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## **Special Education: Child Find Process**

*February 2021*



*This document was developed by a collaborative AEA workgroup, including representation from the Iowa Family & Educator Partnership.*

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## What if My Child is Not Eligible?

When the team determines that a student is **not eligible for special education services**, the parent will receive written notice of the decision. This is called a *Prior Written Notice (PWN)*. If you disagree with the decision, you have the right to request an independent educational evaluation (IEE), or you may appeal the decision as described in the *Procedural Safeguards Manual for Parent Rights for Children Ages 3-21*.

There are other supports to consider if a child is not eligible for special education services, such as:

- General education interventions and supports
- Community supports
- A 504 plan

Discuss these options with your local school district staff.

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### References

*Area Education Agency Special Education Procedures*, July 2018

*Iowa Administrative Code*, November 2017

*Iowa Special Education Eligibility and Evaluation Standards*, June 2019

*Procedural Safeguards Manual for Parents Rights for Children Ages 3-21*, November 2018

### Questions you may wish to ask:

- What general education interventions may help my child?
- What other resources are available for my child?
- Is there someone I can talk to?

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## What is Child Find?

**Child Find** is the process used to determine if a child needs special education services and supports.

Each state is required by federal law to identify and evaluate children with disabilities, birth to 21, to determine their need for special education services. The law is known as the Individuals with Disabilities Education Act (IDEA).

To find the children in need of special education, Area Education Agencies (AEAs) conduct what are known as Child Find activities.

In order to be eligible for special education services and supports, a child must have a **disability under the IDEA (“disability”)** and a **need** for special education services and supports.

### What is a disability?

A disability is a health or physical condition, pattern of behavior, skill deficit or functional limitation that has a negative impact on school performance.

The definition of disability differs from program to program, such as Medicaid, Supplemental Security Income (SSI), etc.

### Questions you may wish to ask:

- What are Child Find activities?
- What is my part in this process?
- What will this look like?
- How long does this process take?

## What if My Child is Eligible?

If your child is **eligible for special education services**, parents have the options to accept or decline special education services.

If the parent chooses to accept services, an Individualized Education Program (IEP) must be developed by the IEP team within 30 days. Sometimes the IEP will be written at the eligibility meeting. At the IEP meeting, the team will determine what goals, supports and services are needed to help the child. This team includes parents, educators, school administrators and Area Education Agency (AEA) staff.

If the parent chooses to decline special education services, he/she should discuss with the child’s teacher the possible general education interventions and supports that may be available.

### Questions you may wish to ask:

- If I decline services, can I change my mind later?
- How long will my child be eligible?
- Will I have to pay for these services?
- How will it be different from what the other students are taught?
- How will we know if it is working?



School and AEA staff work together to review information and data gathered from a variety of sources to determine which of the student's educational needs, if any, require services and supports. Sources of information could include data provided by teachers, parents, formal and informal assessments and tests, observations of the student in and outside the classroom, and medical reports.

The team will consider if there are reasons why the student is having difficulty that would **not be** related to a disability.

Questions the team may ask:

- Has the student had limited access to appropriate instruction for reasons including extended absences from school, frequent moves or changes in school setting, etc.?
- Is the student's language background other than English and the instruction is provided in English?
- Is the student's cultural background different from the culture of the school or community?

The purpose of the evaluation is to determine the educational interventions that are required for the student to be successful and if the student is eligible for special education services.

After all the information is gathered and analyzed, an **Eligibility Meeting** is held.

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## What Happens at an Eligibility Meeting?

At the eligibility meeting, the team will discuss if the child has been found eligible for special education services. The team, which includes the parents, looks at **information from a variety of sources, including tests**. A summary of this information will be written in an *Educational Evaluation Report (EER)*. A copy of the EER will be provided to the parent(s). The team decides if the child is a "child with a disability" as defined by the IDEA. **To be eligible, a child must have a disability and be in need of special education services.**

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## How Does Child Find Get Started?

The Child Find process begins when a parent, the local school or Area Education Agency (AEA) has a concern about a student's academic progress, functional development or behavior.

