

V. Child Find

IDEA Regulation: Child Find

Section 300.111: Child Find

(a) General.

1. The State must have in effect policies and procedures to ensure that—
 - i. All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State, and 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
 - ii. A practical method is developed and implemented to determine which children are currently receiving needed special education and related services.

(b) Use of term developmental delay. The following provisions apply with respect to implementing the child find requirements of this section:

1. A State that adopts a definition of developmental delay under §300.8(b) determines whether the term applies to children aged three through nine, or to a subset of that age range (e.g., ages three through five).
2. A State may not require an LEA to adopt and use the term developmental delay for any children within its jurisdiction.
3. If an LEA uses the term developmental delay for children described in §300.8(b), the LEA must conform to both the State's definition of that term and to the age range that has been adopted by the State.

Nebraska Rule 51: Child Find

006.01A. All children with disabilities residing in the state, including children with disabilities who are homeless children or wards of the State and children with disabilities attending nonpublic schools, regardless of the severity of their disabilities, and who are in need of special education and related services, shall be identified, located, and evaluated and a practical method shall be developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

006.01A1. The child find requirements apply to highly mobile children including migrant children.

006.01A2. The child find requirements also apply to a child who is suspected of being a child with a disability under 92 NAC 51-003.08 and in need of special education, even though the child is advancing from grade to grade.

015.03B1. Each school district or approved cooperative must locate, identify, and evaluate all children with disabilities who are enrolled by their parents in nonpublic, including religious, elementary schools and secondary schools located in the school district or approved cooperative, in accordance with 92 NAC 51-015.03B2 through 015.03B5.

015.03B2. The child find process must be designed to ensure:

IDEA Regulation: Child Find

4. If a State does not adopt the term developmental delay, an LEA may not independently use that term as a basis for establishing a child's eligibility under this part.

(c) Other children in child find. Child find also must include—

1. Children who are suspected of being a child with a disability under §300.8 and in need of special education, even though they are advancing from grade to grade; and
2. Highly mobile children, including migrant children.

(d) Construction. Nothing in the Act requires that children be classified by their disability so long as each child who has a disability that is listed in §300.8 and who, by reason of that disability, needs special education and related services is regarded as a child with a disability under Part B of the Act.

Section 300.131:Child find for parentally-placed private school children with disabilities

(a) General. Each LEA must locate, identify, and evaluate all children with disabilities who are enrolled by their parents in private, including religious, elementary schools and secondary schools located in the school district served by the LEA, in accordance with paragraphs (b) through (e) of this section, and §§300.111 and 300.201.

(b) Child find design. The child find process must be designed to ensure—

1. The equitable participation of parentally-placed private school children; and

Nebraska Rule 51: Child Find

015.03B2a. The equitable participation of parentally-placed nonpublic school children; and

015.03B2b. An accurate count of those children.

015.03B3. In carrying out the child find requirements, the school district or approved cooperative must undertake activities similar to the activities undertaken for public school children.

015.03B4. The cost of carrying out the child find requirements in this subsection, including individual evaluations, may not be considered in determining if a school district or approved cooperative has met its obligations under 92 NAC 51-012.08.

015.03B5. The child find process must be completed in a time period comparable to that for children attending public schools in the school district or approved cooperative consistent with 92 NAC 51-006.02.

015.03B6. Each school district or approved cooperative, in which one or more nonpublic, including religious, elementary schools and secondary schools are located must, in carrying out the child find requirements in this subsection, include parentally-placed nonpublic school children who reside in a State other than Nebraska.

92 NAC 51-006.01B

006.021B1. For a school age student, a general education student assistance team or a comparable problem solving team shall be used prior to referral for multidisciplinary team evaluation.

006.01B2. The SAT or comparable problem solving team shall utilize and document problem solving and intervention strategies to assist the teacher in the provision of general education.

IDEA Regulation: Child Find

2. An accurate count of those children.
- (c) Activities.** In carrying out the requirements of this section, the LEA, or, if applicable, the SEA, must undertake activities similar to the activities undertaken for the agency’s public school children.
- (d) Cost.** The cost of carrying out the child find requirements in this section, including individual evaluations, may not be considered in determining if an LEA has met its obligation under §300.133.
- (e) Completion period.** The child find process must be completed in a time period comparable to that for students attending public schools in the LEA consistent with §300.301.
- (f) Out-of-State children.** Each LEA in which private, including religious, elementary schools and secondary schools are located must, in carrying out the child find requirements in this section, include parentally-placed private school children who reside in a State other than the State in which the private schools that they attend are located.

Nebraska Rule 51: Child Find

006.01B3. If the student assistance team or comparable problem solving team feels that all viable alternatives have been explored, a referral for multidisciplinary evaluation shall be completed. A referral shall include information from the SAT or comparable problem solving team, meeting the requirements of 92 NAC 51-006.01B and a listing of the members of the SAT or comparable problem solving team.

District Considerations for Policy and Procedure Development

Sample district policy statement

[Xyz school district] will develop procedures to ensure all children within the district have access to the child find process. The district will provide multiple methods to provide parents, guardians, and community members with information regarding how to refer a child for an evaluation and the identification process. Each school building will have a designated contact person who is knowledgeable about the district procedures, and the district will designate a contact person to oversee the child find process. The child find process will be consistent with Federal and state regulations (i.e., 34 CFR § 300.111 and 300.131; 92 NAC 51-006 and 92 NAC 51-015.03).

Procedural considerations

- Indicate who is responsible for the different steps of child find (e.g., district level, school level, etc.).
- Determine resources that need to be developed or updated for parents and community members and the frequency these will be reviewed for revisions (e.g., annually).
- What are the procedures for annual dissemination of child find activities (for example, information is disseminated annually using news media, brochures to public and private childcare facilities, school websites, etc.)?
- Outline the referral process (include in each step who is responsible, timelines, where documents can be accessed or stored).
 - » Indicate if there is a separate or different process for prekindergarten, private school and home school students, and referrals for juvenile facilities.
 - » Indicate any needed steps for students who are homeless or wards of the state.
 - » Include any school-level and district tracking systems including disaggregation of data to determine equitable access.
- General education student assistance team (SAT) or other problem-solving team decision-making procedures and meeting logistics.
 - » Who is responsible for developing district practices and ensuring staff are trained appropriately?
 - » Is there a district-level manual?
 - » Who determines the school-level person responsible for organizing teams (e.g., is this determined by the principal or is it a role determined by the district lead?)?
 - » How frequent are meetings?
 - » How are students referred? What information is collected as part of the referral to the team?
 - » How are meetings and decisions documented?
 - » Who is included on the teams?
 - » Where are records stored?
 - » What is the transition procedures for students who are in the SAT process and move on to higher grades or schools?
 - » How are parents informed of the SAT or problem-solving process?

Guidance resources

- [Nebraska ChildFind](#)