including opportunities for joint staff training on topics such as academic content standards, instructional methods, curricula, and social and emotional development;</p> <p>(VI) program technical assistance</p>
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Staff (which may include teachers, paraprofessionals, coaches or other relevant staff roles) from each LEA and HSA will participate in at least two of any of the following events annually (to the extent permitted by Union contracts):

- Early childhood-elementary joint professional development activities jointly organized and/or facilitated by OSSE, LEAs, HSAs and/or early childhood development programs;
- LEA staff training sessions for staff serving children age three through second grade, in which LEAs invite and collaborate on planning with at least the HSAs and/or other early childhood development programs sending the largest number of students to the LEA; and/or
- National conferences, regional conferences, District-wide conferences or webinars in which early childhood through second grade experts share best practices on early childhood, which may include coordination and transition to elementary school.

LEAs and HSAs will:

- Share information about jointly organized and/or facilitated early childhood-elementary professional development activities with LEA and HSA staff.

D. Standards, Curriculum and Instructions and Other Educational Services

<p>ESSA Section 1119 - Coordination Requirement</p> <p>(b)(2) Each LEA shall carry out agreements with Head Start and other early childhood development programs, including...</p>	<p>Head Start Act Section 642A Head Start Transition and Alignment with K-12 Education</p> <p>[(a) Each HSA shall take steps to coordinate with LEAs and schools in which the children will enroll after the Head Start program, including...]</p>
<p>(S) Linking the educational services provided by such local educational</p>	<p>(10) Linking the services provided in such Head Start program with educational services, including services relating to</p>

<p>agency with the services provided by local Head Start agencies.</p>	<p>language, literacy, and numeracy, provided by such local educational agency;[...]</p> <p>(14) Coordinating activities and collaborating to ensure that curricula used in the Head Start program are aligned with--</p> <p>(A) The Head Start Child Outcomes Framework, as developed by the Secretary; and</p> <p>(B) State early learning standards, as appropriate, with regard to cognitive, social, emotional, and physical competencies that children entering kindergarten are expected to demonstrate.</p>
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Alignment of Standards, Curriculum and Instruction

LEAs, HSAs and other early childhood development programs, if feasible, will work collaboratively to meet state and federal regulations that support and maintain high-quality services for all children while creating meaningful partnerships that promote school readiness and address achievement gaps.

LEAs will:

- Share resources and strategies with HSAs and to the extent possible with other early childhood development programs on standards, curriculum and instruction, which may include, to the extent possible:
 - Working directly with HSAs to align lessons or activities that meet aligned standards;
 - Organizing or participating in joint professional development on applicable DC education standards, curriculum or instructional strategies; or
 - Sharing information on LEA-developed curriculum or assessments.
- Encourage pre-K and Kindergarten teachers to complete specified coursework offered in OSSE’s Learning Management System (LMS).

HSAs and other early childhood development programs, to the extent possible, will:

- Adopt the national Head Start Early Learning Outcomes Framework (HSELOF);
- Utilize a research-based curriculum that is aligned to DC CCELS;
- Develop school readiness goals; and

- Encourage teachers to complete specified coursework offered in OSSE's Learning Management System (LMS).

VII. DURATION OF THE MOA

The period of the MOA shall be from the date of execution through Sept. 30, 2025. This MOA shall renew automatically on Oct. 1 of each subsequent fiscal year until Sept. 30, 2029, unless terminated in writing by the Parties pursuant to the Termination Section of this MOA (see below). The Parties shall periodically review the requirements of this MOA and make amendments or modifications as needed (see below).

VIII. AMENDMENTS AND MODIFICATIONS

The terms and conditions of this MOA may be amended or modified only upon prior written agreement by the Parties. Any modification or amendment of this MOA shall be valid only when reduced to writing, duly signed and attached to the original MOA. A Party may initiate discussions regarding modification to this MOA by giving thirty (30) days' notice in advance of the proposed modifications. Either party may request in writing a modification to the agreement due to changes in federal, state or local regulatory requirements that render the agreement illegal, ineffective or too costly to continue as originally written.

IX. TERMINATION

Either Party may terminate this MOA at a date prior to the renewal date specified in the MOA by giving the other Party at least sixty (60) days written notice. The MOA shall terminate on the date specified in the written notice, and the liabilities of the Parties hereunder for further performance of the terms of the MOA shall cease, but the Parties shall not be released from the duty to perform the MOA up to the date of termination.

X. RESPONSIBILITY FOR THE ACTS OF THE PARTIES

- A. The Parties to this MOA are cooperating District government entities and/or private entities. No employee or agent of any entity shall be deemed to be an employee or agent of another entity and shall have no authority, expressed or implied, to bind any other entity except as expressly set forth in the MOA. Each entity shall be responsible for its acts and those of its employees, agents and subcontractors, if any, during the course of this MOA.

