

Child Find - 3.2 Responsibilities in Locating Children with Disabilities

State Performance Plan (SPP):

(See Overview in the Introduction for more information on the SPP.)

- SPP 8:** Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. (20.U.S.C. 1416 (a) (3) (A))
- SPP 9:** Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. (20.U.S.C. 1416 (a) (3) (C))
- SPP 10:** Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. (20.U.S.C. 1416 (a) (3) (C))
- SPP 11:** Percent of children with parental consent to evaluate, who are evaluated within 60 days (or state established timeline). (20.U.S.C. 1416 (a) (3) (B))
- SPP 12:** Percent of children referred by Part C prior to age 3, who are found eligible for Part B and who have an IEP developed and implemented by their third birthdays. (20.U.S.C. 1416 (a) (3) (B))

Intent:

To ensure procedures are in place that address the identification, location and evaluation of all children with disabilities who reside within the school district (LEA).

Timelines:

Annually

- The school district will collaborate with community agencies at least annually.
- Staff training will be conducted by the school district as necessary, but at least annually.

As Necessary

- Policies and procedures will be reviewed and revised as data or need require.

Ongoing

- Transition from Help Me Grow

REQUIREMENT

3301-51-03

Child find

(A) Each school district shall adopt and implement written policies and procedures approved by the Ohio Department of Education, Office for Exceptional Children, that ensure that all children with disabilities residing within the district, including children with disabilities who are homeless children or are wards of the state, and children with disabilities attending nonpublic schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located, and evaluated as required by the Individuals with Disabilities Education Act, as amended by the Individuals with Disabilities Education Improvement Act of 2004, December 2004 (IDEA) and federal regulations at 34 C.F.R. Part 300 (October 13, 2006) pertaining to child find, including the regulations at 34 C.F.R. 300.111 and 300.646 (October 13, 2006) and as required by the provisions of this rule.

(B) Child find

(1) General

The child find policies and procedures that each school district adopts and implements under this rule shall ensure that:

- (a) All children with disabilities residing in the state, including children with disabilities who are homeless children or are wards of the state, and children with disabilities attending nonpublic schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located, and evaluated; and
- (b) A practical method is developed and implemented to determine which children are currently receiving needed special education and related services.

GUIDANCE

General

The school district (including community or chartered nonpublic schools) adopts and implements written policies and procedures that provide for the location, evaluation and identification of all children with disabilities residing in the district. These written policies and procedures will include disseminating information, at regular intervals, about referring a child for a suspected disability to every household in the district. This dissemination of information at regular intervals will include ads taken out in local newspapers as well as agreements in place with agencies such as Help Me Grow and MR/ DD to assist in Child Find. Policies and procedures should address the district's relationship with community early learning providers as well.

Some children are particularly difficult to locate. Special care is taken to identify ways of locating children who move frequently, who have no permanent address, whose parents cannot be located, whom the courts have placed in state custody or detention or prison centers, who are in a home- school program or in nonpublic chartered or nonchartered schools or who may be progressing in school but may be in need of special education and related services.

For children who move into the district with an incomplete evaluation, the local district will immediately contact the sending district to obtain information it had collected. The receiving district reviews the material and determines if any further information is necessary. If the district elects to use the existing data, the process continues. If further additional information is needed, the district obtains parental permission, creates an evaluation plan with the parents' input and proceeds. (See [Evaluation - 6.4 Planning and Conducting the Evaluation](#))

Collaboration

- The school district should designate the special education director or other person knowledgeable about special education laws and practices to convene community meetings, and the district may appoint an advisory board that includes representatives of community agencies that have mechanisms to locate children with disabilities.
- The school district representative should meet and collaborate fully with community agencies, churches, school staff, organizations, hospitals, private schools, individuals, nonpublic/ nonchartered schools, preschools and childcare agencies to plan, locate and disseminate information regarding referrals of children who have or are suspected of having a disability and may require special education and related services. Included in the information disseminated are:
 - The disabilities that may qualify as disabling conditions, such as cognitive disability (mental retardation), hearing impairment (including deafness), speech or language impairment, visual impairment, serious emotional disturbance, orthopedic impairment, autism, traumatic brain injury, other health impairment, specific learning disability, deaf- blindness or multiple disabilities;
 - The educational needs of children with disabilities;
 - The purpose of the identification activities and description of the children on whom data will be maintained;
 - The rights of children with disabilities and their parents;
 - The services available to children with disabilities;
 - Confidentiality protections;
 - The types of data sought, the methods and sources used in gathering data, and the use to be made of the data; and

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- A summary of the policies and procedures to be followed regarding the storage, disclosure, retention and destruction of all personally identifiable data.
- The school district should ensure that those community members and parents who do not easily understand English are provided with outreach activities in a way that allows them informed access to the process. This may include interpreters and materials in the parents' native language or other mode of communication.
- The school district should provide staff training and written information to public schools in the district concerning the differentiated referral and identification processes. Training meetings should be held by the district to disseminate information concerning the referral and identification processes and the roles of various personnel. It is the responsibility of the district to assure that the special education teaching staffs are highly qualified and that support staffs have complied with the qualification requirements.
- The name, position and contact methods of the school district special education representative should be made available.

Referral procedural steps

(See [Evaluation - 6.2 Request and Referral for Initial Evaluation](#) and [Preschool - 10.1 Eligibility](#))

The school district should prepare and adopt clearly written screening and referral procedures for children suspected of having a disability and make those procedures accessible to community agencies and individuals.

