Division of Special Education/Early Intervention Services

CHILD FIND

1. **What is child find?**

Child find is an ongoing process through which all children with disabilities, from birth through 21 years of age, in the State who are eligible for early intervention or in need of special education services are identified, located and evaluated. The child find process is mandated in Parts B of the Individuals with Disabilities Education Act (IDEA) and in the State regulations that govern Maryland’s special education services.

Maryland implements policies and procedures to ensure all children with disabilities residing in the State, including 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 utilizes a practical method to determine which children are currently receiving needed special education and related services. This requirement includes:

- Highly mobile children, such as migrant and homeless children;
- Children who are wards of the State; and
- Children who are suspected of being a child with a disability under IDEA and in need of special education, even though they are advancing from grade to grade.

[20 USC §1401(3); 20 USC §1412(a)(3); 34 CFR §§300.111, 300.131, 300.201, 300.300, Education Article §8-401(b), Annotated Code of Maryland; COMAR 13A.05.01.01-.02; COMAR 13A.05.02.04A; COMAR 13A.05.02.13A; COMAR 13A.13.01.04-.05]

2. **What are the responsibilities of public agencies under federal and State child find requirements?**

Part C of IDEA governs child find activities for children between the ages of birth to three years. The Maryland Infants and Toddlers Program in the Maryland State Department of Education (MSDE) is responsible for coordinating with all other major efforts to locate and identify infants and toddlers with disabilities conducted by other public agencies responsible for administering the various health, education, and social services programs for young children and their families. Local lead agencies, with the support of MSDE and other State agencies, are responsible for coordinating a
comprehensive child find system within the local jurisdiction to ensure that all children, birth to three years of age, who are eligible for early intervention services are identified, located, and evaluated.

Child find for preschool children, ages three through five, is governed by Part B of IDEA. The State and local school systems conduct the same child find activities for preschool children as they do for school age students, ages six through 21 years.

The Department and public agencies are required to ensure all children with disabilities residing in the State, including children with disabilities attending private schools, including religious schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated. This includes:

- Highly mobile children, such as migrant and homeless children;
- Children who are wards of the State; and
- Children who are suspected of being a child with a disability under IDEA and in need of special education, even though they are advancing from grade to grade.

Local school systems are to conduct child find activities for children, residing in their jurisdiction and attending private or religious schools within the jurisdiction of the local school system.

[20 USC §1401(3); 20 USC §1412(a)(3); 34 CFR §§300.111, 300.131, 300.201, 300.300, Education Article §8-401(b), Annotated Code of Maryland; COMAR 13A.05.01.01-.02; COMAR 13A.05.02.04A; COMAR 13A.05.02.13A; COMAR 13A.13.01.04-.05]

3. How do local lead agencies and local school systems inform the public of the availability of special education services?

Local lead agencies must develop and implement an annual public awareness plan that documents ongoing efforts to inform the public about the local early intervention system, including how to contact the Single Point of Entry to make a referral and the availability of early intervention services.

At least annually, local school systems must publicize information about screening, referral, and other services, including the address, telephone number, and the title of the local school system's child find contact person. Publicity should utilize one print medium and at least one other medium that provides access to the jurisdiction.

Local lead agencies and local school systems may use a wide range of public awareness activities to publicize the availability of special education services. Examples of these activities include:

- Dissemination of public awareness materials to hospitals, physicians, child care centers, private schools, and community organizations;
- Public service announcements on radio and television;
• Exhibits at health fairs and other community activities;
• Presentations at PTA meetings and family support group meetings;
• Meetings with community leaders representing traditionally underserved and minority populations;
• Establishing liaisons with private school administrators; and
• Including referral information on local web-sites.

[20 USC §1401(3); 20 USC §1412(a)(3); 34 CFR §§300.111, 300.131, 300.201, 300.300, Education Article §8-401(b), Annotated Code of Maryland; COMAR 13A.05.01.01-.02; COMAR 13A.05.02.04A; COMAR 13A.05.02.13A; COMAR 13A.13.01.04-.05]

4. How does an individual make a referral for a child?

For children birth to three years of age, an individual should contact the local early intervention system's Single Point of Entry in the jurisdiction in which the child resides. Information needed to make a referral includes the child's name, gender, and date of birth, parent or primary caregiver's name, address, telephone number, and the reason for referral.

For children and youth, ages three through 21, a parent or local school personnel must make a written referral to the student's local school system or public agency. The written referral is the documentation of the individual's reason for the referral. It should include:

• The date of the referral;
• Student's name, gender, date of birth; and grade;
• Name of the school or child care center the student attends, if applicable;
• Parent(s) or primary caregiver's name(s), address, and telephone number; and
• Name of the individual making the referral, address, and telephone number where they may be contacted, if different than the parent(s) or primary caregiver(s).

