

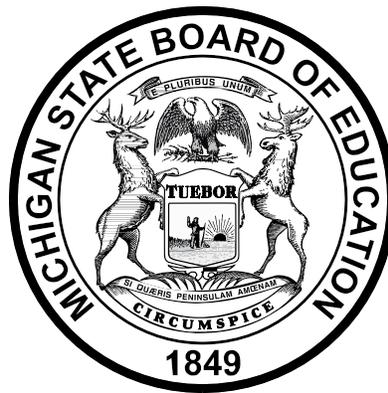


Technical Assistance for State Performance Plan (SPP) Indicator 11

Child Find

October 2014





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This document is organized into four sections and an appendix. The first section discusses key concepts for improving district procedures and practices for timely initial evaluations and Individualized Education Programs (IEPs). The second section provides probe questions that district personnel should consider when analyzing district procedures and practices. The third section provides technical assistance for the four characteristics involved in the Michigan Student Data System (MSDS) collection for the *Individuals with Disabilities Education Act* (IDEA) Part B Indicator 11—Child Find. The fourth section lists resources related to Indicator 11. Finally, the appendix contains the pertinent state and federal regulations related to Child Find.

For questions about Child Find procedural requirements related to the *Michigan Administrative Rules for Special Education* (MARSE) and the IDEA, contact Sheryl Diamond, Supervisor, Program Accountability, Office of Special Education (OSE) at diamonds@michigan.gov. For questions about Child Find data requirements, contact Jayme Kraus, Performance Reporting, OSE at krausj1@michigan.gov.

Part I : Key Concepts for Child Find

General

- The State Performance Plan (SPP) is a required element of the *Individuals with Disabilities Education Act (IDEA) 2004*. States must provide data and six-year improvement plans for specific performance indicators. Child Find is one of these indicators.
- Indicator 11 (Child Find) is timeline driven. Child Find refers to a system, not just one isolated activity.
- Indicator 11 measures the percent of children with parental consent to evaluate, who were evaluated, and whose eligibility was determined within 30 school days or an agreed-upon extended timeline.
- Reasons reported in the Michigan Student Data System (MSDS) for a late initial Individualized Education Program (IEP) vary. The reasons are reported using codes. The codes which do not result in noncompliance are as follows:
 - IEP Not Timely: Parent did not make the child available (Code 13).
 - IEP Not Timely: Timeline began in previous district (Code 14).
 - IEP Not Completed: Student died (Code 18).
 - IEP Not Completed: Parent withdrew consent (Code 19).
 - IEP Not Completed: Parent did not make child available (Code 20).
 - IEP Not Completed: Student moved (Code 21).
 - Child moved into Michigan from another state with a current IEP (Code 22).
- Reasons for late initial IEPs which result in a finding of noncompliance are as follows:
 - IEP Not Timely: Personnel not available for evaluation (Code 15).
 - IEP Not Timely: Personnel not available for IEP meeting (Code 16).
 - IEP Not Timely: External reports not available (Code 17).
- Indicator 11 is a compliance indicator and therefore has a 100 percent compliance target. Any percentage less than 100 percent is considered noncompliance for the local district responsible for completing the initial IEP. In 2013-2014, Michigan had a 99.72 percent compliance rate.
- The data collected for Indicator 11 refers to initial evaluations and initial IEPs—those activities undertaken for a child who is not currently eligible for or receiving special education services under Part B.
- For children whose initial IEPs are completed within the required timeline, this indicator also requires the collection of data regarding the determination of eligibility or ineligibility.
- For children whose initial IEPs are not completed within the required timeline, this indicator requires the collection of data regarding the number of calendar days beyond the timeline and the reason the timeline was not met. The MARSE contain the 30-school-day timeline requirement at R 340.1721b). Michigan is given the authority to establish this timeline by the IDEA at § 300.301.

