

# Child Find



# What is Child Find?

- **The Federal Law (Individuals with Disabilities Education Act (IDEA) requires each state to put processes in place which ensure each district meets its Child Find Duty.**
- **The Child Find Duty states: *All children with disabilities residing in the state, regardless of the severity of their disabilities, and who are in need of special education and related services, must be identified, located, and evaluated.***

# What does this mean?

- **Each district or charter in Texas must ensure processes and systems are in place to identify, locate and evaluate student with disabilities in need of special education. One way your district is meeting their Child Find duty is through this training. Other ways your district is meeting its Child Find duty include:**
  - **Contact with local doctors, child care facilities, and community resources**
  - **Website postings**
  - **Postings in the local news paper**
  - **Campus and Staff training**

# Legal References

- **Child Find and many of its elements are referenced in a variety of federal and state regulations.**

- [Sec. 300.111 Child Find](#) Section 300.111 is part of IDEA. IDEA stands for the Individuals with Disabilities Education Act. This act, or law, makes available a free appropriate public education for children with disabilities and ensures children receive special education and related services in the least restrictive environment (LRE). IDEA is the federal law which governs special education. States and districts can add additional layers to the areas outlined in IDEA but cannot reduce an area. If you would like to learn more about IDEA visit <https://sites.ed.gov/idea/about-idea/> (Links to an external site.)[Links to an external site.](#) .

- [Texas Administrative Code 89.1011](#) The Texas Administrative Code, often referred to as the TAC, is a compilation of all state agency rules in Texas. In the TAC, Chapter 89. *Adaptations for Special Populations Subchapter AA. Commissioner's Rules Concerning Special Education Services* directly applies to special education. Much of the information we will cover in the SPP 11 section, stems from this TAC.

# Key Elements of Child Find

- Any child between the ages of 3 and 21 suspected of having a disability and in need of special education and related services
- Includes students enrolled in private schools or homeschooled
- Includes students who are homeless, and/or wards of state
- Anyone can initiate a child find request
- Parents/Guardians & Adult Students are protected by due process when the Child Find duty is not executed correctly

# REFERRALS FOR SPECIAL EDUCATION

## EVALUATION

- Students meeting the age criteria above, suspected of having a disability, and residing within BHISD can be referred for special education evaluation. Students suspected of having a disability attending a private, nonpublic school within the boundaries of our district may also obtain an evaluation for special education services.
- The district RtI Committee, teacher, parent, doctor or other invested person with educational concerns may refer a student for a suspected disability and need for special education services.
- District forms are used for all documentation.



## **Enrolled Students (Rtl Committee):**

- Any enrolled student experiencing a lack of educational progress will be addressed by the general education intervention services provided as a part of the campus Rtl Committee process that is the responsibility of the campus principal.
- This local campus committee will monitor and determine student progress individually, track student progress on district forms and may refer for special education evaluation.
- At such time as the local campus committee determines a referral for special education evaluation is needed, the special education referral process begins.
- The district designee will complete the specific referral forms that are provided in our district Referral Packet.

## **Enrolled Students (Parent/ Other Request):**

- Parents can request a referral at any time regardless of whether the student is receiving interventions through an Rtl Committee system. Unless the district believes there is no reason to suspect that a child has a disability and is in need of special education services, an evaluation must be conducted within the applicable Federal/State timeline.
- If a parent contacts campus personnel verbally requesting a referral for special education evaluation, that campus person will immediately contact campus administration who will reconnect with the parent.

- The parent will be offered the opportunity to meet with campus staff and administrators to discuss concerns regarding the student.
- Campus administration may also explain other options, 504 evaluation or MTSS process depending on student needs and parent request.
- Campus administration will proceed with gathering existing information.
- The suspected disability must be interfering with the student's educational progress.
- If the District Referral Team agrees the evaluation is needed, the team will follow Procedures in the Referral Packet. All state timelines will be followed.

## Parent Referral determined not be warranted:

- The district must provide written notice to parents explaining why the district declines to conduct an initial evaluation and the information that was used as the basis for that decision, provide the parent with a copy of their procedural safeguards and be sure parents are informed that they can challenge this decision by requesting a due process hearing under 34 CFR §300.153 to resolve the dispute regarding the child's need for an evaluation.
- The special education department and campus designee will, not later than the 15th school day after the date the district receives the written request will mail Notice of Decision to parents.

## Campus Request for Evaluation

- When the RtI Committee determines a referral for special education evaluation is needed, the Campus administration completes the District Referral Review Committee Assessment Request Checklist.
- The checklist and needed items are sent to the District Referral Team to determine if the request for special education evaluation is warranted or if other information is needed.

# Due Process Rights of Parents/Adult Students

- <https://www.spedtex.org/index.cfm/parent-resources/procedural-safeguards/>

The Notice of Procedural Safeguards is a resource provided to parents at the beginning of the Child Find process. This resource explains all the processes of Special Education as well as the rights of parents/guardians and/or adult students. This is a great resource to familiarize yourself with especially if your role is to consult with parents/guardians and/or adult students requesting an evaluation.

# Dyslexia

- The District Referral Team (DRT) will be responsible for reviewing referrals of students suspected of having characteristics of dyslexia.
- Students in grades K-2 may have been screened through a dyslexia screening procedure provided to all students in those grades.
- Referrals for consideration of dyslexia may be completed for any student in the district.
- Using the designated district-wide process, the family of all students suspected of dyslexia will be offered an opportunity for an evaluation for dyslexia.
- If it appears that the student may require a program of specially designed instruction, the family will be offered a full initial and individual evaluation for special education services following the special education referral procedures. This includes following all special education timelines and includes Notice and Consent.