Additional information regarding the suspected disability and instructional concerns relevant to the reason for referral are useful, but not required.
5. What are the responsibilities of local lead agencies and school systems after a referral is made for a child?

For infants and toddlers, birth to age three, within 45 days of receiving a referral at the local Single Point of Entry, the local early intervention system must:

- Assign an interim service coordinator to assist the family during the evaluation and assessment of the child and the identification of the family’s resources, concerns, and priorities related to the development of the child;
- Determine if the child is eligible for early intervention services under IDEA, using existing information from the family and other sources, as well as results from assessments and evaluation; and
- If the child is eligible, develop an Individualized Family Service Plan (IFSP), based on the developmental needs of the child and the resources, concerns, and priorities of the family.

For students, ages three through 21, upon receiving a written referral, the local school system or public agency must assess and evaluate a student within 60 days of the date of the parental consent for an initial evaluation, including:

- Meeting with the student’s parents and other professionals to review existing data;
- Reviewing information and concerns provided by the parents;
- Determining whether there is a need for additional data prior to determining if the student is a student with a disability under IDEA; and
- Developing an IEP for the student within 30 days of the evaluation if the IEP team determines the student is a student with a disability.

[20 USC §1401(3); 20 USC §1412(a)(3); 34 CFR §§300.111, 300.131, 300.201, 300.300, Education Article §8-401(b), Annotated Code of Maryland; COMAR 13A.05.01.04-.06; COMAR 13A.05.02.04A; COMAR 13A.05.02.13A; COMAR 13A.13.01.06 and .08]

6. Must child find include students with disabilities attending private schools?

Yes. Each local school system must conduct child find activities for children attending private schools within the jurisdiction of the local school system, including religious schools, regardless of the severity of their disability, who may be in need of special education and related services. Each local school system must consult with the appropriate representatives of parentally placed private school children with disabilities about how to implement child find activities within their system.

[20 USC §1412(a)(10)(A)(ii); 34 CFR §§300.111, 300.131, 300.201, 300.300, Education Article §8-401(b), Annotated Code of Maryland; COMAR 13A.05.01.01-.06; COMAR 13A.05.02.04A; COMAR 13A.05.02.13A; COMAR 13A.13.01.04-.05]
7. May public agencies restrict child find activities to specific disabilities or private schools?

No. In conducting child find activities a local school system must identify and evaluate all students suspected of having a disability that requires the provision of special education services, this includes
- All students residing within the jurisdiction of the local school system; or
- Attending a private or religious school within the jurisdiction of the local school system.

This includes highly mobile students, such as homeless and migrant students, wards of the State, or students suspected of having a disability under IDEA and in need of special education although they are advancing from grade to grade.

[20 USC §1401(3); 20 USC §1412(a)(3); 34 CFR §§300.111, 300.131, 300.201, 300.300, Education Article §8-401(b), Annotated Code of Maryland; COMAR 13A.05.01.1-.06 and .16; COMAR 13A.05.02.04A; COMAR 13A.05.02.13A;]

8. Which public agency is responsible for conducting child find when a student between the ages of three to 21 years old is parentally placed in a private school outside their jurisdiction of residence?

In accordance with IDEA 2004, the local school system in which the private school is located is responsible for child find as well as ensuring that required reevaluations are conducted. A public agency has flexibility as to how it ensures these responsibilities are met. For example, it may assume the responsibility itself, contract with another public agency, or make other arrangements.

It is the responsibility of the local school system for the jurisdiction where the private school is located to consult with representatives of private and religious schools and representatives of parentally placed private school students to on child find activities for students enrolled in private schools by their parents.

The local school system in which the private school is located is required to locate, identify, and include parentally placed private school students attending private schools within the jurisdiction of the local school system in the annual child count of eligible parentally placed private school students with disabilities, whether or not the students has been designated to receive services from that local school system. This also includes reporting the number of parentally placed private school students evaluated and the number of students found to be students with disabilities in accordance with IDEA 2004.

[20 USC §1412(a)(10)(A); 34 CFR §§300.111, 300.130 — 300.144; Education Article §8-401(b), Annotated Code of Maryland]
9. May funds set-aside for services to parentally placed private school students be used for child find?

No. The obligation to conduct child find within a jurisdiction exists independently from the provision of services. The cost of child find activities in private or religious schools may not be considered in determining whether a local school system has met its obligation to expend a proportionate share of IDEA Part B funds on services to parentally placed private school students with disabilities.

20 USC §1412(a)(10)(A); 34 CFR §§300.111, 300.130 — 300.144]