The University of the State of New York
New York State Education Department
Office of Special Education

2026 Child Find Requirements

This is one in a series of policy briefs prepared by the New York State Education Department (NYSED) on topics pertaining to the implementation of the Individuals with Disabilities Education Act (IDEA) in New York State (NYS), NYS Education Law §4402 and Part 200 of the Regulations of the Commissioner of Education.

What is Child Find?	Child Find is a federal requirement under the IDEA that ensures all children who may need special education services are identified, located and evaluated and that every child with a disability who needs special education receives appropriate services (20 U.S.C. §1412(a)(3); 34 CFR §300.111). Education Law §4402, also contains Child Find obligations aligned with the federal law. Under these requirements, school districts are responsible for conducting Child Find activities for children residing in their district. Child Find is an active obligation, rather than passively waiting for referrals.
Who is covered under Child Find?	Child Find is applicable to all children, including those enrolled in school districts, charter schools, or children receiving virtual or remote instruction; children who are homeschooled or are parentally-placed in nonpublic schools; and children who are highly transient (including migrant children). It also includes children who are experiencing homelessness, are in foster care or an unaccompanied youth, wards of the state, involved in the juvenile or criminal justice system, or residing in a nursing facility or admitted to the hospital.
When does a school district become responsible for Child Find?	School districts are responsible for Child Find activities for resident children ages three through 21. This includes coordination activities for children transitioning from the Department of Health Early Intervention Program (IDEA Part C) prior to turning age three through the student's 21st year (the day before a student's 22nd birthday). The school district's Committee on Preschool Special Education (CPSE) performs Child Find responsibilities for children ages three through five to ensure they are located and identified in a timely manner. For children ages five through 21, the Committee on Special Education (CSE) fulfills this responsibility. The parent is a required member of both the school district CPSE and CSE.
What are some examples of school district Child Find activities?	Examples of Child Find activities may include: • Creating clear local written policies and procedures for referrals and evaluations. • Promoting awareness of the referral and evaluation processes and providing a school district contact for questions.

	• Sharing information with key referral partners (e.g., nonpublic schools, childcare centers, pediatricians, and agencies serving children experiencing homelessness, children in foster, and migrant children). • Using school-wide screening data to help identify students who may have disabilities. • Informing parents or guardians of their rights at the time of enrollment and when a referral is made (see A Parent's Guide to Special Education | New York State Education Department). • Effectively coordinating transitions with the IDEA Part C Early Intervention Program. • Tracking and reporting timely and accurate data to ensure required timelines are met. • Providing training and professional development for school district staff.
What should I do if I am concerned about my child's development?	Information obtained from the parent or guardian is an essential part of the evaluation process. Identifying examples and details about your child's performance, behaviors, and challenges will help to comprehensively consider all areas of suspected need and inform the assessments that will be necessary to determine eligibility for special education. Conversations with teachers, school staff, childcare providers, family members, child's physician(s), and other individuals who interact with your child can also help identify potential academic and social-emotional needs. For additional information regarding early childhood milestones, please view the Learn the Signs, Act Early materials.
What should I do if I think a child is in need of special education?	Anyone can start the process of requesting a referral for a child to be evaluated. A parent or guardian, doctor, teacher, or early childhood provider may contact their local school district as part of Child Find to requests a referral for a special education evaluation. Families who have questions about the referral process may contact their local school district.
As a parent or guardian, do I need to consent for an evaluation?	Yes. Written parental or guardian consent is required to initiate an evaluation and is also required prior to a child receiving special education services. For additional information regarding the requirements for parental consent, see A Parent's Guide to Special Education | New York State Education Department where Step 2, Initial Evaluation, includes information explaining the requirements for parent consent.

Can a referral for a special education evaluation be made even if a child is advancing from grade to grade?	Yes. Child Find applies to all children, even when they are advancing in grade level. There are multiple factors, beyond grade advancement, that must be considered during a comprehensive evaluation, including a child's learning, communication, behavior, social-emotional development, and other individual strengths and needs when determining whether a child is a student with a disability.
Are there any costs to parents or guardians for the Child Find process and provision of special education programs and services recommended by the CPSE and/or CSE?	No, the evaluation process used to determine eligibility under the IDEA as well as the provision of special education programs and services for eligible students are at no cost to the parent or guardian.
Can my child receive special education services if they attend a nonpublic school?	Yes, Child Find applies to children who are parentally-placed in a nonpublic school. School districts are required to account for these children and ensure equitable services. For additional information see: Equitable Services for Nonpublic Schools | New York State Education Department.
Legal References	20 U.S.C. §1412(a)(3); 34 CFR §300.111 8 NYCRR §200.4 New York State Education Law §4402 ***NOTE:*** Please reference the Official Compilation of Codes, Rules and Regulation of the State of New York (8 NYCCRR) for regulatory language. An unofficial version of 8 NYCRR is available through Thomas Reuters Westlaw. It is intended for information purposes only.
Additional Resources	A Parent's Guide to Special Education | New York State Education Department Equitable Services for Nonpublic Schools | New York State Education Department Learn the Signs, Act Early materials