If a child is having trouble in school, it is important to find out why. A child may be having difficulty in any of these areas, sometimes referred to as **domains**:

1. Academic (learning to read, write, and do math)
2. Health
3. Adaptive behavior (life skills, including dressing, safety, following rules, organization, getting around in the community, etc.)
4. Behavior
5. Hearing and vision
6. Physical (handwriting, walking, etc.)
7. Communication

### Questions you may wish to ask:

- How do I ask the school to start Child Find activities for my child?
- Is there a form I need to fill out?
- Who do I talk to?

It is important to remember that educational performance is broader than reading, writing and math; this includes items such as "employability skills" and "health literacy." Student needs should be addressed for every domain with a concern.

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## What Comes Next?

Once a concern(s) is identified, the child's team, including the child's teacher, staff from the Area Education Agency (AEA) assigned to that school and the parent(s) gather information that may be used to determine if they suspect the student has a **disability**.

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## What is Suspicion of a Disability?

**Suspicion must be based on evidence.** There must be some data suggesting that a child might be eligible for special education services in order to suspect a disability. The team gathers information to determine if they suspect the student has a disability. There must be more than one information/data source considered.

This may include:

- Classroom assessments
- Universal screening results
- District-wide assessments
- General education intervention results
- Attendance records
- Office referrals or other behavior data
- Medical reports
- Observations inside or outside of the classroom

There are several ways a school may suspect a child has a disability as outlined in the *Iowa Special Education Eligibility and Evaluation Standards, July 2019*:

1. **A child has a diagnosis of a condition listed in the federal Individuals with Disabilities Education Act that has a discernible effect on any of the seven performance domains in the child's educational environment.** (Domains are listed on page 5.)

Conditions specifically listed in IDEA are autism, deaf-blindness, deafness, emotional disturbance, hearing impairment, intellectual disability, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury and visual impairment including blindness.

This could include diagnoses provided by professionals who work with a family (such as the child's doctor or an outside evaluator hired by the parent).

*Note: The evaluation team may not determine that a child is eligible for special education services based solely on a medical diagnosis, as there needs to be both a **disability** and a **need** for services.*

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## What Happens Next if a Disability is NOT Suspected?

When the parent has requested the Child Find process and the team determines that the student is not suspected of having a disability, the parent will receive written notice that there will be no further evaluation for eligibility for Special Education Services. This is called a Prior Written Notice (PWN). Parents may appeal that decision through processes described in the *Procedural Safeguards Manual for Parent Rights for Children Ages 3-21*.

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## How Does the Full Individual Evaluation (FIE) Work?

To be eligible for special education supports and services, a child's disability must cause a **need** for special education.

The evaluation determines the needs in the areas of

- **Setting:** Room or seating arrangements; expectations for behavior; procedures, schedules, and routines
- **Curriculum:** What is taught and the student is expected to learn
- **Instruction:** Instructional strategies and teaching methods; reinforcement and motivational strategies
- **Learner:** The student; the student's performance data helps determine needs and supports such as assistive technology, community partnerships, and accommodations



### Questions you may wish to ask:

- Who will analyze the data?
- What kind of supports may my child need?
- How do accommodations and modifications differ?

## Uniqueness: What makes a student's performance unique?

Uniqueness is determined by whether or not the child's performance is different from other children who have had similar experiences. This might be a comparison with other students from the same reading group, the same grade in the same building or the same grade across the school district.

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## What Happens Next if a Disability is Suspected?

Once a disability is suspected, the parent is asked if he/she wants to sign a *Consent for Full and Individual Evaluation*. That formally starts the evaluation process to determine eligibility for special education supports and services.

The evaluation will explore one or more areas or **domains**:

1. Academic
2. Health
3. Adaptive behavior
4. Behavior
5. Hearing and vision
6. Physical
7. Communication

If the parent signs the *Consent for Full and Individual Evaluation*, the team begins the evaluation process. A Full and Individual Evaluation (FIE) must be completed within 60 calendar days after the school receives the signed consent.

If the parent chooses not to sign the *Consent for Full and Individual Evaluation*, the school will continue to provide supports and services to meet the child's educational needs within the limits of general education resources.

