



DISTRICT OF COLUMBIA  
PUBLIC SCHOOLS

Office of Teaching and Learning

February 2020

# Child Find Guidelines

Version 02

### A. Introduction

The District of Columbia Public Schools (DCPS) aspires to be a model school district in serving the needs of students with disabilities. Under the Individuals with Disabilities Education Act (IDEA), DCPS must ensure that all children with disabilities who need special education and related services, and who either reside or attend private school in the District of Columbia, with the exception of any such students enrolled in a local public charter school, are identified, located, and evaluated<sup>1</sup> and that, beginning at age three, a free appropriate public education (FAPE) is available to any such child with a disability.<sup>2</sup> These first stages of the special education process, specifically the referral and evaluation of, and offer of services to, a child suspected of having a disability, are referred to in this document as DCPS' Child Find responsibilities. DCPS fulfills these responsibilities through the set of proactive policies, procedures, and public awareness activities detailed in this document.

### B. Purpose

This document establishes procedural guidelines for the Child Find process within DCPS, as mandated by IDEA<sup>3</sup> and District of Columbia Municipal Regulations (DCMR).

Through the Office of Teaching and Learning, DCPS operates the Division of Specialized Instruction (DSI), which builds and implements specialized programming for students with disabilities, offers professional development for staff, and provides coordination for assessments, evaluation, and implementation of services for students with disabilities. General questions about the Division of Specialized Instruction should be directed to [dcps.specialed@k12.dc.gov](mailto:dcps.specialed@k12.dc.gov).

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<sup>1</sup> 34 C.F.R. §§ 300.111(a)(1)(i), 300.102; 5-E DCMR 3002.1(d).

<sup>2</sup> 5-E DCMR § 3002.1(e).

<sup>3</sup> 20 U.S.C. §§ 1400, et seq., and implementing regulations at 34 C.F.R. Part 300.

## II. DCPS Child Find Procedures and Timelines

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### A. Child Find Obligations

#### Overview

Under IDEA and local regulations, DCPS is required to identify, locate, and evaluate all children all children with disabilities from three (3) through twenty-one (21) years who are residents of the District of Columbia and who are not enrolled in a charter school.<sup>4</sup> This requirement applies to: 1) children who attend private schools located in the District even if the children do not reside in the District, and 2) children residing in the District, including those who are:

- Attending public or private school;
- Home schooled;
- Highly mobile and/or homeless;
- In the custody of the DC Child and Family Services Agency (CFSA);
- Committed to the DC Department of Youth Rehabilitation Services (DYRS);
- Advancing from grade to grade but are suspected of having a disability.<sup>5</sup>

This obligation is known as **Child Find**. DCPS' comprehensive Child Find system includes:

- Public Outreach
- Free and Comprehensive Screenings
- Complete Documentation of Referrals
- Timely Evaluation

DCPS Child Find activities depend on the age and enrollment status of an individual student:

- 2 years 8 months through 5 years 10 months (IDEA Part B) who are not enrolled in a DCPS local school: Early Stages is a DCPS program that serves as a primary point of contact for District families and third-party referrers who have a concern about a child in this age range who is not enrolled in DCPS or a DC charter school.<sup>6</sup> Early Stages (1) manages public awareness and referral processes for students, (2) conducts and supports schools in conducting evaluations and (3) develops Individualized Education Programs (IEPs). Early Stages is also responsible for ensuring the smooth and timely transition of students from Strong Start, the OSSE early intervention program for children younger than 3 years of age, (IDEA Part C) to DCPS Part B services. Early Stages can be contacted at [info@earlystagesdc.org](mailto:info@earlystagesdc.org).
- 2 years 8 months through 21 years (IDEA Part B) who are enrolled in a DCPS local school: A child's enrolled or attending school has primary responsibility for identifying and evaluating its

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<sup>4</sup> 5-E DCMR § 3002.7(a).

<sup>5</sup> 34 C.F.R. § 300.111.

<sup>6</sup> Charter schools are responsible for children who are enrolled in their LEAs. Referrals received by Early Stages for charter school children are forwarded to the appropriate LEA with parent consent.

students, including new students entering DCPS.<sup>7</sup> Referrals for these children will be reviewed primarily by the school psychologist, principal, or principal's designee.

