



Special Education Department

**CHILD FIND
under
SECTION 504
and IDEA**

***FORMS, CHECKLISTS
and PROCEDURES***

Table of Contents

CHILD FIND UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

CHILD FIND UNDER SECTION 504

FORMS, CHARTS, SCRIPT and LETTERS

- Child Find Information Checklist FORM A
- Child Find Notification Process Chart FORM B
- Child Find Review Document (file) FORM C
- Child Find Under IDEA Process Chart FORM D
- Child Find Under Section 504 Process Chart FORM E
- Child Find Under Section 504 Frequently Asked Questions FORM F

SAMPLE PARENT LETTERS Confirming Child Find Conversation

- After review, do not suspect a Disability, parent agrees FORM G
- After review, do not suspect a Disability, parent disagrees FORM H
- After review, suspect a disability and agree to MTSS FORM I
- After review, suspect a disability and need to evaluate FORM J
- After review, suspect a disability and parent refuses FORM K

Child Find Under the Individuals with Disabilities Act (IDEA)

*The beginning of the school year presents new students, challenges, and responsibilities. One of these responsibilities is to locate, identify and evaluate children who may need special education services. This responsibility, called “Child Find,” is a comprehensive understanding and knowledge of the three main initial triggers to initiate this responsibility: development and review of pre-referral interventions; initial evaluation procedures; and potential IEP development steps.

*School districts have an independent obligation to locate students who may be eligible for special education. While Child Find obligations are prominent at the beginning of the year when students enter the district, the Child Find obligation is an ongoing one in order to ensure that students who enter the district or who demonstrate academic and performance changes during the school year are located and evaluated. The Child Find obligation exists when a district suspects a child has a disability.

*The Individuals with Disabilities Act (IDEA) is a federal law that provides federal assistance to states and local school districts and that requires all public schools to make available a free appropriate public education (FAPE) to all children with disabilities. IDEA is also supported by a comprehensive set of federal regulations that are also legally binding on public schools.

*A component of a public school’s obligation to provide a FAPE is to ensure that the school has in place a system to support what is known as “Child Find”. This typically involves students enrolled in the Redford Union School District; however, this obligation applies to all children who reside within the boundaries of the District. This applies even if children are homeless, a ward of the State, enrolled in a private school, transient children, or home schooled, regardless if they are registered with the State or Wayne County Schools.

*The Redford Union School District has an obligation to “locate, evaluate, and identify” any child that has or is suspected of having a disability, or who may be in need of special education services.

*The Child Find process is a collaborative one with school personnel working in conjunction with parents to locate, evaluate, and identify children who may need special education and related services. Children in need of special education services or an

accommodation for a disability should be identified in a timely manner. If the child is referred for a comprehensive evaluation, informed parental consent must be obtained prior to beginning the evaluation. The initial evaluation must be conducted within 30 school days of receiving parental consent for the evaluation.

*Educators should be on the lookout for red flags. While educators should not wait around to hear a magic word, they shouldn't necessarily be waiting for words at all. Rather, they should be on the lookout for circumstances or behavior that signals the need for an evaluation, even when no one has requested one.

These red flags might include:

- Dramatically declining grades
- Excessive absenteeism in tandem with a recent medical diagnosis
- Sudden withdrawal from peers in combination with declining school performance

**This manual was developed to assist the Redford Union School District, and our staff, in meeting IDEA Child Find obligations and to document efforts to comply with and carry out this obligation. Redford Union Schools are not charged with identifying a disability at this point; rather this process is to ensure that, when presented with information of a known or suspected disability, staff have followed up and completed the process.*

Child Find Under Section 504

*Section 504 of the Rehabilitation Act of 1973 includes a Child Find obligation. While Section 504 is not a special education initiative, there are parameters that must be met when considering a known or suspected disability when a child has a 504 plan. Regulations are enforced and are legally binding when a school district receives federal funding.

