



DISTRICT OF COLUMBIA  
OFFICE OF THE STATE SUPERINTENDENT OF

# EDUCATION

## LOCAL EDUCATION AGENCY (LEA) CHILD FIND GUIDANCE

January 2019

### I. BACKGROUND

The Office of the State Superintendent of Education (OSSE) is issuing this guidance to assist local educational agencies (LEAs) in meeting their obligations with federal and local laws and regulations regarding the responsibility to identify, locate, and evaluate all children suspected of having a disability, commonly referred to as the Child Find obligation. To ensure that all children who may need special education and related services are evaluated for eligibility for special education services, it is important that LEAs establish and implement continuing efforts to seek out these children and inform the public or school community of services available to children and families.

Child Find is a set of policies, procedures, and public awareness activities designed to locate, identify, and evaluate children who may require special education and related services.<sup>1</sup> LEAs are required to have a policy in effect that describes the LEA's efforts related to Child Find. It is OSSE's hope that the issuance of this non-regulatory guidance will provide a resource for individuals in a range of roles in schools throughout the District of Columbia as Child Find practices and policies are designed and implemented that are effective in finding all children who may be in need of special education services.

This guidance provides an overview of Child Find requirements under the federal Individuals with Disabilities Education Act (IDEA) and its implementing regulations,<sup>2</sup> and District of Columbia law, regulations and policy; details elements and considerations to be reflected in an LEA Child Find policy; and provides a model Child Find policy.

### II. OVERVIEW OF CHILD FIND REQUIREMENTS

As a condition for the receipt of federal funding under IDEA, the District of Columbia must have in effect policies and procedures to ensure that all children with disabilities age birth through 21, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated.<sup>3</sup> As part of the statewide Child Find responsibility, each LEA is required to have policies and procedures in effect intended to ensure that all children with disabilities in need of special education and related services are identified, located, and evaluated.

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<sup>1</sup> OSSE's Comprehensive Child Find Policy

<sup>2</sup> 20 U.S.C. §1400 *et seq.* and 34 CFR Part 300

<sup>3</sup> 20 U.S.C. §1412(a)(3) and 34 CFR §300.111(a)(1)(i)

Child Find activities must include:

- Children enrolled in the LEA;
- For the District of Columbia Public Schools (DCPS), children residing in the District who are not enrolled in an LEA, including:
  - Children who are homeschooled;
  - Children who are highly mobile;
  - Children who are homeless; and
  - Children attending private schools, including children who do not reside in the District;
- Children who are in the custody of the DC Child and Family Services Agency (CFSA),
- Youth who are committed to the DC Department of Youth Rehabilitation Services (DYRS), and
- Children who are suspected of having a disability even if they are advancing grade to grade; and

LEAs also must conduct activities to assist families of infants and toddlers receiving services under Part C of IDEA in determining Part B eligibility and transitioning to Part B special education preschool services when appropriate.

As part of Child Find responsibilities, DCPS must conduct public awareness activities to inform parents and the community at large concerning the availability of special education and related services and the methods available to request those services and programs, typically called the referral process. A referral is documentation provided by the child's parent, or other referral source, which clearly states why it is thought that the child may have a disability. Public charter LEAs must similarly ensure that parents of children enrolled in the LEA are aware of the availability of special education and related services and how to submit a referral. An LEA must accept both oral and written referrals, but must document any oral referral within three business days of receipt. A request for initial evaluation may come from the following sources:

- A child's parent;
- An employee of the child's LEA who has knowledge of the child; or
- A public agency serving the child or the child's family.

For children under the age of six, an LEA must treat a referral from any of the following sources as a request for an initial evaluation:

- Physicians, hospitals, and other health providers;
- Day care centers, child care centers, and early childhood programs;
- District agencies; and
- Community, civic, and advocacy organizations.

For children under the age of six, DCPS must also:

- Maintain, and update at least annually, a list of primary referral sources, including physicians, hospitals, and other health providers; day care centers, child care centers, and early childhood programs; District departments and agencies; community and civic organizations; and advocacy organizations, including:

- Contacting primary referral sources at least once a month until a referral relationship is established and then every three months thereafter;
- Developing a system to track frequency and type (in person, email, phone, etc.) of contacts with the primary referral sources to ensure that outreach occurs on a regular basis; and
- Developing, publishing, and distributing printed materials for primary referral sources to inform them of the preschool special education and related services available from DCPS, the benefits and cost-free nature of these services, and how to make a referral;
- Develop and publish printed materials for parents and guardians to provide information regarding preschool special education and related services available from DCPS, the benefits and cost-free nature of these services, and how to obtain the services. These materials must be:
  - Written at an appropriate reading level and translated into multiple languages as required by local law; and
  - Distributed to all primary referral sources described above, District of Columbia Public Libraries, Economic Security Administration (ESA) Service Centers, District of Columbia Parks and Recreation facilities, and other locations designed to reach as many parents or guardians of preschool children who may be eligible for special education and related services as possible; and
- Ensure that appropriate DCPS outreach staff (e.g., the Child Find Field Coordinators) contact primary referral sources or a staff member in the primary referral source's office who are instrumental in making referrals at least once a month until a referral relationship is established and then every three months thereafter. The initial meeting must be face-to-face whenever possible when pursuing referrals from new referral sources and then less frequently thereafter, using the method of contact preferred by the referral sources (e.g., e-mail, texting, or telephone calls).