- 5 years 11 months through 21 years (IDEA Part B) who are parentally placed in a private/religious school: The Centralized IEP Support Unit (CIEP) manages evaluation of students parentally placed in DC private/religious schools. The CIEP can be contacted at [dcps.childfind@k12.dc.gov](mailto:dcps.childfind@k12.dc.gov). The Non-Public Team at Central Office coordinates students who are placed by DCPS to receive services in non-public settings and who are returning to DCPS from a non-public schools. Questions for the Non-Public Team can be directed to [dcps.specialed@k12.dc.gov](mailto:dcps.specialed@k12.dc.gov).

### **Public Awareness and Outreach**

To ensure the local and school communities are aware of the availability of special education and related services for eligible children with disabilities and the methods for requesting such services, DCPS conducts public awareness activities in all wards of the city and provides notice of the Child Find process and the available resources to families, primary referral sources, and the general public.

#### *Children Age Three through Five*

Early Stages has a team of field-based coordinators (Child Find Field Coordinators) who develop and maintain referral relationships with diverse child services organizations and manage the initial screening process for families. The Early Stages website is the central repository of Child Find information for parents and service providers of three-through-five year olds.<sup>8</sup> Early Stages also posts information about free screening in public places, e.g., doctor offices, grocery stores, bus shelters, or recreation centers; and coordinates with organizations that serve the school community, including after-school programs, child care facilities, health care providers, and other community-based organizations.

#### *Children Age Five through 21*

DCPS also maintains a special education website<sup>9</sup> which provides parents with support, diagnostic information, and related resources to learn more about special education and the identification of children with disabilities. DCPS uses a variety of other methods of outreach, including school manuals, brochures and mailings, posting of information and notices in public places, and direct parent communication at parent-teacher conferences and other events. DCPS also coordinates with other organizations that serve the school community to facilitate the Child Find process, including after-school programs, child care facilities, health care providers, and other community-based organizations.

### **Coordination with Non-Educational District Agencies**

To ensure coordination with appropriate District agencies to facilitate the identification, location, and evaluation of children with disabilities, DCPS maintains contacts with CFSA and the DC Department of Behavioral Health (DBH). DCPS also conducts quarterly meetings with representatives of CFSA, DYRS, and DBH to ensure open and cooperative lines of communication regarding DCPS's Child Find, referral, and initial evaluation processes and procedures, as well as continuously updating agencies of changes in appropriate points of contact.

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<sup>7</sup> Unless enrolled in a charter school, DCPS is responsible for identifying children with disabilities and offering to provide special education and related services to all DC residents regardless of whether a student is currently enrolled in a DCPS school. Questions may be directed to [dcps.childfind@k12.dc.gov](mailto:dcps.childfind@k12.dc.gov).

<sup>8</sup> <http://www.earlystagesdc.org>

<sup>9</sup> <https://dcps.dc.gov/specialeducation>

### Screening

DCPS implements a comprehensive screening process to determine if a child should be referred for an evaluation. Screenings utilize assessments and tools that are generally applied across the entire student population. Parent consent is not required for DCPS to conduct a uniform, schoolwide screening. A screening conducted by a DCPS teacher or specialist to determine appropriate instructional strategies for curriculum implementation does not constitute an evaluation for eligibility for special education and related services and does not require parent consent.

A screening may involve, but is not limited to:

- A standardized screening tool (e.g. the Ages and Stages Questionnaire);
- Analysis of data regarding a student's progress in academics;
- Observation of a student's performance and behavior in a variety of settings;
- Interviews with parents and families;
- Analysis of a student's health data.