- B. This MOA shall not be construed to create any rights, substantive or procedural, enforceable at law by any person in any judicial or administrative matter. This MOA is made for the benefit of the Parties hereto and not for the benefit of a third party.
- C. The Parties, individually, shall have a mechanism in place for implementing and monitoring how this MOA's coordination activities occur with other Parties.

XI. NOTICE OF CLAIMS AND LAWSUITS

Each Party shall promptly inform the other Party of any information related to the provision of services under this MOA that could reasonably lead to a claim, demand or liability against the other Party by a third party. Any Party that becomes a defendant in a lawsuit that involves services provided under this MOA and that may involve legal liability of the other party shall deliver to the other Parties, within five days of service of process, a copy of any pleading relating to such lawsuit.

XII. CONSISTENT WITH LAW

The Parties shall comply with all applicable laws, rules and regulations whether now in effect or hereafter enacted or promulgated.

XIII. CONFIDENTIAL INFORMATION

The Parties to this MOA will use, restrict, safeguard and dispose of all information related to or provided under this MOA in accordance with all relevant federal and local statutes, regulations and policies. Any unlawful use or disclosure of information related to the services provided under this MOA shall be subject, as applicable, to penalties outlined in the Data-Sharing and Information Coordination Amendment Act of 2010, effective Dec. 4, 2010 [D.C. Law 18-273; D.C. Official Code § 7-241 et seq.] and its implementing regulations at 29 DCMR 3000; the Health Insurance Portability and Accountability Act of 1996 (HIPAA), approved Aug. 21, 1996 [P.L. 104- 191, 42 U.S.C. §1320d et seq.], as amended, and its corresponding regulations at 45 CFR Parts 160, 162, and 164; the Family Educational Rights and Privacy Act [(FERPA), 20 U.S.C. § 1232g, 34 CFR Part 99]; the Individuals with Disabilities Education Act [(IDEA), 20 U.S.C. § 1400 et seq., 34 CFR Part 300], and any other applicable District and Federal laws.

XIV. SEVERABILITY

In case any provision in or obligation under this Agreement shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions or obligations shall not in any way be affected or impaired thereby.

XV. COUNTERPARTS

This Agreement may be executed in several original counterparts, each of which shall be an original and all of which counterparts taken together shall constitute one and the same agreement. Signatures to this Agreement transmitted by electronic means shall be valid and effective to bind the Party so signing.

XVI. EFFECTIVE DATE

This MOA shall be effective upon the last date of execution by signatories below.
IN WITNESS THEREOF, The Parties have executed this MOA as follows:

[LOCAL EDUCATION AGENCY NAME]

EXECUTIVE NAME/TITLE
Agency Director or Designee

Date

[LOCAL EDUCATION AGENCY NAME]

EXECUTIVE NAME/TITLE
Agency Director or Designee

Date

[HEAD START AGENCY NAME]

EXECUTIVE NAME/TITLE
Agency Director or Designee

Date

[HEAD START AGENCY NAME]

EXECUTIVE NAME/TITLE
Agency Director or Designee

Date

[HEAD START AGENCY NAME]

EXECUTIVE NAME/TITLE
Agency Director or Designee

Date

[HEAD START AGENCY NAME]

EXECUTIVE NAME/TITLE
Agency Director or Designee

Date

And

[OTHER EARLY CHILDHOOD DEVELOPMENT PROGRAM(S), IF FEASIBLE]

EXECUTIVE NAME/TITLE
Agency Director or Designee

Date

Appendix. OSSE Role in Supporting MOA Activities

OSSE will assist LEAs and HSAs throughout the duration of the MOA in their activities to support children's and families' transitions to pre-k and/or kindergarten.

In order to support parties to the above MOA, OSSE will:

- Facilitate communication and information sharing across LEAs and HSAs, as appropriate;
- Provide guidance on priority coursework offered for early childhood educators in OSSE's LMS;
- Share information on MySchoolDC with HSAs;
- Share information on MyChildCareDC and the U.S. Department of Health and Human Services Head Start Center Locator with LEAs;
- Compile and disseminate to HSAs and other early childhood development programs a list of LEAs' points of contact for early childhood transition activities, homeless liaisons, special education coordinators and English learner program coordinators;
- Compile and disseminate to LEAs a list of early childhood points of contact for HSAs and other early childhood development programs, to the extent feasible; and
- Maintain and post a list of evidence-based curricula for use by LEAs, HSAs and early childhood programs.