

CHAPTER 3: CHILD FIND – TABLE OF CONTENTS

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CHAPTER 3: CHILD FIND

The Child Find system involves three basic components leading to the determination of whether ~~or not~~ a student has a disability and requires special education. The components of **Child Find** are location, identification, and evaluation. This chapter describes location and identification activities. The evaluation process is covered in Chapter 4.

Section 1. ~~District~~ LEA Responsibility

The ~~district~~ LEA is responsible for establishing and implementing an ongoing Child Find system to locate, identify, and evaluate students suspected of having disabilities, ages three (3) through ~~the semester during which they turn~~ twenty-one (21) **inclusive, until the day prior to the student's twenty-second (22nd) birthday**, who may need special education, regardless of the severity of the disabilities. The ~~district~~ LEA is also responsible for coordinating with the Department of Health and Welfare (DHW) regarding the Child Find system for children ages birth through two (2) years. The ~~district~~ LEA may appoint an individual to coordinate the development, revision, implementation, and documentation of the Child Find system.

The Child Find system shall include all students ~~who residing or enrolled in within the district's LEA geographic boundaries~~ including students who are:

1. enrolled **or may be enrolled** in the ~~district~~ LEA, ~~however, this would not include a student who is placed in that public school by another district;~~
2. enrolled in charter and alternative schools;
3. enrolled in homeschool;
4. enrolled in ~~parentally placed~~ private elementary and secondary schools (including religious schools) located in the ~~district~~ LEA's **geographic boundaries**; including out-of-state parentally-placed private school ~~children~~ **students** with disabilities;
5. not enrolled in elementary or secondary school, including resident ~~children~~ **students** ages three (3) through five (5);
6. advancing from grade to grade;
7. highly mobile students (such as migrant and homeless **students** as defined by the McKinney-Vento Homeless **Assistance** Act [see Glossary]); and
8. wards of the state.

Section 2. Locating Students

Locating students who may have disabilities involves coordinating with other agencies and promoting public awareness.

A. Coordination

For infants and toddlers, birth through two (2) years of age, Child Find is provided by the Idaho Infant/-Toddler Program (ITP). Although lead responsibility for the ITP has been designated to the DHW, interagency agreements provide for collaboration and coordination. The ~~district~~ LEA shall use local interagency agreements for efficient use of resources and ease of service accessibility for students and families.

B. Public Awareness

The ~~district~~ LEA shall take and document the necessary steps to ensure that ~~district~~ LEA staff and the general public are informed of the following:

1. the availability of special education services;
2. a student's right to a free appropriate public education (FAPE);
3. confidentiality protections; and
4. the referral process.

This information may be provided through a variety of methods such as distributing brochures or flyers, including information in school or ~~district~~ LEA publications, disseminating articles and announcements to newspapers, arranging for radio and television messages and appearances, speaking at faculty meetings or ~~district~~ LEA in-services, and making presentations.

Section 3. Identification

The identification component of Child Find includes screening, early intervening through ~~tiered general education interventions~~ ~~a problem-solving process~~, and referral to consider a special education evaluation. The procedural rights under the IDEA are afforded when the student is referred for a special education evaluation by the parent/adult student or the ~~district~~ LEA.

A. Screening

Screening is an informal, although organized, process, of identifying students who are not

meeting or who may not be meeting Idaho Content Standards or Idaho Early Learning Guidelines (eGuidelines). A variety of methods may be used to screen students, including performance on statewide assessments, curriculum-based measures, daily work in the classroom, teacher observations, hearing and vision screeners, developmental milestones, and/or kindergarten readiness measures.

Screening for instructional purposes is not an evaluation. The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services.

Although screening is an important part of the Child Find system, screening cannot be used to delay processing a referral to consider a special education evaluation where immediate action is warranted.

