



Child Find

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Child Find

Introduction

Child Find is the federal requirement, established by the Individuals with Disabilities Education Act (IDEA), to identify, locate and evaluate all children with disabilities, from birth through 21 years of age, who are in need, or may be in need, of special education and related services. Child find is an affirmative and ongoing process that includes public awareness activities, policies and procedures, and coordination with agencies and primary sources such as local physicians, local hospitals, public health department, childcare centers, department of health and human services, and county jails. In Michigan, the child find obligation extends to all children and students with disabilities from birth through 25 years of age, who are in need, or may be in need, of special education and related services. The purpose of this document is to provide guidance on child find requirements of the IDEA and the Michigan Administrative Rules for Special Education (MARSE).

Regulatory Requirement of Child Find

34 CFR § 300.111(a)(1) implementing Part B of the IDEA requires States, and subsequently districts, (34 CFR § 300.201) to have policies and procedures for children, aged three through 21, to ensure that all students with disabilities residing in the State, including students with disabilities who are homeless or are wards of the State, and students 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.

Michigan exceeds the IDEA requirements and mandates special education for eligible children and students who are birth through 25 years of age. Together, the Michigan Revised School Code and the MARSE support the requirements of Michigan Mandatory Special Education (MMSE).

Section 380.1711 of the Michigan Revised School Code requires intermediate school districts (ISDs) to develop a plan, in coordination with constituent districts, which includes public school academies, for the delivery of special education programs and services that are designed to meet the individual needs of each student with a disability under 26 years of age within the boundaries of the ISD. More information about ISD

plans is available in the [Guidance for the Development of Intermediate School District Plan for the Delivery of Special Education Programs and Services in Catamaran](#).

Rule 340.1832 contains the specific requirements of the ISD plan for the delivery of special education. Those specific requirements include a description of the procedures used by the ISD and its constituent districts to advise and inform students with disabilities, their parents, and other members of the community of the special education opportunities required under the IDEA, and the obligations of the ISD and constituent districts. Additionally, the rule requires ISDs to include contact information for the individual in each district who can provide information about the special education opportunities. The ISD plan must also contain a description of the activities and outreach methods which are used to ensure that all citizens are aware of the availability of special education programs and services.

As a result of the IDEA, Michigan's Revised School Code requirements, and the MARSE, districts must have policies and procedures for conducting child find activities to identify, locate, and evaluate all children and students with disabilities who need or may be in need of special education programs and services, including children and students who are:

- Suspected of having a disability even though they are advancing from grade to grade.
- Home schooled.
- Enrolled by their parents in a private, nonprofit elementary or secondary school, including a religious school, which is in the jurisdiction of the district.
- Attending an in-district virtual school or magnet school.
- A ward of the state.
- Highly mobile, such as a migrant and/or homeless student.
- Dropped out of school and have not reached the age of 26.
- Enrolled in another public educational program (i.e., Adult Education, Alternative Education).
- Held in county jail.
- In a low incidence placement, such as a residential facility, homebound, or hospitalized setting.

The Responsibility for Child Find

In accordance with Part B of the IDEA, as well as applicable state statutes, districts have an obligation to identify, locate, and evaluate children and students, birth through 21, suspected of a disability who may need special education and related services as a result of a disability, regardless of the severity. The Michigan Legislature adopted 26 as the upper age limit for special education eligibility, extending a district's child find obligation beyond the federal requirement.

Child find is an affirmative and ongoing duty and is the responsibility of the district. The district has an obligation to initiate, without delay, the child find process when the district suspects the student may have a disability and a need for special education, although a parent does not request an evaluation. The parent is not required to have any level of expertise or request specific evaluations.

For students enrolled in a local school district, child find activities to identify, locate, and evaluate includes all children and students with disabilities enrolled with the district, either as a resident or as school of choice.

For students enrolled in nonpublic schools, including homeschools, the district where the nonpublic school is located has the child find obligation to identify, locate, and evaluate students enrolled in the nonpublic schools.

For public school academies (PSA), the child find obligation extends to all students who are enrolled in the PSA and suspected of having a disability.

Child Find Activities: Identifying and Locating

As a requirement of the MARSE, the ISD plan for the delivery of special education programs and services must include a description of the procedures, activities, and outreach methods that are used by the ISD to inform students with disabilities, their families, and members of the community of the special education opportunities within the ISD and the child find obligations of the ISD and member districts including:

- Outreach efforts for individuals in lower incidence placements, like residential facilities, homebound and hospitalized settings, county jails, etc.
- The forms of media used in the ISD's outreach efforts.

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- A list of all the agencies involved in this effort (ex. Community and state agencies, childcare agencies, medical facilities, etc.).

Additional activities are coordinated and conducted by individual school districts may include child study or student assistance teams. Districts using tiered interventions such as multi-tiered systems of support (MTSS) or positive behavioral intervention and supports (PBIS) may utilize those systems to identify and locate students suspected of having a disability and in need of special education and related services. More information about child study and MTSS can be found below in Child Find for School Age Children section.

