



SPREAD THE WORD: TOPICS IN SPECIAL EDUCATION

CHILD FIND

Pursuant to 511 Indiana Administrative Code (IAC) 7-40-1(a) Public agencies must establish, maintain, and implement written procedures that ensure the location, identification, and evaluation of all students three years of age, but less than 22 years of age, who are in need of special education and related services, regardless of the severity of the disabilities, including:

1. Students who have legal settlement within the jurisdiction of the public agency;
2. Students attending non-public schools, including home schools, within the jurisdiction of the public school;
3. Students who are homeless, as defined at 511 IAC 7-32-46;
4. Students who are wards of the state;
5. Students who are highly mobile, including migrant students; and
6. Students who are suspected of being students with disabilities in need of special education even though they are advancing from grade to grade.

Charter Schools

A charter school that is not a part of a public school corporation must establish, maintain, and implement written procedures that ensure the location, identification, and evaluation of all students attending the charter school who are in need of special education and related services, regardless of the severity of the disabilities pursuant to 511 IAC 7-40-1(b).



For additional information from the United States Office of Special Education and Rehabilitative Services (OSERS) related to child find, please see the [Return to School Roadmap: Q&A on Child Find Under Part B of the Individuals with Disabilities Education Act](#) (August 24, 2021).



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Public agencies should review their child find written policies and procedures to evaluate whether they are sufficiently robust to ensure there is appropriate referral and evaluation for these students under the Individuals with Disabilities Education Act (IDEA).

Some common external and internal components of child find policies and procedures include the following:

- Parental notification;
- The requirement that during the consultation with non-public school representatives and representatives of parents referenced in 511 IAC 7-34-4(c), the child find process is discussed;
- How parents can make a referral for an evaluation;
- How school personnel can make a referral for an evaluation; and
- Community outreach.

The United States Department of Education and Rehabilitative Services (OSERS) Office of Special Education Programs (OSEP) reminded state educational agencies and local educational agencies that participation in a multi-tiered system of supports (MTSS) or response to intervention (RTI) program cannot be used to delay or deny an evaluation for a child suspected of having a disability, highlighting two relevant OSEP memoranda ([MTSS/RTI Process Cannot Be Used to Delay/Deny an Initial Evaluation, 2023](#)).

How long should a team wait to evaluate an English learner?

- “Disability evaluations may not be delayed because of a student’s limited English language proficiency (ELP) or the student’s participation in a language instruction education program (LIEP).” ([OSEP Chapter 6 Toolkit](#))
- The same timeframe applies for evaluations of English learner students as all other students pursuant to 511 IAC 7-40-4 and 511 IAC 7-40-5.