### Questions you may wish to ask:

- Who does the full and individual evaluation?
- Who pays for the testing?
- How will I know when the evaluation starts and ends?

## 2. A child is not meeting standards and is unique when compared to peers.

The team will determine if the student is making **progress**, the student's performance is below the standard set for typical students that age (**discrepant**) even when interventions are being provided and the student's performance is **unique**.

## 3. A child is not meeting standards and has received high quality supplemental instruction.

If a child has received supplemental (extra) instruction as part of general education instruction over a period of time, and the child is not meeting age/grade-based standards or expectations, the school may suspect the child has a disability.

## 4. A child is meeting or progressing towards the standards, has received high quality supplemental instruction.

If a child is meeting or moving toward standards, but requires extra instruction or continued and significant effort, the school may suspect a disability.

When there is a suspicion of a disability, the school will request permission from the parent for the school/AEA to complete an initial evaluation to determine eligibility to receive special education services.

**Suspicion does not equal eligibility.** In most situations, suspicion of a disability should be determined by the school/AEA within a few days after reviewing existing data. The disability suspect process may not delay or deny the right to an evaluation. A child who is suspected of having a disability through the Child Find process is not automatically eligible for special education. Eligibility for special education services is answered during the evaluation.



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## When is a Student Suspected of Having a Disability?

One of the ways a student may be suspected of having a disability, as mentioned previously, is if he/she meets the following **three criteria**:

1. Making insufficient progress in general education compared to peers
2. Performing at a level that is discrepant from expected standards
3. The student's performance is unique when compared to local peers

### Progress: How is progress measured?

Progress is measured by first determining the child's current performance and then looking at how his/her performance has changed over time. This rate of progress may be compared to a same-age group of peers or to the individual's previous rate of progress (for example, earlier that year or the previous academic year). Under some circumstances, the child's progress may be compared to the rate of progress of a younger peer group.

Usually, the rate of progress will be illustrated by using a graph that will show the child's rate of progress in comparison to one of the groups listed above. The team will decide, based upon the data, if the child is progressing at the same rate or at a slower rate than the comparison group.

If there are different teaching methods or interventions being used in the general education classroom to help the child, rate of progress will be compared before and after those interventions were used to determine if they made a difference in the child's progress.

If the child's performance improves and adequate progress is made after a reasonable intervention is in place in general education, the child is **not** considered to have a disability.

### Questions you may wish to ask:

- What interventions will be used?
- How long does this take?
- How will we know if the intervention works?

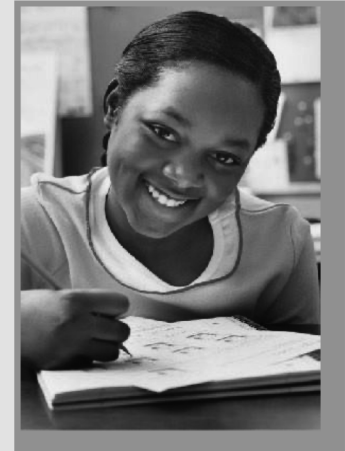
If the child is making inadequate progress, the team then considers if the student's performance is below the standard set for typical students that age/grade (**discrepant**) and if the student's performance is **unique** compared to others.

### Discrepancy: What is discrepancy?

Discrepancy is the difference between the child's current level of performance and the expected performance (standard) for children that age. If there is a difference between what you would expect (the standard) and what the child does (performance), there is a discrepancy.

Examples of discrepancy might be:

- A preschooler may only be using 50 words to communicate with parents and teachers. A typical 3-year-old in similar circumstances would be using 200-500 different words.
- A child scores 5 points on a district-wide assessment for reading, while the expectation would be that a child that age would score 45 points.
- A preschooler is having difficulty using his hands. He is snipping paper with scissors and not yet cutting along a line. Classmates cut out simple shapes with scissors and hold a pencil with their fingers to write.
- A student needs 12 reminders in an hour to focus on class work, while other students at that grade level would typically need only one.



### Questions you may wish to ask:

- In what areas (domains) does my child need to be evaluated?
- What peer comparison will be used?
- What are the standards that will be used?
- What does unique mean for my child?