### Response to Intervention (RTI) Student Support Teams

DCPS student support teams organize targeted supports for students who need additional academic and behavioral help to succeed in a general education environment, but who are not currently identified as needing special education. Educators, parents or students can request assistance from the student support team. The teams use a data-based, collaborative process to:

- Assess student academic and/or behavioral needs
- Identify goals
- Design strategies for support and intervention
- Evaluate the effectiveness of interventions

Student support teams (SSTs) serve as an early-warning system to identify struggling students and provide them with additional support. They help schools intervene earlier with students who face challenges (e.g., academically not on grade level, chronically absent or truant, at risk for grade level retention). DCPS RTI/SST efforts will not be used to delay the initial evaluation of a student who may be a child with a disability in need of special education and related services

### Referral

A referral is a written or oral request, which can be provided by the child's parent, an organization conducting screenings, or any other individual with knowledge regarding the child<sup>10</sup>. The referral should clearly state why it is thought that the child may have a disability, but such a statement is not required in order to be accepted and documented as a referral. A referral begins DCPS's timeline to evaluate a student. Referrals are accepted by Early Stages, a child's school, or the CIEP team, depending on the child's age and enrollment status. Upon receiving an oral referral, DCPS must assist parents and other parties in documenting the referral in writing and must log the referral in writing within three (3) business days of receipt.<sup>11</sup>

Referrals come from many sources, which may include the following:

- A child's parent or person in a parental relationship; or

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<sup>10</sup> 5-E DCMR § 3004.1.

<sup>11</sup> 5-E DCMR § 3004.1(b).

- An adult student (self-referral) who is age eighteen (18) and from three (3) through twenty-one (21) years twenty-two (22) years of age or an emancipated minor who is eligible to attend DCPS; or
- A professional staff employee of DCPS; or
- A staff member of a public agency who has direct knowledge of the child.<sup>12</sup>

DCPS also accepts third-party referrals from pediatricians or other medical professionals, including physicians, hospitals, and other health providers; child development facilities, including day care centers, child care centers, and early childhood programs; District agencies and programs, including IDEA Part C programs; community and civic organizations; and advocacy organizations.

DCPS logs all referrals, including the referral source and date of the referral, into the Special Education Data System (SEDS). DCPS then sends a referral acknowledgement to the parents of the child.

### The IEP Team

After referral, a team is convened to review data about the child and determine whether an evaluation is warranted. This team must include the parents/legal guardian of the child, a regular education teacher of the child, a special education teacher or provider, a DCPS representative qualified and knowledgeable about DCPS' capacity to provide special education services, and someone who is qualified to interpret the instructional implications of an evaluation result (may be an aforementioned member of the team).<sup>13</sup> This team may also include a school psychologist, speech and language pathologist, occupational therapist, physical therapist, hearing or vision specialist or other members as deemed necessary. This team will also determine what areas may require additional testing and/or services. Ultimately, this is the same team that will develop the child's IEP if the child is eligible for special education services.

### Parental Consent

DCPS staff must provide prior notice to and obtain informed consent from the parent of the child before conducting the evaluation.<sup>14</sup> DCPS staff must also provide the parent with a copy of procedural safeguards when the child is referred for evaluation or if the parent requests the evaluation.<sup>15</sup> Should the DCPS team determine that no evaluation is necessary, it must document through a prior written notice of its reasons for the determination and provide this to the parent as well.<sup>16</sup>

DCPS makes reasonable efforts to obtain parental consent for evaluation within thirty (30) days from the date the student is referred for an evaluation. Reasonable efforts include attempting to contact the parent at least three (3) times on three (3) different dates using at least two (2) modalities. DCPS must begin reasonable efforts within 10 business days of receipt of the referral.<sup>17</sup>

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<sup>12</sup> See 34 C.F.R. § 300.301; see also OSSE Local Education Agency (LEA) Child Find Guidance (January 2019), available at <https://osse.dc.gov/page/child-find-and-initial-evaluation-resources>.

<sup>13</sup> 34 C.F.R. § 300.321.

<sup>14</sup> 34 C.F.R. § 300.503.

<sup>15</sup> 34 C.F.R. § 300.504(a)(1); see <https://osse.dc.gov/publication/rights-parents-students-disabilities-idea-part-b-notice-procedural-safeguards>.

<sup>16</sup> 34 C.F.R. § 300.503(a)(2).

<sup>17</sup> 5-E DCMR § 3005.2(b) & (c).