For more information on Child Find requirements, please refer to OSSE's Comprehensive Child Find Policy and Title 5-E, Chapter 30 of the District of Columbia Municipal Regulations.

### **III. ELEMENTS OF A CHILD FIND POLICY**

Each LEA must develop and maintain a written Child Find policy outlining the continuous, ongoing efforts the LEA will undertake to meet its responsibilities as described above. LEA Child Find policies must address the following:

- Points of contact responsible for overseeing or conducting LEA Child Find activities, including those responsible for handling the referral process;
- LEA outreach efforts, including describing the target population, coordination with non-educational District of Columbia public agencies, and public/parent awareness efforts, as appropriate;

- Plans for communicating with parents, families, and the school community about the availability of special education services and the methods for requesting such services, including available resources and printed materials;
- Identification procedures, including the types of schoolwide screenings conducted by the LEA;
- Procedures for submitting a referral for initial evaluation, including processes for referrals made by school staff, parents, or other parties;
- Parent procedural safeguard rights, including parent consent and parent rights under the IDEA procedural safeguards; and
- Procedures for collecting, maintaining, and reporting accurate data related to the number of students receiving special education and related services.

LEAs are strongly encouraged to make their Child Find policy publicly available to parents and the community.

#### **IV. MODEL RESOURCES**

Please see Appendix A for a model Child Find policy and Appendix B for a model referral form.

## **APPENDIX A. MODEL CHILD FIND POLICY**

*This Child Find model policy is a guidance document intended to assist LEAs in developing or reviewing their own policies. LEAs should tailor the model policy to meet the specific circumstances of the LEA and add additional information on LEA procedure and practices where appropriate.*

*Please note: As explained in the attached guidance, there are a number of Child Find requirements regarding specific groups of children that apply only to DCPS. This model is intended for all LEAs and does not address all DCPS-specific content.*

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### **INTRODUCTION**

Under the Individuals with Disabilities Education Act (IDEA), [LEA] is responsible for conducting continuous efforts intended to identify, locate, and evaluate all children with disabilities between the ages of three (3) and twenty-two (22) years enrolled in [LEA], including children with disabilities who are homeless, children who are in the custody of the District of Columbia Child and Family Services Agency (CFSA) or committed to the District of Columbia Youth Rehabilitation Services Agency (DYRS), children who are making progress grade to grade, and highly mobile children, who are in need of special education and related services. These duties are called Child Find responsibilities. This policy establishes procedures for fulfilling Child Find responsibilities at [LEA], and applies to all children enrolled in [LEA] and to all staff employed by [LEA]. [LEA] staff is expected to know and act in accordance with the requirements and procedures established by this policy. [LEA] trains staff on an [annual/ biannual/ monthly/ semester] basis to ensure staff understand and execute Child Find responsibilities.

### **POINTS OF CONTACT**

Parents are encouraged to speak with any [LEA] staff if they have concerns about their child. Parents and other relevant stakeholders<sup>1</sup> with questions or concerns about a child's educational needs should contact one of the following [LEA] staff to discuss Child Find, the referral process, and the availability of special education programming at [LEA]:

**[Child find administrator]**  
**[Phone]            [Email]**

**[Head of school]**  
**[Phone]            [Email]**

**[Special education coordinator]**  
**[Phone]            [Email]**

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<sup>1</sup> The ability of [LEA] to share personal information about a child shall be governed by the Family Educational Rights and Privacy Act (FERPA), 20 USC §1232g, 34 CFR Part 99.

## TARGET POPULATIONS

*[LEAs should tailor this section to meet the needs of the age and grade populations served by the LEA]*

This policy and **[LEA]** Child Find efforts apply to children between the ages of three (3) and twenty-two (22) years enrolled in **[LEA]**, including children who are:

- Homeless;
- In the custody of the District of Columbia Child and Family Services Agency;
- Committed to the District of Columbia Youth Rehabilitation Services Agency;
- Making progress grade to grade; and
- Highly mobile children.