*Specifically, Section 504 states, "A recipient that operates a public elementary or secondary education program or activity shall conduct an evaluation of any person who, because of handicap, needs or is believed to need special education or related services, before taking any action with respect to the initial placement of the person in regular or special education and any subsequent significant change in placement". The obligation is initiated when a school has reason to suspect that a child may suffer from a "handicap", which is defined in the regulations to be a physical or mental impairment that substantially limits a major life activity.

The Documented Child Find Process

*In efforts to maintain the Child Find process for the Redford Union School District, this manual provides forms to document that process, along with efforts made by personnel. It also provides flow charts so as to provide this information visually.

*When a parent, educator, doctor, or other individual suspects a child may have a disability, a request for a special education evaluation can be made to the student's teacher or administrator in the district. Within 10 school days of receipt of a written request for an initial evaluation of a student suspected of having a disability, and before any formal evaluations take place, the district will provide you with written notice and, when necessary, shall request written consent to evaluate. The district will provide you with information about your family rights and procedural safeguards. Upon receipt of signed consent, a district may evaluate the student and determine if there is a need for special education and related services. Child Find evaluations are conducted at no cost to the parents.

**NOTE: School districts are only required to CONSIDER the request for an evaluation. A request does not always mean an evaluation will be completed, unless there is reason to suspect the student has a disability.*

Redford Union School District

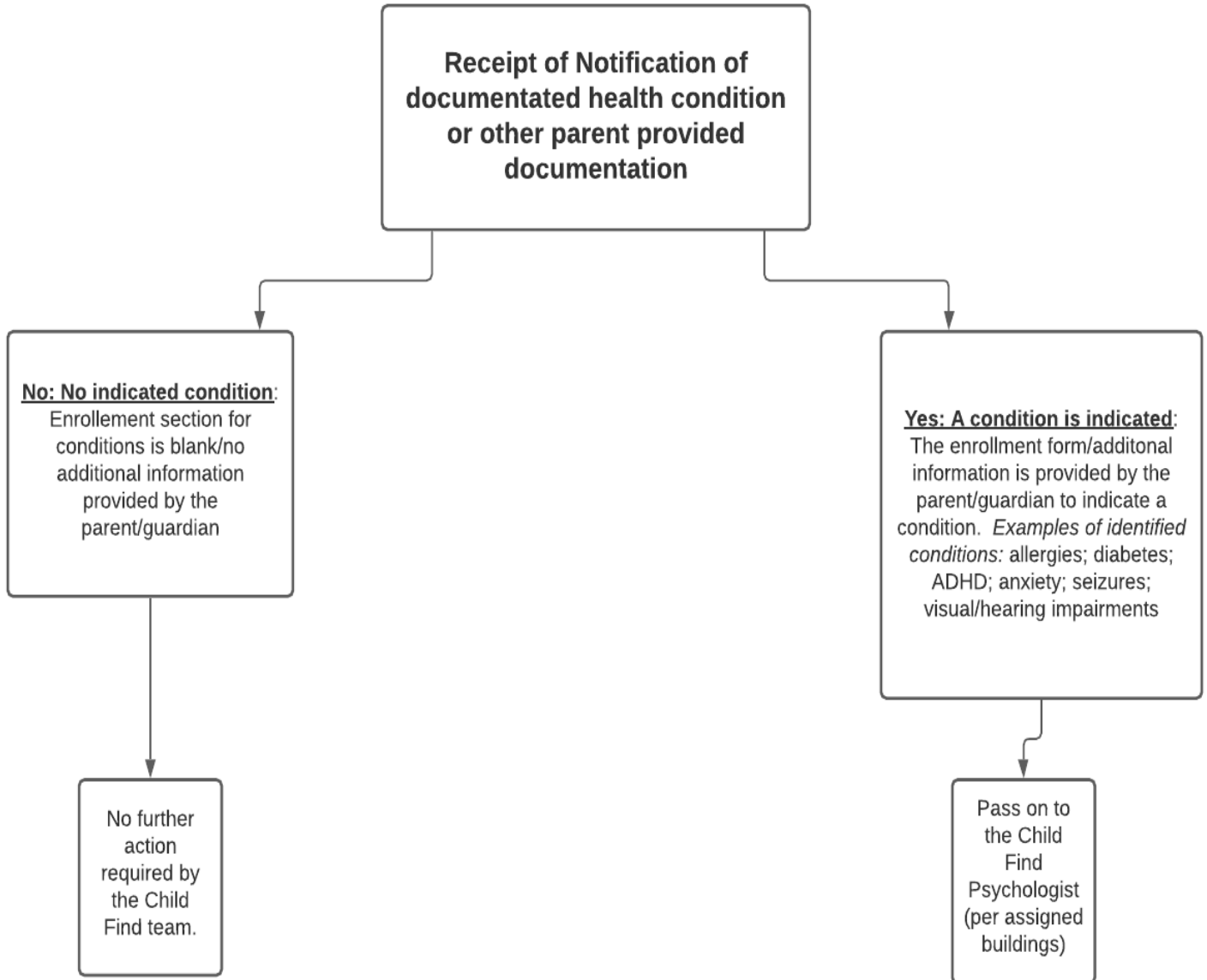
Child Find Information Checklist (form A)

