



Child Find

A younger child and even older children and young adults with suspected disabilities may have trouble in school, or not want to go to school, having challenges progressing for many different reasons.

It can be because of behavioral or emotional issues, speech and language challenges, medical conditions, or learning differences or disabilities.

If you are a parent, foster parent, or guardian, or if you take care of a child who is not doing well in school, you can learn about special educational services that may help your child.

If you have or know of a child you feel needs special education services, contact your school district (local education agency) special education office for information regarding the process.

Anyone who believes a school district (local education agency) is in violation of federal or state laws or regulations governing special education programs may file a written complaint with the local school district.

These complaints must include a statement(s) of the specific concerns of the person filing the complaints, including the laws alleging to be violated.

In addition, the complaint should include the name, address, and telephone number where the person filing the complaint can be reached. Consider contacting a special education advocate for help.

Topic Summary:

Child Find is a legal requirement that schools find all children who have disabilities and who may be entitled to special education services. (34 CFR§ 300.111)

Child Find covers every child from birth through age 22.

The school must evaluate any child that it knows or suspects may have a disability.



Child Find is a component of the Individuals with Disabilities Education Improvement Act (IDEA) 2004 that requires States and Local Education Agencies (school districts and charter schools) to identify, locate, and evaluate 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 (34 CFR§ 300.111). Child Find is a continuous process of public awareness activities, screening and evaluation designed to locate, identify, and evaluate children with disabilities who are in need of Early Childhood Intervention (ECI) Programs (Part C) or Special Education and Related Services (Part B)

One of the key principles of the law called the Individuals with Disabilities Act (IDEA) – appropriate evaluation in order to "find" children who may need special education.

In these following Podcast episode “Child Find” will shed light and clarify:

- defines "Child Find"
- explains how to request an assessment for your child
- discuss how to avoid some problems that can occur in the process.

What is IDEA "Child Find"?

Child Find is a foundation of the Individuals with Disabilities Act (IDEA).

IDEA Child Find requires every state to identify, locate, and evaluate all children with disabilities, from birth to their 22nd birthday, who need Early Intervention or Special Education and related services.

IDEA requires Child Find evaluation regardless of the severity of the child's disability, whether the child attends private or public school, or if a child is experiencing homelessness.

It is important to "find" children who may need services and reach them early, because research tells us that children with disabilities do better across their lives when they receive early help.



IDEA Early Intervention – IDEA Part C

Early Intervention under IDEA Part C serves children from birth to a child's 3rd birthday.

Referring a child for evaluation to determine the need for Early Intervention services can come from parents or professionals who have a concern about the child. A doctor may refer when a medical diagnosis predicts educational challenges.

A daycare provider who notices signs that a child is not meeting age-level skills may also make the referral.

IDEA Special Education – IDEA Part B

If a child is found eligible for specialized instruction and services after turning age three (and up to his 22nd birthday unless the student achieves a full high school diploma), this is known as Special Education under IDEA Part B.

The school district in which the child lives has responsibility for Special Education and must provide services in the least restrictive environment (LRE).

If a child is already receiving Early Intervention services under IDEA Part C then there must be a transition.

California

Writing to Request Evaluation for Special Education

A "request for evaluation of special education needs" must be made IN WRITING to trigger an important process and timeline in IDEA law.

IDEA also says that if a parent requests special education evaluation orally, it is the school district's responsibility to help the parent put the request in writing.

Write directly to the Director of Special Education in the school district, not just to the local school.

Directors are also listed under Departments/Special Education at school district websites, or you can call us to locate the contact you need.

New to IDEA 2004: if a child attends a private school or preschool located in a school district other than her home-address school district, the parent must write to request



evaluation from the school district where the child's current school is located, even though the child will ultimately be served by her home district if she qualifies for services.

Child is identified as possibly needing special education and related services

"Child Find." The state must identify, locate, and evaluate all children with disabilities in the state who need special education and related services. To do so, states conduct "Child Find" activities. A child may be identified by "Child Find," and parents may be asked if the "Child Find" system can evaluate their child. Parents can also call the "Child Find" system and ask that their child be evaluated or request for evaluation. A school professional may ask that a child be evaluated to see if he or she has a disability. Parents may also contact the child's teacher or other school professional to ask that their child be evaluated. This request may be verbal or in writing. Parental consent is needed before the child may be evaluated. Evaluation needs to be completed within a reasonable time after the parents give consent.

If you have or know of a child you feel needs special education services, contact your school district (local education agency) Special Education Office for information regarding the process.