Child Find for Children Ages Three through Five

Michigan Early Childhood Special Education (ECSE) programs and services include specialized instruction and related services provided to young children, ages three through five, who qualify under Part B, Section 619 of the IDEA. Through ISDs, Michigan's ECSE program ensures the provision of a free and appropriate public education (FAPE) to all eligible children at no cost to their families, and in the least restrictive environment (LRE). LRE for this age group typically occurs in community-based early childhood settings and programs. Young children should only be placed in more restrictive or specialized settings when required by the child's individual needs.

[Build Up Michigan](#), an initiative of the Michigan Department Education Office of Special Education (MDE OSE), supports districts' child find efforts for preschoolers, typically children ages three through five, with targeted outreach. Build Up Michigan is specifically devoted to supporting the child find mandate. Build Up Michigan conducts targeted public awareness through statewide media, grassroots efforts, and internet marketing.

Child Find for School Age Children

For students in elementary through high school, districts have their own child find procedures which align with the IDEA. Many districts use a child study process or a student assistance team process, a general education led initiative, where a team of individuals collaborate on behalf of a specific student and identify areas of need and interventions designed to support the student's needs. When interventions are not successful, child study teams may make a referral for a special education evaluation.

While there is no requirement to use multi-tiered system of support (MTSS) to meet the child find mandate, many districts use a multi-tiered instructional framework as a schoolwide approach to address the needs of students, including struggling learners and students with disabilities. Although the IDEA permits the use of a student's response to scientific, research-based intervention as one way to determine whether a child has a specific learning disability, a district that uses Response to Intervention (RTI), MTSS, or PBIS, cannot delay or deny a special education evaluation until RTI, MTSS, or PBIS indicates how the student is responding. More information about child find and MTSS can be found below in Child Find and Multi-Tiered Systems of Support (MTSS) section.

Child Find for Parentally Placed Private School Children with Disabilities

Consistent with 34 CFR §300.131, each LEA must locate, identify, and evaluate all children with disabilities who are enrolled by their parents in private, including religious, elementary schools and secondary schools located in the school district served by the LEA, in accordance with 34 CFR §§300.111 and 300.201. This includes students who reside in a State other than Michigan but are parentally placed in a private school located in Michigan.

Students who are homeschooled are included in the child find obligations of the district of residence. The district of residence has the obligation to conduct child find activities regardless of whether the homeschool is registered with MDE. However, if the student is found eligible, then the district of residence is not obligated to provide services unless the homeschool becomes registered. Information regarding homeschool registration can be found at the [MDE Nonpublic and Home School](#) website.

Child Find for Adult Learners

In Michigan, eligibility for special education includes a student who:

- Has been evaluated and determined eligible for special education programs and services.
- Is not more than 25 years of age as of September 1 of the school year of enrollment.
- Has not graduated from high school.

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A student who reaches the age of 26 years after September 1 is a ‘student with a disability’ and entitled to continue a special education program or service until the end of that school year.” (R 340.1702)

Child find requirements include adult students who reach the age of majority, and who have not graduated with a regular diploma. Districts must ensure materials explaining the special education process, including initial evaluations to determine eligibility and reevaluations for changes in eligibility or for ongoing eligibility, are made available or are given directly to adult learners in a variety of environments, such as adult education programs, ISD programs, community mental health programs, law enforcement settings, and alternative education settings.

All the procedural safeguards provided under the IDEA, including child find requirements, extend to adult learners in the state. Districts must include in their child find procedures, the opportunity for adult learners and their families to access information about referrals for evaluations to determine an adult learner’s potential special education eligibility.

Child Find Triggers

The child find obligation to refer a student for an initial special education evaluation can be triggered when a district has "reason to suspect or believe" that the child or student may have a disability and is in need of special education and related services. Below are some potential red flags, which may trigger a district’s “reason to suspect”:

- Academic concerns in school including, but not limited to:
 - A history of academic concerns
 - Failing or declining grades
 - Poor or declining progress on standardized testing
 - Student has a Section 504 Plan and the accommodations are providing little benefit
- Behavioral/social/emotional concerns including, but not limited to:
 - Signs of depression, withdrawal, inattention/distraction, organizational issues, anxiety, mental illness or mental health issues

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- Information the student has been hospitalized or receiving medical treatment for mental health issues
 - Increasing discipline referrals, suspensions, expulsions, patterns of removal, and or truancy
 - Information the student is being or has been exposed to traumatic events
 - Information from outside medical and service providers, including a medical diagnosis
 - Student already has a Behavior Intervention Plan (BIP) and the accommodations are providing little benefit
- School personnel request for an evaluation
 - Parent request for an evaluation

It is important to note, this is not an exhaustive list. School districts should be thoughtful, knowledgeable, and intentional when determining the need to initiate the child find process for an individual child.