Date: _____ Staff: _____ Building: _____

Student Name: _____

- Notification of condition is received by enrollment as part of the enrollment process (documented on cover sheet of enrollment packet).
- Special Education Administrator reviews enrollment packet if/when a condition is indicated, to identify any follow up by the Child Find staff (see flow chart).
- If a condition is indicated/identified by the parent/guardian at enrollment, Special Education Administration contacts the school psychologist.
- The school psychologist reviews the information to determine what conditions are identified. If there is an existing IEP or 504 Plan, the current plan is reviewed to verify if it addresses the condition(s).
- The psychologist makes a decision regarding the preliminary handling of the situation:
 1. No disability is suspected. No further follow up is required. Documentation of why the condition does not trigger Child Find.
 2. Condition is identified that is in a current IEP/504 Plan and no further action is required.
 3. A condition is identified; additional support is required. The parent agrees to the MTSS process for intervention as the first step. Documentation is required.
 4. A condition is identified and causes the District to suspect a disability under IDEA. The psychologist contacts the REED team. Documentation is required.
- Where applicable and necessary for further support/evaluation, the REED team, or Section 504 team, reviews/completes the Child Find Review Document for the child (see Child Find form C).
- School psychologist follows up with the parent/guardian and documents on the Child Find Review Document (Form C).
- Parent letter is sent along with procedural safeguards (sample parent letters in Forms H,I,J,K &L).

Child Find Notification Process Chart (Form B)



Redford Union School District

Child Find Review Document (Form C)

*To be given to the individual making the referral to the Child Find team.

Student: _____ DOB: _____ Grade: _____

Parent/Guardian: _____

Referred by: _____ Relationship to child: _____

Referral date: _____

1.) Areas of Concern:

Please check major area(s) of concern, and describe the child's behavior, or performance in each area checked. If you have more than one area identified, please circle the area of highest concern/priority to address.

- Academic
- Social/Emotional
- Gross/Fine Motor
- Activities of Daily Living
- Health/Medical related
- Behavior
- Communication
- Other (please specify)

Please describe specific concerns:

2.) Describe any alternative strategies attempted and the outcome, if applicable:

3.) Has the child had any special services provided (currently or in the past)?

- Yes
- No

If yes, please describe the type of service, location, and provider of the service(s):

4.) Other relevant information:

5.) If the referral came from a non-parental source (or guardian), has the parent been notified about the concerns regarding the child?