If DCPS is unsuccessful in obtaining informed consent from the parent, or the parent refuses to grant consent, then DCPS staff may pursue evaluation(s) through mediation or due process.<sup>18</sup> To demonstrate that DCPS took reasonable measures to obtain consent, staff will maintain a record of its attempts to do so, including keeping:

- Detailed records of telephone calls and text messages made or attempted and the results of those attempts;
- Copies of correspondence sent to the parent and any responses received; and
- Detailed records of visits made to the parent's home or place of employment and the results of those visits.<sup>19</sup>

### Evaluation

DCPS follows specific procedures to ensure that all children for whom it is responsible that are suspected of having a disability following the referral review detailed above receive a comprehensive evaluation to investigate all areas of concern. The full evaluation begins with an analysis of existing data on a student, followed by the development of additional assessments if deemed necessary by the IEP team. This evaluation data is used to determine eligibility for special education.

- DCPS evaluates a student within sixty (60) days from the date that the student's parent or guardian provides written consent for the evaluation.<sup>20</sup> The evaluation process includes the determination of whether the student is eligible for special education services upon review of existing data and any additional assessments/screenings conducted. This timeline is not delayed where the student is under consideration for other DCPS programs or services, such as RTI.

For children under the age of 6, upon obtaining parental consent for disclosure of referral information, DCPS will provide feedback to the person making the referral regarding the outcome of the referral in a timely manner.

### Assessments

DCPS may conduct assessments/screenings to determine the child's eligibility for special education services. The IEP team, which includes the parent, will discuss the suspected areas of concern and determine which specific assessments are needed in order to determine eligibility for special education and related services. DCPS will provide the parent of a child suspected of having a disability with information about the nature of any additionally required assessment. After a child has been assessed, a meeting will be convened within the 60-day timeline to determine eligibility for special education and related services. If the child is found eligible, and the parent wishes to access services, an IEP meeting will be held within 30 days.<sup>21</sup>

## B. Transition from Early Intervention Services (Age 3)

DCPS is responsible for ensuring a smooth and effective transition for children transitioning from early intervention services provided in accordance with IDEA Part C to special education and related services in accordance with IDEA Part B, so that the child's services are not interrupted. This requires that DCPS

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<sup>18</sup> 5-E DCMR § 3026.2.

<sup>19</sup> 5-E DCMR § 3026.4; 34 C.F.R. § 300.300(d)(5) & 300.322(d).

<sup>20</sup> 34 C.F.R. § 300.301(c)(1)(ii); 5-E DCMR § 3005.2(a).

<sup>21</sup> 5-E DCMR § 3007.1; 34 C.F.R. § 300.323(c)(1).

complete the evaluation, eligibility determination, and IEP development processes discussed in Section II.A; identify a location where the IEP can be implemented; and begin delivering specialized instruction and related services by the child's third birthday.<sup>22</sup>

### C. Early Stages Referral and Evaluation (2 years 8 months to 5 years 10 months)

Early Stages, within the Early Childhood Education Division at DCPS, is responsible for the Child Find process for unenrolled students aged 2 years 8 months to 5 years 10 months. Except for children enrolled in pre-K at charter schools, Early Stages accepts referrals for all children residing in the District, even those not currently enrolled in a school and those who may not live in DC but attend a DC private school or child development center.

Referrals for Early Stages assessment can be submitted in several ways:

- Via an online form through the website (<https://www.earlystagesdc.org>);
- Via telephone (202-698-8037);
- By email ([referral@earlystagesdc.org](mailto:referral@earlystagesdc.org));
- By fax (202-654-6079)
- In person

If the child is already receiving services through OSSE's Strong Start early intervention program, Early Stages will automatically receive a referral through the transition notification and transition meeting process.

Every child evaluated will have an IEP developed within 30 days of the eligibility determination if they are determined eligible for IDEA Part B services. Once the child's IEP has been developed, Early Stages identifies a school location where the child's IEP can be implemented and assists with enrollment. Early Stages does not provide any services directly. If a child requires placement in a self-contained setting, Early Stages staff will consult with the Location of Services team within DSI to find an appropriate location for the child to receive their services.

For most of the children served by Early Stages, enrollment in school is not compulsory.<sup>23</sup> A parent may elect to keep their child out of school until mandatory school age, effectively rejecting IEP services, whether they formally revoke consent or not. This may happen because:

- The child has transitioned from Strong Start and the parent chooses to continue to receive early intervention services from OSSE through an Extended Individualized Family Services Plan (IFSP);
- The child is enrolled in a private or religious school and the parent chooses an Individualized Service Plan (ISP), as discussed in Section II.E below;
- The parent does not provide, or revokes, consent for initial provision of IEP services; or
- The parent provides consent but does not enroll the child in DCPS.