Anyone who believes a school district (local education agency) is in violation of federal or state laws or regulations governing special education programs may file a written complaint with the local school district. These complaints must include a statement(s) of the specific concerns of the person filing the complaints, including the laws alleging to be violated. In addition, the complaint should include the name, address, and telephone number where the person filing the complaint can be reached.



Child Find Considerations

Topic Summary:

IDEA Child Find requires every state to identify, locate, and evaluate all children with disabilities, from birth to the 22nd birthday, who may need Early Intervention or Special Education services. IDEA requires "Child Find" evaluation regardless of the severity of the child's disability, or if the child attends private school, or if a child is homeless.

Things to Consider:

If children with disabilities must be "found," how could this go wrong?

Even though schools are required to find children who need special education help, sometimes families hit a barrier when they request evaluation. The US Department of Education (DOE) is concerned about delays and denials in locating children who need help.

Here is what a Child Find barrier may look like:

A family writes to ask for evaluation, following steps outlined in our March 2011 Special EDition, but the school district refuses. Under IDEA, the school district must refuse in writing. This is called Prior Written Notice (PWN) and contains reasons for the "no." Sometimes these reasons do not comply with IDEA.

For example, a school may tell a parent that they cannot evaluate until the child has gone through a series of general education interventions first. Sometimes the school may even tell a parent that the student must "exhaust" general education resources first. But under IDEA Child Find, these are not legal reasons to delay or deny special education evaluation.

What is the RTI role in Child Find?

The series of general education interventions are commonly known as Student Study Team or Student Success Team (SST) interventions. Sometimes this is called Response to Intervention (RTI). SST is the same as RTI if scientific, research-based interventions are provided, data is collected, and student progress is closely monitored. Some SSTs offer less than this standard. Carefully monitored interventions can be valuable to a student, and can provide important information to teachers. But SST/RTI interventions can take many months, and sometimes years. If used as a barrier to delay or deny evaluation, children who need special education may go a long time without the specialized help they need, and this can cause damage.



IMPORTANT OSEP Memo:

"RTI Process Cannot Be Used to Delay-Deny Evaluation for Eligibility under IDEA"

On January 21, 2011, the federal Office of Special Education Programs (OSEP) released an important memo to all state Directors of Special Education about the evaluation responsibilities of IDEA Child Find. OSEP made it clear that Response to Intervention cannot be used to delay or deny comprehensive evaluation for special education. Parents and educators should read and understand this important guidance. Parents may even want to attach this guidance memo to their letter when requesting special education evaluation.

Response to Intervention (RTI) Background

Before 2004, students suspected of having specific learning disability (SLD) had to demonstrate a severe "discrepancy," or gap, between their intellectual ability and their learning performance in order to qualify for special education. Students who needed help often had to "wait to fail" before the gap became severe enough. Valuable time was lost. This "discrepancy model" of evaluation can still be used.

Meanwhile, educators had found a promising method to serve struggling general education students called Response to Intervention. RTI means that teachers or specialists provide scientific, research-based interventions to a general education student and carefully collect information about how the student "responds." If the student did not respond positively, they might provide another series of more intense interventions, or different interventions. Students who respond well to RTI may not need special education support.

If a student did not improve as expected, this gives the school team an indication from the data collected that the child may have learning disabilities. So when Congress reauthorized IDEA in 2004, RTI was newly allowed as one tool that schools may use to "find" students with specific learning disability who may need special education. IDEA 2004 allowed this option to prevent delays associated with the "wait to fail" model. Under IDEA Child Find, seeing evidence of any suspected disability should prompt the school team to refer a student for comprehensive special education evaluation without delay.

Must the School do RTI Before Referring a Student for Evaluation?

Sometimes parents are told that their child cannot be referred for special education evaluation until a series of RTI interventions are completed. This could be an indication of a



"gate-keeping" barrier that prompted federal concern. Schools are not required to initiate or complete an RTI process before referring a child for special education evaluation, or before agreeing to evaluate, when disability is suspected. The OSEP memo clearly states: "It has come to the attention of the OSEP that, in some instances, local education agencies (LEAs) may be using RTI strategies to delay or deny a timely initial evaluation for children suspected of having a disability." School staff should never wait to refer a child for evaluation when there already is reliable evidence of suspected disability – regardless of where that evidence comes from. Reliable evidence of suspected disability usually comes directly from a parent, a doctor, teachers, or others who know the child. Child Find requires that district staff refer a child for evaluation, and evaluate whenever disability is suspected. Comprehensive evaluation must be completed in "all areas of suspected disability."