- Yes
- No

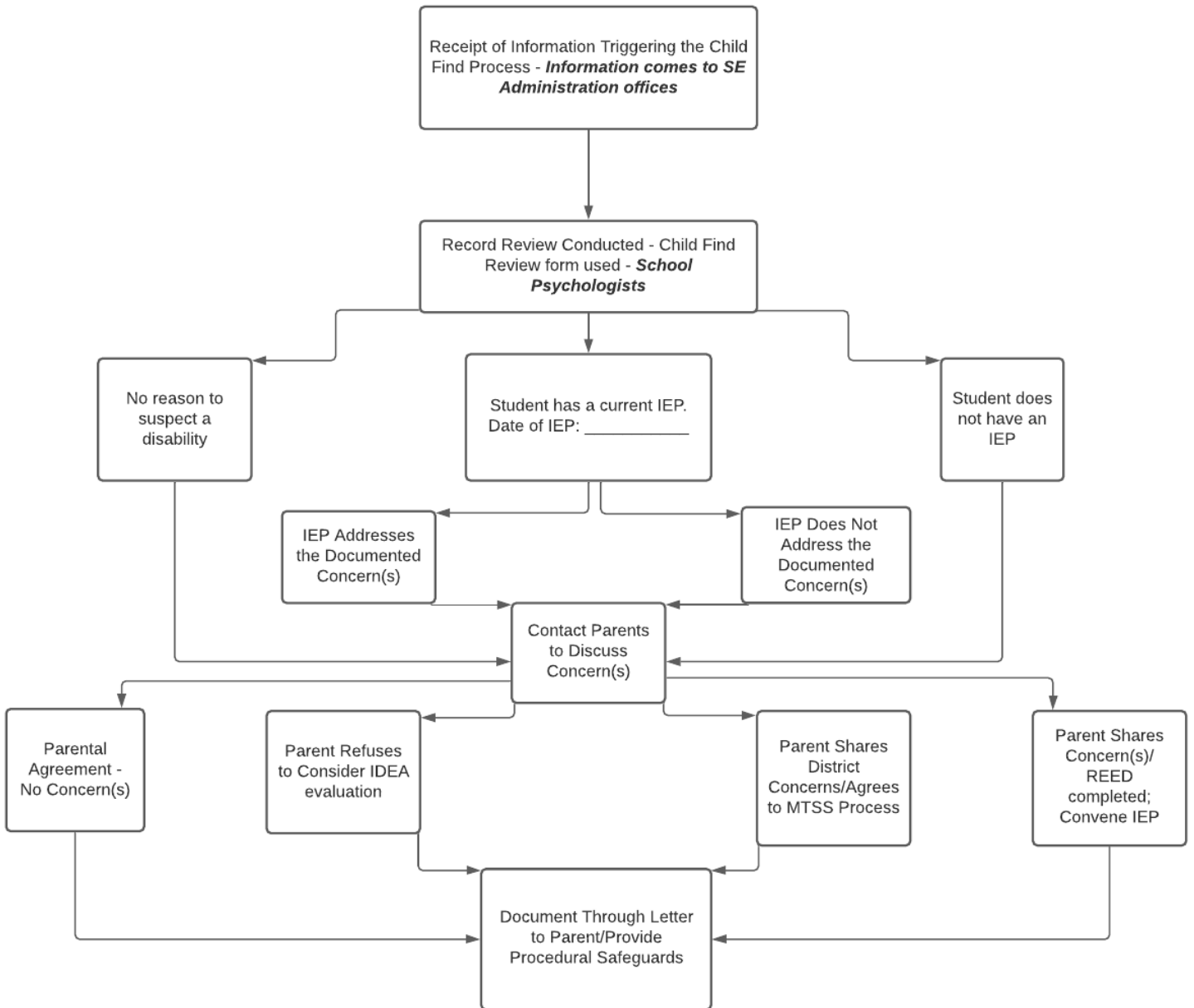
If yes, method of notification and date: _____

Signature of individual completing this form/date:

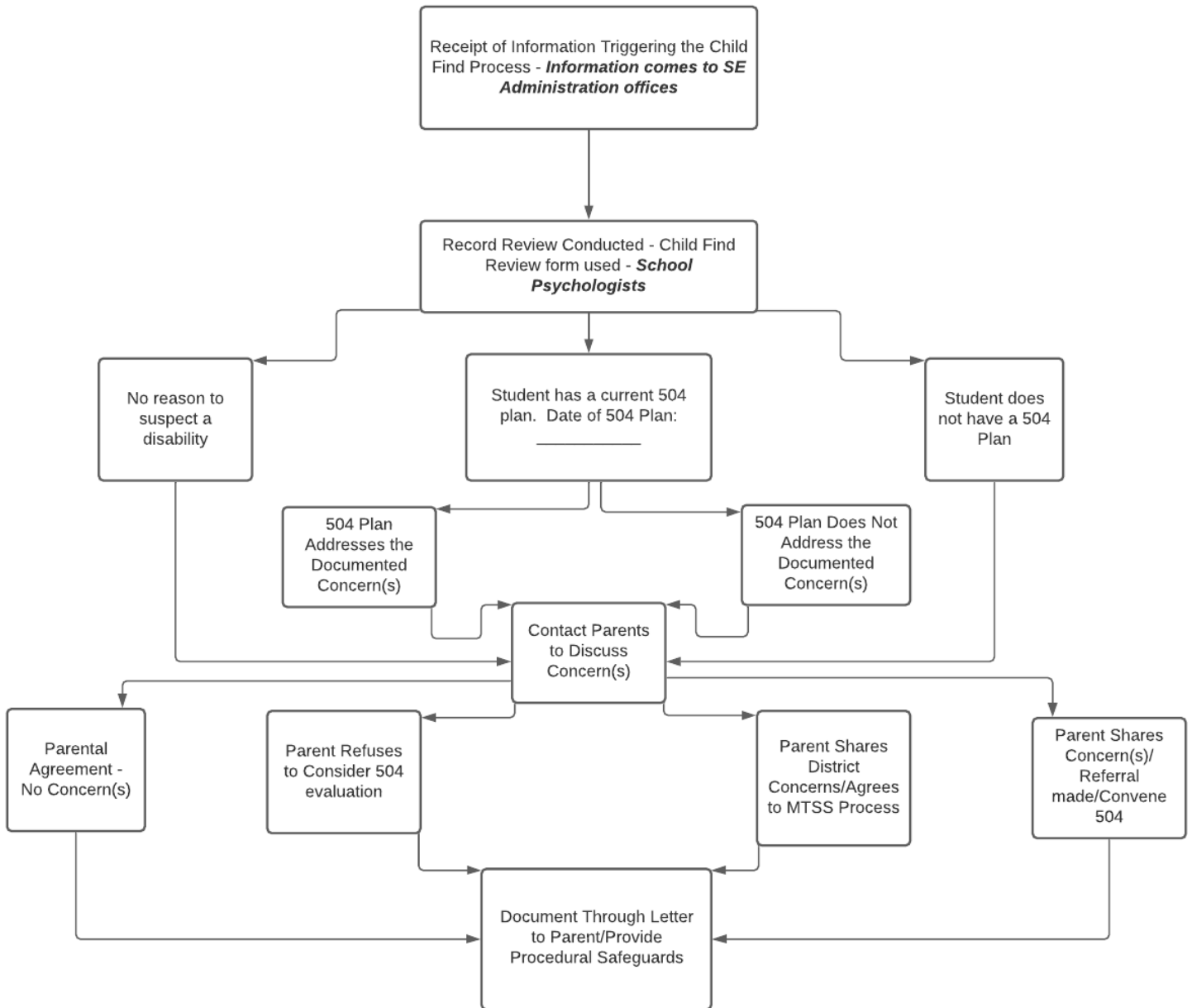
Final Disposition of the Case:

- No reason to suspect a disability - Parent Agreement*
 - Follow-up Letter (form G)**
 - Procedural safeguards**
- No reason to suspect a disability - Parent Disagrees*
 - Follow-up Letter (form H)**
 - Procedural safeguards**
- Reason to suspect disability - Parental Agreement to MTSS Process*
 - Follow-up Letter (form I)**
 - Procedural safeguards**
- Referral for Special Education Evaluation*
 - Follow-up Letter (form J)**
 - Procedural safeguards**
- Parental refusal of Special Education/504 Evaluation*
 - Follow-up Letter (form K)**
 - Procedural safeguards**

Child Find Review Document (Form D)- IEP



Child Find Review Document (Form E) - 504



CHILD FIND UNDER SECTION 504 FREQUENTLY ASKED QUESTIONS (FORM F)

The following questions are derived from parent/guardian questions and are included as a guide to assist when a District Team is considering a 504 Plan for a student.