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<sup>22</sup> Specialized instruction must be provided by the child's third birthday, or if the child turns three on a non-instructional day, it must be provided on the first school day after the child's third birthday (which, in the case of a child whose birthday falls during the summer and qualifies for extended school year (ESY) services, will be ESY services). All related services should begin within 14 days of the child's third birthday (unless that period is during the summer and the child does not qualify for ESY services, in which case within 14 days of the first day of school after the summer). The District is required to record and track when children first receive each service, including specialized instruction.

<sup>23</sup> Compulsory attendance requirements first apply to children who are age five, or will become age five on or before September 30<sup>th</sup>, of the current school year. See DC Code § 38-2020(a).



Finally, the IEP determines when the IEP will begin. It is common, especially later in the school year and consistent with the parent's preference, that the team may decide that it will be better for the child to delay school enrollment and develop the IEP to begin with the following school year.

### D. Children Transferring from Other Local Education Agencies (LEAs)

#### Below Compulsory Attendance Age

Students who enter the District of Columbia and who are below the compulsory school attendance age are identified and referred through Early Stages, or the child's school of attendance, if enrolled in DCPS. A child's previous LEA, as well as parents, medical providers, or anyone familiar with the child, may refer the child to Early Stages or their school of attendance.

#### Compulsory School Attendance Age

DCPS has Child Find obligations for students transferring from another LEA to DCPS, including to a non-public school within or outside of the District when that student's placement is monitored by DCPS.

If a student transfers to DCPS with an existing IEP, DCPS will provide comparable services which are similar or equivalent to those described in the student's IEP from the previous LEA. DCPS handles these obligations according to the procedures and timelines outlined by the OSSE *IEP Implementation for Transfer Students Policy*.<sup>24</sup>

Children who have been previously identified as potentially having a disability will be evaluated in accordance with DC's initial evaluation timeline.

- For transfers within DC, the start date of the student's timeline shall be the date of written referral from the previous LEA.
- For out-of-state transfers, the start date shall be the date of documented parent consent given to the previous LEA.<sup>25</sup> If this documentation does not exist, DCPS will submit a referral on behalf of the student and will work to obtain parental consent for evaluation.

Referrals for this group will be reviewed primarily by the child's school's psychologist, principal, or principal's designee, and school level **IEP teams** will update the child's IEP or conduct a re-evaluation as needed. DCPS will also work to complete any initial evaluation begun by the previous LEA, coordinating efforts as necessary for prompt completion.

### E. Children Parentally Placed in Private/Religious Schools

The DCPS Centralized IEP Support Unit (CIEP) is responsible for locating, identifying, and evaluating parentally placed students aged 5 years 11 months through 21 years. CIEP facilitates IEP team meetings which include DCPS staff, private school representatives, parents, and all other necessary members of an IEP team. This team is responsible for all students who:

- Have been parentally-placed in a private or religious child development center or elementary/secondary school in DC, whether the family resides in DC or not;

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<sup>24</sup> <https://osse.dc.gov/publication/osse-releases-individualized-education-program-iep-implementation-transfer-students>

<sup>25</sup> OSSE *IEP Implementation for Transfer Students Policy*, pg. 3.

- Have been parentally-placed in a private or religious child development center or elementary/secondary school in another state and the family resides in DC;<sup>26</sup> or
- Have been registered as a home school student with OSSE.

If it is determined that the student is eligible for special education, parents have two options:

- Enroll full time in a DCPS school and accept an IEP (if they are District residents), or
- Remain in the private/religious school and accept an ISP. DCPS will provide approved equitable services during the school day at the student's location.

CIEP's Child Find Coordinators also complete an annual visit to private/religious schools to provide an overview of the referral process. Additionally, the CIEP team provides multiple IDEA consultations per year to discuss equitable services and the special education process.

