



January 31, 2012

TO: LTCT Contractors

RE: LTCT Child Find Responsibilities

Greetings,

ODE was recently asked to provide guidance on the responsibilities of Long-Term Care and Treatment ("LTCT") contractors with regard to special education child find. It has been a long-standing practice for LTCT contractors to assume child find responsibility for students placed into day or residential treatment settings. This practice is inconsistent with the child find provisions of the Oregon Revised Statutes and Oregon Administrative Rules.

The current Oregon Administrative Rules assign the responsibility for child find to a child's resident district. However, the child's resident district may differ depending on whether the student is receiving education as a day treatment or residential student.

Residency for day treatment students:

According to ORS 339.133(1), the resident district of a child placed into day treatment is the school district in which the parents, guardians, or persons in a parental relationship with the child reside. Therefore, under current Oregon statutes and rules, the district in which a day treatment student's parents live is responsible for child find with regard to that student. Therefore, a number of different school districts may be responsible for the child find obligation at a single day treatment facility.

Residential Treatment:

ORS 339.133(4) indicates that a student placed into residential treatment is resident in the school district where the treatment facility is located. Therefore, under current Oregon statutes and rules, the district where the treatment facility is located is responsible for child find with regard to that student.

If you have any questions regarding this guidance, please contact Cherisse Loop at 503.947.5776 or Cherisse.loop@state.or.us.

Sincerely,

Julie York
Director of Interagency Educational Services