What is reasonable justification for referring a student for evaluation for services under Section 504?

**School districts may always use regular education intervention strategies to assist students with difficulties in school. Section 504 requires school districts to refer a student for an evaluation for possible special education or related aids and services or modifications to regular education if the student, because of disability, needs or is believed to need such services.*

A student has a disability referenced in the IDEA, but does not require special education services. Is such a student eligible for services under Section 504?

**The student may be eligible for services under Section 504. The school district must determine whether the student has an impairment that substantially limits his or her ability to learn or another major life activity and, if so, make an individualized determination of the child's educational needs for regular or special education or related aids or services.*

What is a physical or mental impairment that substantially limits a major life activity?

**The Section 504 regulations define a physical or mental impairment as any psychological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The regulatory provision does not set forth an exhaustive list of specific diseases and conditions that may constitute physical or mental impairments because of the difficulty of ensuring the comprehensiveness of such a list. Major life activity also includes: functions such as caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, including but not limited to, the function of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions. This list is not exclusive. An activity or function not specifically listed in the Section 504 regulatory provision can nonetheless be a major life activity.*

May school districts consider “mitigating measures” used by a student in determining whether the student has a disability under Section 504?

**No. As of January 1, 2009, school districts, in determining whether a student has a physical or mental impairment that substantially limits that student in a major life activity, cannot consider the ameliorating effects of any mitigating measures that the student is using. This is a change from the prior law. Congress has not defined the term “mitigating measures” but has rather provided a non-exhaustive list of “mitigating measures.” The mitigating measures are as follows: medication; medical supplies; equipment or appliances; low-vision devices (which do not include ordinary eyeglasses or contact lenses); prosthetics (including limbs and devices); hearing aids and cochlear implants or other implantable hearing devices; mobility devices; oxygen therapy equipment and supplies; use of assistive technology; reasonable accommodations or auxiliary aids or services; and learned behavioral or adaptive neurological modifications. With the exception of ordinary eyeglasses or contact lenses, the ameliorative effects of mitigating measures cannot be considered in determining if an impairment substantially limits a major life activity. “Ordinary eyeglasses or contact lenses” are lenses that are intended to fully correct visual acuity or eliminate refractive error, whereas “low-vision devices” (listed above) are devices that magnify, enhance, or otherwise augment a visual image.*

Does the IDEA also require the mitigating measures of a student’s disability to be considered in determining eligibility or in developing an IEP?

**No. The IDEA requires the IEP Team to determine whether a student has a disability that adversely affects a student’s ability to access or participate in the general curriculum to the degree that the student needs special education or related services. The “mitigating measures analysis” is unique to Section 504. If a student has an identified disability that adversely affects their educational performance to the degree that they need special education or related services, they would be eligible under IDEA. Mitigating measures (such as accommodations, modifications or interventions may need to be discussed and considered in developing the Present Level of Academic Achievement and Functional Performance and in determining what supplementary aids and services should be included in the IEP.*

Can a medical diagnosis suffice as an evaluation for the purpose of providing FAPE?

**No. A physician’s medical diagnosis may be considered among other sources in evaluating a student with an impairment or believed to have an impairment which substantially limits a major life activity. Other sources to be considered, along with the medical diagnosis, include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior. The Section 504 regulations require school districts to draw upon a variety of sources in interpreting evaluation data and making placement decisions.*

Does a medical diagnosis of an illness automatically mean a student can receive services under Section 504?

**No. A medical diagnosis of an illness does not automatically mean a student can receive services under Section 504. The illness must cause a substantial limitation on the student's ability to learn or another major life activity. For example, a student who has a physical or mental impairment would not be considered in need of services under Section 504 if the impairment does not in any way limit the student's ability to learn or other major life activity or only results in some minor limitation in that regard.*

Can a medical diagnosis suffice as an evaluation for the purposes of providing FAPE?

