

Child Find



**MEETING THE 60 SCHOOL DAY
TIMELINE**

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Objectives



- Understand Child Find
- Review District Responsibilities and Changes to Child Find Data Collection
- Report Accurate and Timely Data
- Use Reason Codes to Improve Evaluation Practices
- Recognize Exceptions to the 60 School Day Timeline
- Utilize Available Resources

What is Child Find?



- Child Find is a component of IDEA that requires states to identify, locate, and evaluate all resident children with disabilities, ages birth to 21, who are in need of special education services (*OAR 581-015-2080 and CFR §300.111*).

What is Child Find Data Collection?



§ 300.600 State monitoring and enforcement.

- The primary focus of the State's monitoring activities must be on— (1) Improving educational results and functional outcomes for all children with disabilities; and (2) Ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.

District Responsibility



- The district assures that throughout the period of this grant award the district, including charter schools located in the district, will operate consistent with all requirements of IDEA 2004, 20 USC § 1400, *et seq.*, applicable regulations (34 CFR Part 300), and related State statutes (ORS) and rules (OARs).
- In addition, the district operates consistent with all requirements of :
 - Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 6301 *et seq.* (ESEA),
 - McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 *et Seq.*)
 - Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g
 - Section 504 of the Rehabilitation Act of 1973
 - Americans with Disabilities Act (ADA), 34 CFR Part 99;
 - General Education Provisions Act (GEPA), 20 USC § 1221 *et seq.*,
 - OMB Circulars A-87 and A-133,
 - Education Department's General Administrative Regulations (EDGAR), particularly parts 76, 80, 82, and 300-303

District Responsibility



- **Open Enrollment:** Students enrolled in a district under House Bill 3681 are the responsibility of that attending district, and the district is responsible for all regular IDEA reporting for those students (*OAR 581-021-0019 & ORS 339.115 and 326.051*).
- **Reminder:** The district in which the charter school is located is responsible for child find for students enrolled in the charter school regardless of parental resident district (*OAR 581-015-2080(3) & OAR 581-015-2075*).

Why is Child Find Important?



To locate, evaluate, and identify children with disabilities in a timely manner.

- Locate
- Evaluate
- Identify

In a **TIMELY**
manner!

B11 Indicator: Child Find Data Collection



- To meet reporting requirements for Indicator B11 - State Performance Plan (SPP) regarding compliance with IDEA
- ODE reports:
 - Number and percent of children with parental consent to evaluate whose initial evaluations were completed within or exceeded the 60 school-day timeline.
 - Range of days evaluations were delayed and the reasons for these delays.
 - Number of children found eligible and not eligible

Reporting Timely and Accurate Data



The district provides and validates data to ODE as required within the timelines communicated by ODE (*CFR §300.600-602*).

Child Find Data Collection and Reporting Dates for School Aged Children

- Data Submission Window: May 26-July 1, 2016
- Data Validation/Correction Reports: August-September 2016

Reporting Timely Data



- **Timely**

- An agency will be considered untimely if it does not submit any data by the close of the Collection or have uncorrected errors after the close of the Collection.
- An agency will also be considered untimely if it does not complete the correction process during the Electronic Correction Period.

Reporting Accurate Data



- **Accurate**

- An agency will be considered inaccurate if the Collection had to be opened or left open after the Electronic Correction Period closes.
- An agency will also be considered inaccurate if it submits a Post-Submission Collection Form.

Compliance Target



- 100% of students with parental consent to evaluate will be evaluated and eligibility determined within 60 school days.

- CFR §300.301(c)(1)(i),(ii)
- OAR 581-015-2110(5)(a)
- OSEP Memorandum 09-02



Understanding Reason Codes and Exceptions



- 0 - Not Applicable
- 2 - Parent/guardian did not present child/student for testing (**comment required**)
- 3 - Parent/guardian did not attend eligibility meeting
- 4 - Initial testing results indicated need for additional testing not identified through initial evaluation planning
- 5 - Delay by doctor/medical personnel (**comment required**)
- 6 - Delay by district/program evaluation staff
- 7 - Within extended timeline by written agreement for a transfer student
- 8 - Within extended timeline by written agreement to determine if a student has a specific learning disability
- 9 - Other (**comment required**)

Understanding Reason Codes and Exceptions



Exception.