B. Tiered General Education Interventions ~~(Comprehensive Early Intervening Services)~~

~~Under the Local Education Agency (LEA) funding option, early intervening services~~ Tiered general education interventions are services for K-12 students who need additional academic and behavioral support to succeed in the *general education environment*. When a school's screening process reveals that a student ~~or groups of students are~~ is at risk of not meeting the Idaho Content Standards, the general education problem-solving team shall consider the ~~student's~~ students' need for tiered ~~"supported"~~ instructional and/or behavioral interventions ~~in order~~ to help the students succeed. These interventions are referred to as ~~early intervening services or~~ tiered general education interventions, accommodations, and strategies. It is important to remember that students who receive ~~early intervening these interventions services~~ are not currently identified as needing special education or related services and do not have a right to ~~FAPE a free appropriate public education. Therefore, the IDEA procedural safeguards are not applicable at this time.~~

Districts LEAs shall implement ~~comprehensive coordinated services~~ tiered general education interventions and activities that involve providing educational and behavioral evaluations, services, and supports. These services may also include professional development for teachers and other staff to enable them to deliver ~~scientifically-based evidence-based~~ academic and behavioral interventions ~~with fidelity, including scientifically research-based literacy instruction, and where appropriate, instruction on the use of adaptive and instructional software.~~ ~~Comprehensive Early Intervening Services (CEIS)~~ Tiered general education interventions should be based on whole-school approaches such as; the three-tiered model, ~~scientifically research-based~~ curriculum and instruction, positive behavior supports, and a response to intervention (RTI) system.

~~If a district chooses to use up to 15% of IDEA Part B funds for CEIS for students in K-12 who are~~

~~not currently identified as needing special education, but who need additional support in the general education environment, additional requirements may apply that will affect maintenance of effort. In addition, if IDEA Part B funds are used, the district must annually report to the SDE:~~

- ~~1. The number of children receiving CEIS; and~~
- ~~2. The number of children who received CEIS and subsequently received special education services during the preceding two-year period.~~

~~If a district is found to have a significant disproportionate representation in special education, there are additional requirements for use of funds in CEIS. Please see Chapter 10 for more information on CEIS.~~

C. General Education Problem Solving

1. Establishing a Problem-Solving Team

The ~~district~~ LEA shall establish a problem-solving team and a process to plan accommodations and ~~tiered~~ interventions in general education and to ensure that referrals to consider a special education evaluation are appropriate. Team membership is established by the school or the ~~district~~ LEA and ~~would likely shall~~ involve general educators and administrators, and ~~could may~~ include counselors, specialists, and special education personnel. While parent/adult student involvement is valuable and encouraged, the ~~district~~ LEA is not required to include the parent/adult student on the ~~problem-solving~~ team.

When problem solving involves a child three to five (3-5) years of age, the team ~~should shall~~ seek input from family members, child-care programs, private preschools, or Head Start Programs, as appropriate. An early childhood problem-solving process needs to consider early childhood environments and the preschool student's need for supported instructional interventions in order for the student to participate in appropriate activities. IDEA Part B funds cannot be used to provide CEIS to preschoolers.

2. Referrals to the Problem-Solving Team

Referrals to the problem-solving team may come from a variety of sources including parents, students, other family members, public or private school personnel, agencies, screening programs, or as a result of annual public notice.

Referrals may be made for ~~a variety of reasons dealing with~~ academic and/or behavioral concerns. ~~and may involve, but are not limited to, teaching strategies, material accommodations, social skills training, cooperative learning concepts, classroom organization, and scheduling.~~

3. Tiered Interventions

- a. Tiered interventions in general education or an early childhood environment shall be attempted before a student is referred to an evaluation team, unless the student's performance indicates an evaluation is warranted or a parent makes a request for a referral for a special education evaluation.
- b. Tiered interventions shall be of sufficient scope and duration to determine the effects on the student's educational performance and should be clearly documented.
- c. Documentation of the student's response to tiered ~~success or failure of accommodations and~~ interventions provided shall be reviewed and discussed by the problem-solving team.

4. Problem-Solving Team Decisions Following General Education Intervention

~~Based on a review of data and information presented by the referring party and others, the team has several decision options. In the case of a preschool student, data and information shall be gathered and reviewed from such settings as child care programs, private preschools, Head Start Programs, or the home.~~ Following an intervention, the problem-solving team shall review progress monitoring data from the intervention and other relevant information to determine what action is warranted. The team considers a variety of options, including whether to:

- a. continue the general education intervention because the student is making adequate progress but needs more time to reach goals;
- b. ~~discontinue the general education intervention because the student has met their intervention goals;~~
- c. ~~modify continue~~ the intervention ~~in a modified form~~ to better meet student needs;
- d. explore services or programs outside of special education (such as Title I of the Elementary and Secondary Education Act, including English language programs; Section 504 accommodations; counseling); and/or
- e. make a referral to consider a special education evaluation.