**No. A physician's medical diagnosis may be considered among other sources in evaluating a student with an impairment or believed to have an impairment which substantially limits a major life activity. Other sources to be considered, along with the medical diagnosis, include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior. The Section 504 regulations require school districts to draw upon a variety of sources in interpreting evaluation data and making placement decisions.*

Must a school district obtain parental consent prior to conducting an initial evaluation?

**Yes, United States Department of Education, Office for Civil Rights, has interpreted Section 504 to require districts to obtain parental permission for initial evaluations.*

If a parent agrees, can the building take a student through the MTSS process prior to evaluation?

**It is permissible for staff to use general education interventions as part of a Multi-Tiered System of Supports ("MTSS") to address the needs of struggling students. However, the use of interventions as part of a MTSS does not diminish or excuse the District's Child Find obligations under Section 504 or IDEA. When the District has a reason to suspect that a student may have a disability and need special education and related services as defined under Section 504 or the IDEA, the District has an affirmative obligation to seek consent to evaluate the student. This is true even if the student is currently receiving interventions as part of a MTSS. MTSS interventions may be considered a mitigating measure under Section 504 and, accordingly, the corrective effects of such measures should not be considered when making a Section 504 eligibility determination. Mitigating measures can, however, be considered when the Team is deciding whether the student needs a Section 504 Student Accommodation Plan.*



Date:

Parent Name:

Address:

City, ST Zip:

Dear (Parent Name),

I am writing as a follow-up to confirm our telephone conversation on (date) regarding your child. As we discussed during our call, the Redford Union School District received information that your child may have a medical and/or social/emotional condition that may potentially impact their education.

After receiving this information and prior to our telephone conversation, our team reviewed your child's education records and spoke with relevant District staff members, which we discussed when we spoke on the phone. Based on the internal record review, information learned from relevant staff, and our telephone conversation, the District and you agree that, although your child has a medical condition, there is no reason for the District to suspect that your child is a student with a disability.

The Redford Union School District and you further agree that there is no need for an evaluation of your child under Section 504 or the Individuals with Disabilities Education Act ("IDEA") to determine whether your child is a student with a disability as defined under those laws.

Lastly, you agree that, to the extent that your child may need accommodations, general education accommodations are appropriate and sufficient to meet your child's needs.

I believe that this letter accurately describes our discussion on (date) and the decisions made during that call. If you, however, disagree, please notify me as soon as possible.

Sincerely,

Staff Name

Phone Number

Email Address

Enclosure: Procedural Safeguards/ (FORM G)



Date:

Parent Name:

Address:

City, ST Zip:

Dear (Parent Name),

I am writing as a follow-up to confirm our telephone conversation on (date) regarding your child. As we discussed during our call, the Redford Union School District received information that your child may have a medical and/or social/emotional condition that may potentially impact their education.

After receiving this information and prior to our telephone conversation, our team reviewed your child's education records and spoke with relevant District staff members, which we discussed when we spoke on the phone. Based on the internal record review, information learned from relevant staff, and our telephone conversation, the District does not believe that it has any reason to suspect a disability for which further evaluation would be necessary or appropriate. You did not agree with this conclusion and indicated a desire to have more formal testing.

Because we want to err on the side of comprehensive child find, *although we do not suspect a disability under Section 504 or the IDEA at this point, we have decided to move forward with the more formal evaluation process as you have requested.* A District staff member will be in touch with you in the near future to get that process and the paperwork underway. Enclosed is a copy of your procedural safeguards, which explains your rights. If you have further questions or concerns, please do not hesitate to contact me.

Sincerely,

Staff Name

Phone Number

Email Address

Enclosure: Procedural Safeguards

[Form H- one of two]



Date:

Parent Name:

Address:

City, ST Zip:

Dear (Parent Name),

I am writing as a follow-up to confirm our telephone conversation on (date) regarding your child. As we discussed during our call, the Redford Union School District received information that your child may have a medical and/or social/emotional condition that may potentially impact their education.