- The school district works with Help Me Grow regarding Child Find birth - 2 and focuses on children age 2 who will become the district's responsibility at age 3.
- The school district notifies parents and should provide information to child- care agencies, physicians, Help Me Grow, preschools and other agencies serving children ages birth - 21 about the procedures necessary for screening and referral. The Ohio Department of Education, Office for Exceptional Children (ODE/ OEC) recommends that school districts provide notification to homeless shelters and child protective services agencies, to increase the likelihood that eligible children are identified and to encourage compliance with the state and federal requirement that districts identify children who are difficult to locate, such as homeless children and children who are wards of the state.
- The school district conducts screenings that are developmentally appropriate for children ages birth through 21 as necessary. Consent is not needed if all children are being screened (using the three- tier model); otherwise, informed and signed parent permission is needed. (Generally, older children would have been referred for screenings and high quality, scientifically based interventions or evaluations sometime during elementary or early middle school. Careful review of the child's records provides information on the types and quality of interventions and instruction that may have been in place.)
- Screenings should include vision, hearing, general health and background information. Depending on the age of the child, play-based or classroom observations, speech/ language issues and motor and social interactions should be recorded by trained individuals. For preschool, the recording must take place in at least two settings and in multiple activities.
- Interviews, consultations, referral from other sources, assessments (such as curriculum- based) and other appropriate classroom-based measures can be used to determine interventions.
- The school district should provide and explain the results of the screenings to children, parents and staff.
- Children whose screening results indicate a suspected disability are referred for evaluations covering areas of suggested disability.
- Young children whose screening results are questionable should be given an opportunity for re- screening at a later date, but suggestions should be made available to parents of preschool- age children.
- The referral *process* may be started by anyone who has direct knowledge about the child, such as school personnel, parents, children, outside agency personnel, physicians or others.
- The school district, other public agency or the parents are the only ones that may make a formal referral of a child for an evaluation for a suspected disability under IDEA.
- The parents, school district or other public agency completes the Referral for Evaluation PR-04 form.
- The school district provides the parents with Prior Written Notice to Parents PR-01 form within 30 days of referral, either agreeing or refusing to conduct an evaluation. (See [Procedural Safeguards 5.1 - Prior Written Notice](#)). For a parental referral, the date of the referral is the date that the district received either the verbal or written request from the parents to conduct an evaluation. For a district referral, the date of referral is the date that the screening or review team determines that an evaluation should be conducted.

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- If the school district suspects the child has a disability and agrees to conduct an evaluation, the district requests permission to evaluate the child and obtains the parents' consent on the Parent Consent for Evaluation PR-04 form within 30 days of the date of the initial referral. Once written parental consent is received, the school district conducts the evaluation within 60 days. ***Leap year will affect the 60- day timeline calculation. It is important to count the actual days, especially if one of the 60 days is February 29.**

For assistance in calculating the 60- day timeline, refer to Child Find Clarification Related to Calculating 60 Days, Ohio Department of Education, Office for Exceptional Children.

Data reporting with all children including nonpublic children

To determine which children are currently receiving needed special education and related services, the school district shall maintain current, accurate lists of all children receiving special education and related services using the Education Management Information System (EMIS) or other district data lists and verification procedures. This includes children in private schools. The list should be distributed to building administrators, any teacher (regular and special educators), nursing staff and therapists who will be serving the children.

(At least three times per year, October, December, and the spring, EMIS or when other district data lists are generated and distributed to building administrators and special education staff to verify the information. Corrections are sent to the district special education office for verification and then reported to the EMIS coordinator.)

REQUIREMENT

3301-51-03

(B) Child find

(2) Use of the term developmental delay (See [Preschool - 10.4 Transition from Early Intervention](#))

The following provisions apply with respect to implementing the child find requirements of this rule:

- (a) The Ohio Department of Education has adopted in rule 3301-51-11 of the Administrative Code a definition of the term "developmental delay" under 34 C.F.R. 300.8(b) (October 13, 2006) and under that section has determined in rule 3301-51-01 of the Administrative Code that the term applies to children aged three through five years;
- (b) A school district is not required to adopt and use the term developmental delay for any children within its jurisdiction;
- (c) If a school district uses the term developmental delay for children described in rule 3301-51-01 of the Administrative Code as experiencing developmental delays, the school district must conform to both the state's definition of the term in rule 3301-51-11 of the Administrative Code and to the age range of three through five years of age which is the age range subset that has been adopted by the Ohio Department of Education in rule 3301-51-01 of the Administrative Code.

GUIDANCE

Use of the term "developmental delay"

A school district has the choice of whether to adopt and use the term "developmental delay." If a school district uses the term "developmental delay," the district must use the state's definition of the term and apply the term only for children 3 through 5 years of age. Using the appropriate diagnostic instruments and procedures, personnel assess that the child has a "developmental delay" in one or more of the following areas: physical development; cognitive development; communication development; social or emotional development; or adaptive development. Physical development includes, but is not limited to, gross and fine motor skills. The district should provide adequate staff to perform the necessary evaluations as needed, including during summer months. See [Child Find - 3.1 General](#) and [Preschool - 10.1 Eligibility](#).

LEGAL CITATIONS:

Federal Statutes:

20.U.S.C. 1401(3), 1412(a) (3), 1412(a) (10) (A) (ii). 1418(d)

Federal Regulations:

34 CFR §300.08, 300.111(a) (ii), 300.111(b),300.131, 300.646

Ohio Revised Code:

3323.01(A)

3323.03

3323.041

Operating Standards:

3301-51-01

3301-51-03(A) and (B)

3301-51-11 (C)

McKinley - Vento Homeless Assistance Act (ODE)

FORMS (* = required)

- Prior Written Notice to Parents PR-01*
- Referral for Evaluation PR-04*