In the case of a preschool student, data and information shall be gathered and reviewed from such settings as childcare programs, private preschools, Head Start Programs, or the home.

Although problem-solving activities are an important part of the system, they cannot be used to delay processing a referral for consideration of a special education evaluation where immediate action is warranted. Either a parent or an LEA ~~public agency~~ may initiate a request for an initial

evaluation. If a parent initiates a referral for a special education evaluation, the evaluation cannot be delayed or denied due to the child not completing the general education intervention process.

Section 4. Referral to Consider a Special Education Evaluation

A. Evaluation Team

The evaluation team is the group of ~~people~~ individuals established by the IDEA responsible ~~that has the responsibility~~ for making decisions regarding evaluation, assessments, and eligibility. The composition of the evaluation team will vary depending on the nature of the student's suspected disability and other relevant factors ~~but must include qualified professionals and the parent of the student/adult student~~. The evaluation team shall include the same membership (although not necessarily the same individuals) as the IEP team and other professionals as needed to ensure that appropriate, informed decisions are made.

~~Unlike an IEP team,~~ an evaluation team has the flexibility of conducting business with or without a meeting. The case manager can gather input from evaluation team members in a variety of ways. The parent/adult student shall be included in the evaluation team and shall be given the opportunity to indicate whether he or she wishes the team to hold a meeting with all members attending.

B. Referral to Consider a Special Education Evaluation

The procedure for ~~handling referrals~~ a referral to consider a special education evaluation for students suspected of having a disability includes the following:

1. Unless immediate action is warranted and documented, a referral to consider a special education evaluation is sent to the evaluation team *after* the problem-solving team has determined:
 - a. the student's response to research-based interventions in general education (or age-appropriate activities for preschool) has not resulted in adequate progress; ~~and~~
 - ~~b.~~ language and cultural issues are not the ~~main source of~~ primary factors in the student's academic or behavioral discrepancy from peers.; ~~and~~
 - c. a lack of appropriate instruction in reading and/or math is not the primary factor in the student's academic or behavioral discrepancy from peers.
2. A *Referral to Consider a Special Education Evaluation/Reevaluation* form shall be

completed.

3. Procedural safeguards are activated when a referral is made to consider a special education evaluation. If the referral came from someone other than the parent/adult student (see Glossary) the parent/adult student shall be notified. In either case, the parent/adult student shall be provided ~~with~~ a copy of the *Procedural Safeguards Notice*. At the same time, the parent/adult student shall be afforded an opportunity to provide input regarding the need for and scope of the initial evaluation, including the opportunity to hold a meeting if desired.
4. The evaluation team (including the parent/adult student) reviews all available records, including family and health history, past school experiences, the results of general education interventions, and previous assessments and evaluations. The evaluation team shall decide what additional assessments, if any, are needed. This review and determination process can take place at a face-to-face meeting of the evaluation team or through an alternate format, unless the parent/adult student desires that a meeting be held.
 - a. If the evaluation team determines that an evaluation is warranted, written notice shall be provided to the parent/adult student describing the proposed evaluation and written consent shall be obtained from the parent/adult student.
 - b. If the evaluation team determines that an evaluation is not warranted at this time, the team ~~should seek other avenues for services~~ may consider meeting the student's needs through other means, such as the three-tiered model, research-based curriculum and instruction, positive behavior supports, a response to intervention (RTI) system, or an evaluation under Section 504 of the Rehabilitation Act of 1973 ~~to meet the student's needs~~. The person initiating the referral, if other than the parent/adult student, may be informed as to why the evaluation is not being conducted. Written notice of the ~~district's~~ LEA's refusal to evaluate a student for special education services shall be provided to the parent/adult student when ~~he or she makes~~ a referral for a special education evaluation ~~was is~~ made and the ~~district~~ LEA determines that the evaluation is not warranted.

~~Note: Districts are prohibited from requiring that a student obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school, receiving an evaluation, or receiving services under the IDEA.~~

See Chapter 4 for more information on evaluation and eligibility.

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