After receiving this information and prior to our telephone conversation, our team reviewed your child's education records and spoke with relevant District staff members, which we discussed when we spoke on the phone. Based on the internal record review, information learned from relevant staff, and our telephone conversation, the District does not believe that it has any reason to suspect a disability for which further evaluation would be necessary or appropriate. You did not agree with this conclusion and indicated a desire to have more formal testing.

Based upon our conversation and the information that we reviewed internally, because we do not feel that there is reason to suspect a disability or pursue a more formal evaluation, we do not intend to move forward with further testing or evaluations under Section 504 or the IDEA. This letter, along with the enclosed procedural safeguards and Notice document are designed to document our discussions and a copy of the letter and attachments will be kept in your child's education record.

I believe that this letter accurately describes our discussion on (date) and the decisions made during that call. If you, however, disagree, please notify me as soon as possible.

Sincerely,

Staff Name

Phone Number

Email Address

Enclosure: Procedural Safeguards/ (FORM H - two of two)



Date:

Parent Name:

Address:

City, ST Zip:

Dear (Parent Name),

I am writing as a follow-up to confirm our telephone conversation on (date) regarding your child. As we discussed during our call, the Redford Union School District received information that your child may have a medical and/or social/emotional condition that may potentially impact their education.

After receiving this information and prior to our telephone conversation, our team reviewed your child's education records and spoke with relevant District staff members, which we discussed when we spoke on the phone. Based on the internal record review, information learned from relevant staff, and our telephone conversation, the District and you agree that further intervention is necessary. You also agree that the District will follow the MTSS process in which additional general education interventions will be put in place prior to completing an evaluation necessary to determine whether your child is a student with a disability as defined under Section 504 or the Individuals with Disability Education Act ("IDEA"). If the MTSS process is not successful, the District will communicate with you regarding next steps.

A Redford Union staff member will be contacting you shortly to discuss the next steps in the evaluation process and to provide you with relevant forms.

I believe that this letter accurately describes our discussion on (date) and the decisions made during that call. If you, however, disagree, please notify me as soon as possible.

Sincerely,

Staff Name

Phone Number

Email Address

Enclosure: Procedural Safeguards

[Form I]



Date:

Parent Name:

Address:

City, ST Zip:

Dear (Parent Name),

I am writing as a follow-up to confirm our telephone conversation on (date) regarding your child. As we discussed during our call, the Redford Union School District received information that your child may have a medical and/or social/emotional condition that may potentially impact their education.

After receiving this information and prior to our telephone conversation, our team reviewed your child's education records and spoke with relevant District staff members, which we discussed when we spoke on the phone. Based on the internal record review, information learned from relevant staff, and our telephone conversation, the District and you agree that further evaluations are necessary to determine whether your child is a student with a disability as defined under Section 504 or the Individuals with Disability Education Act ("IDEA").

A Redford Union staff member will be contacting you shortly to discuss the next steps in the evaluation process and to provide you with relevant forms.

I believe that this letter accurately describes our discussion on (date) and the decisions made during that call. If you, however, disagree, please notify me as soon as possible.

Sincerely,

Staff Name

Phone Number

Email Address

Enclosure: Procedural Safeguards

[Form J]



Date:

Parent Name:

Address:

City, ST Zip:

Dear (Parent Name),

I am writing as a follow-up to confirm our telephone conversation on (date) regarding your child. As we discussed during our call, the Redford Union School District received information that your child may have a medical and/or social/emotional condition that may potentially impact their education.

After receiving this information and prior to our telephone conversation, our team reviewed your child's education records and spoke with relevant District staff members, which we discussed when we spoke on the phone. Based on the internal record review, information learned from relevant staff, and our telephone conversation, the District and you agree that further evaluations are necessary to determine whether your child is a student with a disability as defined under Section 504 or the Individuals with Disability Education Act ("IDEA").

However, during our phone conversation you made it clear that you are not interested in nor will give consent for the District to conduct any evaluations of your child under Section 504 or the IDEA.

I believe that this letter accurately describes our discussion on (date) and the decisions made during that call. If you, however, disagree, please notify me as soon as possible.

Sincerely,

Staff Name

Phone Number

Email Address

Enclosure: Procedural Safeguards

[Form K]