

CHILD FIND

A. Child find policy, procedure, and responsibility

RSU 13 shall maintain and implement policies and procedures to ensure that all children residing in the jurisdiction between the ages of 3 and 20 years, including children with disabilities who are homeless children, are wards of the State or state agency clients, children with disabilities attending private schools and receiving home instruction, highly mobile children (including migrant or homeless), children who have the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year, and children incarcerated in county jails, and who are in need of special education and related services, even though they are advancing from grade to grade, are identified, located and evaluated at public expense. [34 CFR 300.111(a)(i,ii) and (c)(1,2)] As noted on pages 7 and 12 of this rule, all references to school administrative units (SAUs) include the State intermediate educational units (IEUs), where appropriate.

RSU 13 shall provide child find during the first 30 days of the school year or during the first 30 days of enrollment for transfer children. If evidence of child find activities and a statement of the results can be found in a child's cumulative record, or the unit has reason to believe the child has previously been identified as a child with a disability by another SAU, in state or out of state, child find is not necessary.

When RSU 13 tuitions or contracts for educational services for some or all of its children it is responsible for child find either through appropriate arrangements with the receiving unit or school or through direct child find services by unit personnel or contracted personnel.

This child find responsibility shall be accomplished through a unit-wide process which, while not a definitive or final judgment of a child's 05-071 Chapter 101, Maine Unified Special Education Regulation page 22 capabilities or disability, is a possible indicator of special education needs. Final identification of children with disabilities and programming for such children occurs only after an appropriate evaluation and a determination by the IEP Team.

(1) Child Find Responsibility for Incarcerated Children

- (a) Responsibility for children with disabilities incarcerated in county jails shall rest with the school administrative unit in which the child resided prior to the incarceration.
- (b) Responsibility for children incarcerated (committed) in State facilities shall rest with the Department of Corrections. Their responsibility includes the education of residents with disabilities in facilities operated under their jurisdiction as well as child find activities.
- (c) For children who are non-adjudicated at state facilities under the Department of Corrections the responsibility shall rest with the school administrative unit in which the child resided prior to be detained.

B. IEP Case Manager

The IEP case manager may oversee a child's needs to assure that requirements under the federal Individuals with Disabilities Education Act, Part B, are met. The service coordinator communicates with RSU 13 staff, parents, the child, and teachers to provide coordination and follow up for the IEP process. An SAU may use funds received under 20 USC 1411(a)(4)(B) to purchase appropriate

technology for recordkeeping, data collection and related case management activities of teachers and related services personnel providing services described in the IEP that are needed for the implementation of such case management activities. [20 USC 1413(a)(4)(C)]

C. Elements of Child Find Activities

The child find process in each regional site or SAU shall include obtaining data on each child, through multiple measures, direct assessment, and parent information, regarding the child's academic and functional performance, gross and fine motor skills, receptive and expressive language skills, vision, hearing and cognitive skills.

NOTE: RSU 13 may schedule child find activities during its annual kindergarten enrollment to assist in planning for necessary special education and related services at the start of the school year. If the screening occurs in the spring prior to school entry, RSU 13 will refer the child to the regional CDS site within 10 school days.

D. Referral after Child Find

Notice of Referral If the child find process indicates that a child may require special education and related services in order to benefit from regular education, the child shall be referred to the Individualized Education Program (IEP) Team to determine the child's eligibility for special educational services. If any referral is made to the IEP Team, including a referral requesting evaluation of existing data on the child, the parents of the child shall be sent prior written notice of the referral as defined in Appendix 1 of this rule.

E. Local Policy on Referral to IEP Team

RSU 13 shall develop a written policy, consistent with this rule (specifically section V), regarding referral to the IEP Team. All referrals to the IEP Team must be acted upon in a timely manner. The IEP Team shall review existing evaluation data and determine the need for additional evaluations. The IEP Team may conduct its review without a meeting (V.3.B). If additional evaluations are needed, the IEU must send a consent to evaluate form within 15 days, and the SAU must send a consent to evaluate form within 15 school days, of the receipt of referral.

- (1) Date of referral receipt – The SAU's policy on referral must define what date constitutes the receipt of a referral. The referral must be submitted in writing to the Special Education Director, authorized designee, or superintendent. An oral referral shall be reduced to writing by designated school personnel.
- (2) Referrals by staff – The SAU's policy on the referral of a child to the IEP Team shall include a means whereby any professional employee of the SAU may make such a referral regardless of the results of the initial child find activities, but after completion of the general education intervention process, when fully implemented, unless the SAU and the parent agree that one is not needed.. The SAU's policy or procedures for staff referrals shall require that the specific concerns of the staff member, the alternatives attempted prior to referral, and parent notification of concerns by the referring party are documented.

- (3) Referral by parent – A parent may refer at any time. The parent of a child receiving general education interventions may request that the agency conduct a full and individual evaluation for possible eligibility determination at any time during the implementation of these general education interventions
- (4) Referrals by others – The SAU’s policy shall include a process whereby the IEP Team accepts referrals from individuals or agency representatives (including representatives from the Department of Health and Human Services) with knowledge of a child. Such referrals shall be made by contacting a designated school official or employee, in accordance with the SAU’s policy.

F. Records of Child Find Activities Three To Twenty

For any child who is referred to the IEP Team as the result of child find activities, documentation in that child's cumulative record file shall specify: (1) The date, SAU, and the person who coordinated the child find activities; (2) A description or example of the child find activities, procedures, forms, or instruments used; and (3) The results of the child find activities including any recommendations and/or referrals to the IEP Team. When the results of a child's child find activities do not indicate a possible need for special education services, a notation shall be entered in the child’s cumulative record file to the effect that the child was reviewed for special education child find activities purposes, the date, and the SAU where the child find activities were conducted.

G. Qualifications of Evaluators

Any person who provides an assessment or evaluation recommended by the IEP Team shall meet the professional qualifications of the publisher of the evaluation or assessment. Each evaluation or assessment shall be administered by trained personnel in conformance with the instructions provided by the publisher. Qualified evaluators include certified school psychologist, special education teachers, special education consultants, speech clinicians, vocational evaluators and licensed audiologists, marriage and family therapists, occupational therapists, physical therapists, psychologists, social workers, clinical professional counselors and speech-language pathologists. Aides, assistants or technicians are not considered qualified evaluators and may not administer, score, or interpret evaluations unless they hold appropriate certification or licensure. The administration, scoring and interpretation of tests of academic, cognitive, behavioral and personality functioning, shall be conducted by qualified evaluators. Qualified evaluators shall have successfully completed appropriate training in each assessment area in which they conduct evaluations. Administering and scoring of psychological/neuropsychological tests may be conducted by registered Neurocognitive Testing Assistants (NTAs) working under the supervision of a licensed psychologist, pursuant to rules of the Board of Examiners of Psychologists.

Legal References: 05-071 Chapter 101, Maine Unified Special Education Regulation Birth to Twenty,

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