The timeframe described in paragraph (c)(1) of this section does not apply to a public agency if-

- (1) The parent of the child repeatedly fails or refuses to produce the child for the evaluation; (code 2)
- (2) A child enrolls in a school of another public agency after the relevant timeframe in paragraph (c)(1) of this section has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability under §300.8. (code 7)

CFR §300.301(d)

OAR 581-015-2110(5)(c)(A), (B), and (C)

SLD Exception



Another Exception.

- The district and the parents agree in writing to extend the timeline for an evaluation to determine eligibility for specific learning disabilities in accordance with OAR 581-015-2170 (*OAR 581-015-2110(5)(c)(C) and CFR § 300.309(3)(c)*). (code 8)

Your Turn...



Should the following evaluations be considered out of compliance?

- Ask yourself:
 - Do you need more information in order to recode these? If so, what information would be helpful?
 - Is it possible these evaluations were exceptions to the timeline?
 - What could the district have done to prevent delays?

Your Turn...



- **What code should be used if a delay is caused by the following situation?**
- **Would this be an allowable exemption?**

The school calendar has a 4 day week. Due to a lack of SLP availability, the evaluation timeline count was 62 days. This includes Veteran's Day, Thanksgiving and the teacher grading day.

Your Turn...



- **What code should be used if a delay is caused by the following situation?**
- **Would this be an allowable exemption?**

Case manager went on medical leave for 4 weeks during the evaluation window. When he returned, he resumed testing and the final count was 67 days.

Your Turn...



- **What code should be used if a delay is caused by the following situation?**
- **Would this be an allowable exemption?**

Parent requested an evaluation and signed a consent. One week later the parent took student out of state for one (1) month. The district did not have enough time to complete the evaluation when the student returned.

Your Turn...



- **What code should be used if a delay is caused by the following situation?**
- **Would this be an allowable exemption?**

Family delayed in making doctor appointment due to lack of insurance. Once the doctor was identified by the school's case manager, paperwork was taken to the doctor by school personnel. The evaluation meeting was held on the 67th day.

Your Turn...



- **What code should be used if a delay is caused by the following situation?**
- **Would this be an allowable exemption?**

Student demonstrated chronic absenteeism and withdrawal from school. This prevented testing within the 60 school days. Signed written agreement by the parent extended the timeline for SLD testing.

Impact on Students and Districts for Delay in Timely Evaluation



If student is eligible for services under IDEA and evaluations are delayed:

- Identification of Student Needs...**DELAYED!**
- IEP Development and Implementation...**DELAYED!**
- Free Appropriate Public Education...**DELAYED!**
- Educational Progress...**DELAYED!**