Child Find and Discipline

A student who has not yet been found eligible for special education, when facing disciplinary action, may assert the discipline protections provided under the IDEA, if the district had a basis of knowledge that the student may be a student with a disability. A basis of knowledge exists when either:

- The parent expressed concern, in writing, that the student is in need of special education and related services to supervisory or administrative personnel of the district;
- The parent requested an evaluation of the student; or
- A teacher of the student, or other personnel of the district, expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the director of special education or other supervisory personnel of the district.

When a basis of knowledge exists, the evaluation process must be expedited in order to provide information necessary to complete the disciplinary processes, including a

determination of whether the student is a student with a disability and in need of special education and related services.

A district would not be considered to have a basis of knowledge when the parent of has not allowed an evaluation, has refused services, or the student had previously been evaluated and determined not eligible.

Child Find and Multi-Tiered Systems of Support (MTSS)

A multi-tiered instructional framework, also referred to as Response to Intervention (RTI) or MTSS, is a schoolwide approach that addresses the needs of all students and integrates assessment and intervention within a multi-level instructional and behavioral system to maximize student achievement and reduce problem behaviors. With a multi-tiered instructional framework, schools identify students at-risk for poor learning outcomes, monitor student progress, provide evidence-based interventions, and adjust the intensity and nature of those interventions depending on a student's responsiveness. [Memo to State Directors of Special Education, January 21, 2011 \(OSEP\)](#).

The IDEA regulations include a provision mandating that States allow, as part of their criteria for determining whether a child has a specific learning disability, the use of a process based on the child's response to scientific, research-based intervention. See 34 CFR §300.307(a)(2). However, once parental consent has been obtained for an initial evaluation to determine if the child needs special education and related services, the school district must not delay completion of the [initial] evaluation because an RTI or MTSS process is pending. Rather, the school district must adhere to the relevant evaluation time frame described in 34 CFR §300.301, unless extended by mutual written agreement of the school district and the child's parents. See 34 CFR §300.309(c) and R 340.1721b(1). [Letter to State Directors of Special Education, July 19, 2013 \(OSERS/OSEP\)](#).

For more information on the MTSS framework in Michigan, please refer to the [MiMTSS Technical Assistance Center](#) which works on behalf of the MDE to provide a continuum of technical assistance to ISDs, districts, and schools in a MTSS framework.

Timeline and Reporting Requirements

Under 34 CFR §300.301(c) of the IDEA, an initial evaluation must be conducted within 60 days of receiving parental consent, or if a State establishes a timeframe, students must

be evaluated within the State established time frame. Michigan has established the following time frame, as outlined in R 340.1721b(1) of the MARSE:

1. Within 10 school days of receipt of a request for any evaluation, the public agency shall provide the parent with written notice consistent with 34 CFR §300.503 and shall request written parental consent to evaluate.
2. The time from receipt of parental consent for an evaluation to the notice of an offer of a FAPE or the determination of ineligibility shall not be more than 30 school days. This timeline begins upon receipt of the signed parental consent by the public agency requesting the consent.
3. This timeline may be extended if agreed to by the parent and public agency. Any extension to this timeline shall be both in writing and measured in school days.

Meeting evaluation timelines is critical and the district must respond to the student's needs in a timely fashion. For more information about timelines refer to the [Guidance for Timelines for Initial Evaluations](#)

Additionally, the state has federal reporting requirements for performance indicators that are required by the United States Department of Education. Namely, the State Performance Plan (SPP) indicator B-11 (Child Find). This indicator, which is specific to child find, is a compliance indicator that measures the percentage of students with parental consent to evaluate, who were evaluated, and whose eligibility was determined within 30 school days, with or without an agreed-upon extension. The target for this indicator is 100%. [Catamaran Training Site Indicator 11 information](#)

To complete federal reporting requirements, a public agency must submit data in the Michigan Student Data System (MSDS) related to initial individualized education program (IEP). A public agency must report Initial IEP component data in the following circumstances:

- A district is in receipt of parental consent for an initial evaluation of a student not currently eligible for special education programs and/or services under the IDEA Part B and is at least two years, six months old, and less than 26 years old.
- A district is in receipt of parental consent for an initial evaluation of a child between the ages of two years, six months old and three years, who is transitioning out of Part C/Michigan early childhood special education under an individualized family service plan (IFSP).

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- A district is in receipt of parental consent for an initial evaluation of a student who was previously found ineligible.
- A district is in receipt of parental consent for an initial evaluation of a student who was previously exited from special education.
- A district is in receipt of parental consent for an initial evaluation, the child is found eligible but the parent refuses to give consent for special education programs and/or services.
- A district is in receipt of parental consent for an initial evaluation prior to June 30th but the Initial IEP will not be completed until after June 30th.
- A district enrolls an eligible student with an IEP who transferred from another state.