Parent Referral for Evaluation

If a parent directly refers their child for evaluation in writing, schools may not respond to require the child to go through a RTI or Student Study Team (SST) process before the district will evaluate. The school can offer RTI/SST intervention, but it is not a required first step. Also, a parent must be clearly informed if the school is actually requesting that the parent give up or delay their child's right to special education evaluation in order to get some immediate intervention. A parent has a right to respond: "I agree to participate in the SST/RTI process so that my child can receive intervention while IDEA evaluations are ongoing, but I do not waive my child's right to evaluation, and expect both to occur at the same time. I look forward to receiving an Assessment Plan." RTI can be one piece of a comprehensive Child Find evaluation, but RTI cannot replace evaluation, or be used to delay or deny evaluation.

Must the School "Exhaust" General Education Resources?

Parents are sometimes told that the school district must "exhaust" general education resources before evaluating. IDEA says that the district must: consider general education interventions and where appropriate utilize them before providing special education services. Understand: 1) IDEA allows flexibility to consider, not demand, interventions. 2) Evaluation is not a special education service. 3) It would be impossible to know when general education interventions have been "exhausted." Exhaustion cannot be used as a reason to deny special education evaluation.



Refusing Child Find evaluation with non-compliant reasons could result in complaints to the state Department of Education. Parents have procedural safeguards under IDEA that give them the right to seek appropriate investigation and remedy by filing a complaint.

Consider contacting a special education advocate for help.

California

CHILD FIND

Each District, Local Education Agency (LEA/District of Residence), Special Education Local Plan Area (SELPA), or County Office shall actively and systematically seek out all individuals with exceptional needs, ages 0 through 21 years, including children not enrolled in public school programs, children who are homeless, or wards of the State, who reside in the district or are under the jurisdiction of a special education local plan area or a county office regardless of their disabilities who are in need of special education and related services. For students from birth to 3 years of age, Districts only have child find responsibilities for children with low incidence disabilities (deafness, blindness, or orthopedic impairments).

Each District, Special Education Local Plan Area, or County Office shall provide for the identification and assessment of an individual's exceptional needs and the planning of an instructional program to meet the assessed needs. Identification procedures shall include systematic methods of utilizing referrals of students from teachers, parents, agencies, appropriate professional persons, and from other members of the public. Identification procedures shall be coordinated with school site procedures for referral of students with needs that cannot be met with modification of the general instructional program. A student shall be referred for special educational instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized.

Potential sources for referral include the following:

- Parents have the right to request in writing that their child be assessed to determine eligibility for special education services.
- Through the student study/success team process, a student may be referred for assessment to determine eligibility for special education services.
- Private school personnel may make a referral in writing to have a student assessed to determine eligibility for special education services.



Federal Legislation

[Sec. 300.111 Child find](#)

[Statute/Regs Main](#) » [Regulations](#) » [Part B](#) » [Subpart B](#) » Section 300.111

300.111 Child find.

[\(a\)](#) General.

[\(1\)](#) The State must have in effect policies and procedures to ensure that—

[\(i\)](#) 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 private 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

[\(ii\)](#) A practical method is developed and implemented to determine which children are currently receiving needed special education and related services.

[\(b\)](#) Use of term developmental delay. The following provisions apply with respect to implementing the child find requirements of this section:

[\(1\)](#) A State that adopts a definition of developmental delay under §300.8(b) determines whether the term applies to children aged three through nine, or to a subset of that age range (e.g., ages three through five).

[\(2\)](#) A State may not require an LEA to adopt and use the term developmental delay for any children within its jurisdiction.

[\(3\)](#) If an LEA uses the term developmental delay for children described in §300.8(b), the LEA must conform to both the State's definition of that term and to the age range that has been adopted by the State.

[\(4\)](#) If a State does not adopt the term developmental delay, an LEA may not independently use that term as a basis for establishing a child's eligibility under this part.

[\(c\)](#) Other children in child find. Child find also must include—

[\(1\)](#) Children who are suspected of being a child with a disability under §300.8 and in need of special education, even though they are advancing from grade to grade; and

[\(2\)](#) Highly mobile children, including migrant children.



(d) Construction. Nothing in the Act requires that children be classified by their disability so long as each child who has a disability that is listed in §300.8 and who, by reason of that disability, needs special education and related services is regarded as a child with a disability under Part B of the Act.

Last modified on May 3, 2017 <https://sites.ed.gov/idea/regs/b/b/300.111>