## OUTREACH EFFORTS

*[LEAs should tailor this section to describe any efforts by the LEA to publicize the availability of special education and related services]*

To ensure the local and school communities are aware of the availability of special education and related services for eligible children with disabilities and the methods for requesting such services, **[LEA]** provides public notice through a variety of methods:

- **[LEA]** provides information to parents and the school community at school events such as parent-teacher conferences, back-to-school events, summer enrollment events, etc.;
- **[LEA]** publishes information and relevant timelines in parent/student handbooks, school manuals, calendars, and on its website at **[LINK]**;
- **[LEA]** staff provides information to parents during **[annual/ semester/ quarterly]** parent-teacher conferences;
- Brochures regarding special education services are available for parents and the public in **[location in LEA]**;
- **[DCPS REQUIREMENT ONLY]** posts information in the following public places:
  - (e.g., health departments, doctor offices, grocery stores, print media, radio or television media)
- **[DCPS REQUIREMENT ONLY]** coordinates with organizations that serve the school community, including after-school programs, child care facilities, health care providers, and other community-based organizations.

## COORDINATION WITH NON-EDUCATIONAL DISTRICT AGENCIES

*[LEAs should tailor this section to describe all relevant relationships with District agencies and coordination efforts around Child Find responsibilities]*

To ensure coordination with appropriate District agencies to facilitate the identification, location, and evaluation of children with disabilities enrolled in **[LEA]**, **[LEA]** maintains contacts with the following District agencies:

- District of Columbia Public Schools (DCPS) Early Stages program;
- The Child and Family Services Agency (CFSA); and
- Department of Behavioral Health (DBH).

**[LEA]** conducts **[monthly/ quarterly/ bi-annual/ annual]** meetings with representatives of the above agencies to ensure open and cooperative lines of communication regarding **[LEA]**'s Child Find, referral, and initial evaluation processes and procedures, as well as continuously updating agencies of changes in appropriate points of contact.

**[LEA]** may establish agreements with other entities responsible for administering various education, health, and social service programs to children from birth through age 22. Those agencies may include, but are not limited to: District of Columbia Public Schools (DCPS), Department of Human Services (DHS), Department of Healthcare Finance (DHCF), Department of Health (DOH), Department of Behavioral Health (DBH), Child and Family Services Agency (CFSA), the Department of Youth Rehabilitation Services (DYRS), and the Rehabilitation Services Administration (RSA) in the Department of Disability Services (DDS).

## **PARENT ENGAGEMENT**

*[LEAs should tailor this section to describe all parent engagement efforts related to Child Find.]*

Parents may obtain information about the availability of special education and related services through this policy, information posted on our website at **[LINK]**, or by contacting **[LEA POC]**. **[LEA]** also maintains written materials for parents, which can be found **[PHYSICAL LOCATION]**. **[LEA]** staff provides information to parents upon request and at parent-teacher conferences.

## **REFERRAL PROCESSES**

*[LEAs should tailor this section to describe the process of submitting a referral, requesting an evaluation, or expressing concerns about a student's need for special education specific to the LEA and its staff]*

A referral for initial evaluation should state why it is thought that the child may have a disability. **[LEA]** is required to make reasonable efforts to obtain parental consent for the initial evaluation within 30 calendar days of receipt of a referral, and must complete an initial evaluation and eligibility determination within 60 calendar days of obtaining parental consent.

The initial evaluation timeline does not apply if:

- The parent fails or refuses to respond to a request for consent for the evaluation after reasonable efforts;
- The parent of the child repeatedly fails or refuses to produce the child for the evaluation; or
- The child enrolls in another LEA prior to the determination of eligibility.

If a parent or other person would like to make a referral for an initial evaluation to determine if a child is in need of special education and related services, please contact **[PERSON, TITLE, PHONE NUMBER, EMAIL,**

**and PHYSICAL ADDRESS].** All [LEA] staff must accept an oral or written referral for initial evaluation. Upon receiving an oral referral, [LEA] staff must document an oral referral in writing within (3) business days of receipt. [LEA] provides a referral form to assist parents and other parties in documenting a referral, but the form does not need to be completed by the person making the referral for [LEA] to act on the referral. To obtain this form, please contact [PERSON, TITLE, PHONE NUMBER, EMAIL, and PHYSICAL ADDRESS].

[LEA] accepts referrals for an initial evaluation from the following persons:

- A student's parent;
- The student, provided that educational rights have transferred to the student; and
- An employee of [LEA] who has knowledge of the student.

For children under the age of 6, [LEA] also accepts referrals from:

- Pediatricians or other medical professionals, including physicians, hospitals, and other health providers;
- Child development facilities, including day care centers, child care centers, and early childhood programs;
- District agencies and programs, including IDEA Part C programs;
- Community and civic organizations; and
- Advocacy organizations.

[LEA] maintains regular contact with community-based referral sources, and works to collaborate with community-based service providers to provide information on the availability of special education and related services and the means through which parents or organizations may submit a referral.