### F. Parent Procedural Safeguards and Rights

Parents' legal rights during the Child Find process are defined by IDEA and District of Columbia law. In the event of a disagreement, parents may pursue dispute resolution and due process rights, including mediation, due process complaints, or state complaints. Parents can learn more about their rights under IDEA by referring to the Part B Procedural Safeguards located on OSSE's website at <https://osse.dc.gov/publication/rights-parents-students-disabilities-idea-part-b-notice-procedural-safeguards> or by contacting [dcps.specialed@k12.dc.gov](mailto:dcps.specialed@k12.dc.gov) to obtain a copy of their procedural safeguards.

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<sup>26</sup> DCPS evaluates the student, if they are found eligible services will be rendered by the district in which the student attends school.

## Glossary

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**Child Find:** A set of policies, procedures, and public awareness activities designed to ensure the District of Columbia fulfills its obligation to locate, identify, and evaluate as early as possible all children with disabilities who may require early intervention or special education services.

**Early Intervention Services:** Services designed to meet the specific needs of a child from birth through age 2 and the needs of the family related to enhancing the child's development.

**Evaluation:** The process by which a student suspected of having a disability is assessed by an IEP team to determine whether they are a child with a disability under IDEA and, if so, what services are needed.

**Free Appropriate Public Education (FAPE):** Students with disabilities have the right to special education and related services that are free (provided without charge, at public expense under public supervision and direction) and appropriate (meet the standards of the State Educational Agency; include an appropriate preschool, elementary school, or secondary school education; and are provided in conformity with an Individualized Education Program).

**Individualized Education Program (IEP) Team:** A group of individuals responsible for identifying and evaluating children with disabilities; developing, reviewing, or revising an IEP for a child with a disability; and determining the placement of a child with a disability in the least restrictive environment (LRE). This team includes the parent(s) of the child; at least one general education teacher of the child; at least one special education teacher; a representative of the LEA who is qualified to provide, or supervises the provision of, specially designed instruction to meet the unique needs of children with disabilities, and is knowledgeable about the general curriculum and the availability of resources of the LEA; an individual who can interpret assessment results and the related instructional implications; other individuals, at the discretion of the parent or the LEA, who have knowledge or special expertise regarding the child, including related services personnel, if appropriate; and the child, if appropriate.

**Individualized Education Program (IEP):** A written statement for each child with a disability that is developed, reviewed, and revised in accordance with federal law. The IEP guides a special education student's learning. It is created for children aged 3-21 and describes the amount of time that the child will spend receiving special education services, any related services the child will receive, and academic/behavioral expectations.

**Individualized Family Services Plan (IFSP):** A written plan for providing early intervention services to an eligible child and the child's family. It details a child's current levels of functioning, specific needs and goals for treatment.

**Individualized Service Plan (ISP):** A written statement that specifies the equitable services for which a parentally placed private school child with a disability qualifies, including the location of the equitable services.

**Individuals with Disabilities Education Act (IDEA):** The federal law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education, and related services to eligible infants, toddlers, children and youth with disabilities.

**Local Education Agency (LEA):** In general, a local school district or board of education that controls public schools in the city or county and is responsible for the identification of, evaluation of, and provision of services for children with disabilities who reside within the LEA's borders. In the District of Columbia, an educational institution at the local level that exists primarily to operate a publicly funded school or schools providing elementary or secondary education in the District of Columbia, including the District of Columbia Public Schools and a District of Columbia public charter school. The term includes public charter schools that have elected, pursuant to D.C. Official Code § 38-1800.02(29), DCPS to serve as the LEA for purposes of IDEA, with such election subject to the provisions of D.C. Official Code § 38-1802.10(c), requiring an LEA to be its own LEA for purposes of IDEA and the Rehabilitation Act unless waived by the District of Columbia Public Charter School Board.

**Non-Public School:** A non-public school is an educational program that is run by a private person or group instead of by a government body. In terms of special education, a non-public school may be considered as the appropriate location to serve a student when a public school is unable to serve that student's needs.

**Referral:** Oral or written request, provided by the child's parent, or a third-party, which clearly states why there is a belief that the child may have a disability.

**Response to Intervention (RTI):** A multi-tiered system for the early identification and support of students with learning and behavior needs. RTI is applied across the entire student population and does not affect a student's eligibility for special education services.

**Screening:** Tools that are generally applied across the entire student population used to determine if a child should be referred for an evaluation.