Impact on Students and Districts for Delay in Timely Evaluation



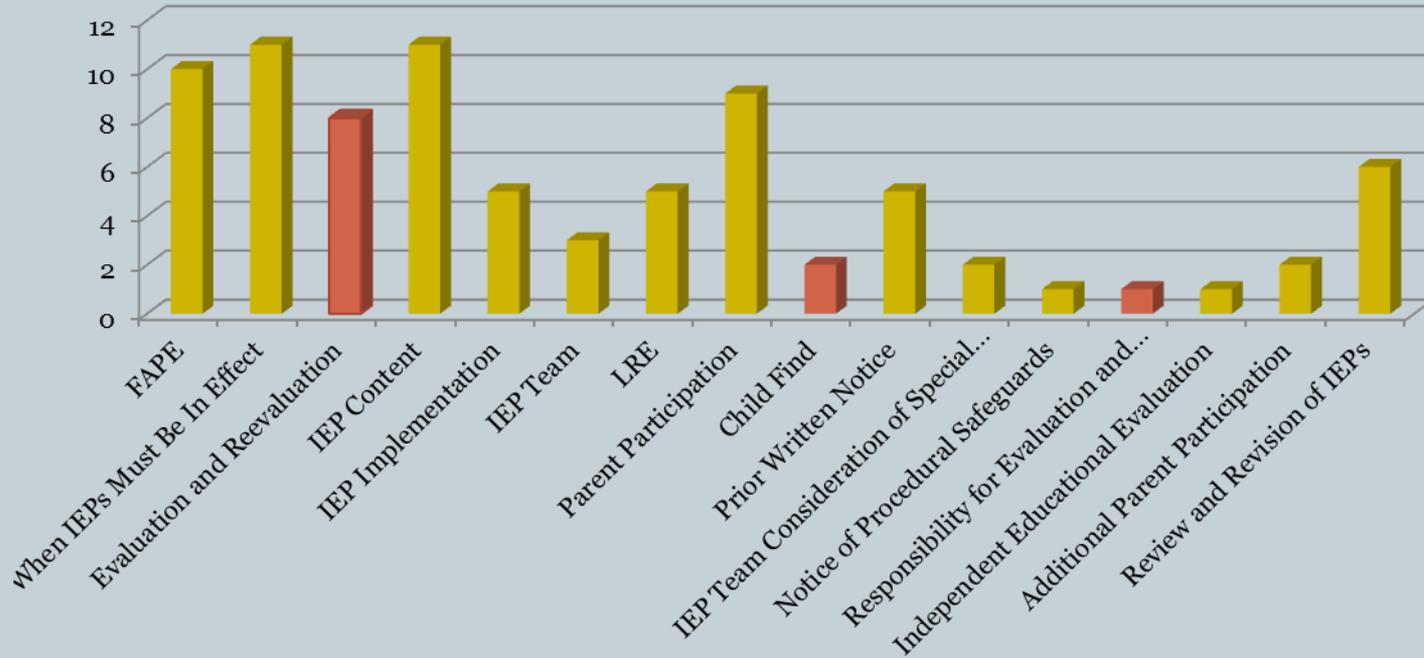
Delays may lead to:

- Formal Complaints
- Corrective Action
- Due Process Hearings
- Compensatory Education Requirements
- Monetary Compensation

Approximate Frequency of IDEA Complaints by Category 2011-2012



Approximate Frequency of IDEA Complaints by Category 2011-2012



Oregon and 9th Circuit Rulings



District Example

- School districts that do not make FAPE available to students with disabilities could find themselves facing reimbursement claims -- regardless of whether those students previously received special education services through the public school system or not.

New Trends in Child Find Reporting



- **Student Double Entry Reporting**
 - **Restarts 60 school day timeline, essentially “extending” the deadline by finding the child ineligible and then signing a new consent to evaluate**
- **December 1st Eligibility for SECC**
 - **Finding a child eligible on December 1st and counting him/her on Child Count**

Student Double Entry



Example: Consent to evaluate is signed on 10/15 and 56 school days later, the student is found ineligible on 1/26. The same student has another signed consent to evaluate within a few days and is found eligible within the new 60 school day timeline.

- The child is reported twice in the Child Find Data Collection

Is this a violation of Child Find?

December 1st Eligibilities



Example: Children are found eligible on December 1st, regardless of the date of signed consent, so that the student may be reported on SECC Child Count for federal funding.

- Are IEPs in place and are services being delivered on December 1st?

Is this a Child Find Violation?

Take-aways



- Improvements in timely submission
- Improvements in evaluations completed within 60 days
- 100% compliance means 100% compliance
- Use your comments from code 6 to make program decisions that increase your compliance to 100%

How Can ODE Help?



- **Data Owner is to be determined.**

- **Resources:**

B11 Child Find Manual

Frequently Asked Questions

<http://www.ode.state.or.us/search/page/?id=2120>