Within 30 calendar days of receipt of a referral, [LEA] must make reasonable efforts to obtain parental consent for an initial evaluation. Reasonable efforts include attempting to contact the parent at least three (3) times on three (3) different dates using at least two (2) modalities. [LEA] must begin reasonable efforts within 10 business days of receipt of the referral. [LEA] must conduct an analysis of existing data on the student to determine if additional assessments are necessary. Existing data that may be considered may include but is not limited to teacher observations, classroom assessments, schoolwide screenings and assessments, state assessments, student grades and records, parent reports, health records, or data from other interventions. [LEA] will provide the parent of a child suspected of having a disability with information about the nature of any additionally required assessment. For children under the age of 6, upon obtaining parental consent for disclosure of referral information, [LEA] will provide feedback to the person making the referral regarding the outcome of the referral in a timely manner.

## **SCREENINGS**

*[LEAs should tailor this section to describe screenings conducted by the LEA, including whether the LEA employs Head Start standards]*



[LEA] implements a comprehensive screening process to determine if a child should be referred for an evaluation, the result of which is provided to the child’s parent. Screenings utilize assessments and tools that are generally applied across the entire student population. Parent consent is not required for [LEA] to conduct a uniform, schoolwide screening. A screening conducted by a [LEA] teacher or specialist to determine appropriate instructional strategies for curriculum implementation does not constitute an evaluation for eligibility for special education and related services and does not require parent consent.

[LEA] does not use screenings to delay the initial evaluation of a student who may be a child with a disability in need of special education and related services.

### **RESPONSE TO INTERVENTION (RtI)**

*[LEAs should tailor this section to describe schoolwide Response to Intervention (RtI) strategies and models, including using LEA-specific terminology such as Student Study Teams (SST).]*

[LEA] Response to Intervention (RtI) efforts will not be used to delay the initial evaluation of a student who may be a child with a disability in need of special education and related services.

### **CHILDREN WHO RECEIVED EARLY INTERVENTION SERVICES UNDER IDEA PART C**

Under IDEA, [LEA] must ensure a smooth and effective transition for children transitioning from Part C early intervention services to Part B special education and related services. In furtherance of this responsibility, [LEA]:

- Identifies incoming children that were served by Strong Start DC Early Intervention Program (DC EIP) prior to enrollment at [LEA], and participates in transition activities as appropriate at the request of DC EIP; and
- As applicable, regularly coordinates with DCPS Early Stages to ensure a smooth transition for students served by DCPS Early Stages prior to enrollment in the [LEA].

When a child is transitioning from Part C to Part B services, [LEA] participates in transition planning conferences as appropriate and ensures each child with a disability has an IEP developed and implemented by the child’s third birthday.

### **PARENT PROCEDURAL SAFEGUARDS AND RIGHTS**

Parents’ legal rights during the Child Find process are defined by IDEA and District of Columbia law. In the event of a disagreement, parents may pursue dispute resolution and due process rights, including mediation, due process complaints, or state complaints. Parents can learn more about their rights under IDEA by referring to the Part B Procedural Safeguards located on OSSE’s website at <https://osse.dc.gov/publication/rights-parents-students-disabilities-idea-part-b-notice-procedural-safeguards> or by contacting [LEA POC] to obtain a copy of their procedural safeguards.

## **DATA REPORTING**

In accordance with District of Columbia law, [LEA] counts and reports the number of children with disabilities receiving special education and related services annually on October 5 or the date set for the annual pupil count required by D.C. Official Code § 38-2906.

**APPENDIX B. MODEL REFERRAL FORM**

**Referral for Evaluation for Special Education**

**Section I: To be filled out by the person making the referral (or LEA staff documenting an oral referral)**

Name of person making the referral:		Relationship to the child:		Today's Date (or oral referral date):	
Telephone number:		Email and/or street address:		Agency of Employment (for non-parent referrals):	
Name of child:		Child's date of birth (if known):	Grade:	School:	
If referral was made orally:	Date form completed (to document receipt of oral referral):	Name of staff member completing this form (to document receipt of oral referral):		Job title of staff completing this form (to document receipt of oral referral):	

Please state reason(s) you believe this child has a disability and may be in need of special education and related services (e.g., academic and non-academic performance data, medical information, child's response to any interventions used to address this student's needs, etc.

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**Section II: To be filled out by the LEA**

Date LEA received form:		Name of staff member(s) reviewing this form:		Job title of staff member:	
If referral was made by someone other than the parent:	Name of child's parent or legal guardian:		Parent/guardian address, email address, and telephone:		
	Date parent was notified of LEA's receipt of this referral:		Name & job title of staff member who contacted parent:		Parent contact method: <input type="checkbox"/> In person / conference <input type="checkbox"/> Phone call <input type="checkbox"/> Written (letter/email) <input type="checkbox"/> Other
Parent's and/or student's native language or other primary mode of communication if other than English (specify):				Is an interpreter needed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Next steps by LEA:					