Part I : Key Concepts for Child Find

Examples (for Ages 3-21 and Part B Eligible)

- A child has never been evaluated for special education programming or services. A district receives a written request to evaluate the child for a suspected disability. *This is an initial evaluation and IEP.*
- A child was previously evaluated for special education programming or services but found not eligible. A new request for an evaluation is received by the district. *This is an initial evaluation and IEP.*
- A student previously participated in special education programs and/or services and has since been exited from special education. A request is received for an evaluation. This student is not currently eligible and is not participating in special education programs or services. *This is an initial evaluation and IEP.*
- A child moves into Michigan with a current IEP from another state and enrolls in your district. This student is not currently participating in special education programs or services in the state of Michigan, therefore *this is an initial IEP* unless prior to the out- of-state IEP, the student had an active IEP in Michigan. (Code 22, Timeliness of Initial IEP.)

Note: This child must be immediately provided with a free appropriate public education (FAPE) with or without parental consent. The current IEP must be implemented or a new IEP team meeting convened within 30 school days. A review of existing evaluation data must be conducted to determine if an evaluation to determine eligibility or obtain additional data is necessary.

- An IEP is developed for a child who is transitioning from Part C services to Part B Eligibility. *This is an initial IEP.*

Note: Even if the child has been receiving special education services under Michigan Mandatory Special Education, this is still an Initial IEP.

- A student is already participating in special education programs and/or services and is referred for a different eligibility area. *This is **not an** initial evaluation and IEP.*

Specific Information

- The 30-school-day timeline begins on the date the district receives the signed *Parental Consent to Evaluate*. That date is day 0 of the 30-school-day timeline. Districts should date-stamp or otherwise note the date of receipt.
- The 30-school-day timeline ends on the date the district completes the initial IEP. The date of completion of the IEP is the date on which the district offers a FAPE for the student to the parent. The offer of a FAPE will include a notice that is compliant with federal regulations and state rule.
- If the parent and district agree, the timeline for completion of the initial evaluation and IEP may be extended beyond 30 school days. There is no list of acceptable reasons for extending the initial timeline.
- If agreed upon, an extension must be:

- Individualized.
- Limited and within reason.
- In writing.
- Counted in school days.

Part II : Probe Questions for Child Find

The following questions were taken from the Part B SPP Compliance Indicator Resources section on the Continuous Improvement and Monitoring System (CIMS) website at <http://cims.cenmi.org>. A local team should consider these questions when investigating noncompliance and developing improvement strategies for Part B, Indicator 11 (B-11).

Data Analysis Questions

- Review your past MSDS data for B-11. What patterns do you see?
- Take a look at the reason codes for late activities in the MSDS.
 - Do your local service providers understand the reason codes that must be collected for SPP Indicator B-11 (Child Find)?
 - What reasons were reported for late initial IEPs?
- Is there a pattern to Child Find issues in:
 - Specific buildings?
 - Eligibility categories?
 - Gender?
 - Region of your local district?
 - Grade level?
 - Staff availability?
 - Staff knowledge?
 - Staff attitude?
 - Staff capacity?
 - Other?
- Do your local staff (including data reporting personnel) understand that the completion of the initial IEP is the date of the district's offer of a FAPE for the student to the parent?

Data Collection Questions

- What is your district's process for identifying and scheduling the components of an initial evaluation/IEP?
- What is your district's process for recording parental consent to evaluate for the initial IEP? In other words, who handles the documentation of the initial IEP from the moment of receipt through the completion of the initial IEP? Who date-stamps the consent form?
- Review your local forms.
 - What form (or forms) do you use to collect B-11 data (e.g., parental consent form, initial evaluation form)?
 - Do those forms correctly identify and categorize the required B-11 information?
- What is the process for gathering and reporting these data at the local level?
 - Who handles the data between the initial parental consent to evaluate and submission into the MSDS? For example, in your district, who/what **stores** the data before data are entered at the local level into the MSDS system?

- O Who at the local level **enters** the data into the MSDS-or into the system that feeds the data into the MSDS?
- O Does anyone (or any data system) keep an exact copy of the data at the local level **after** data are submitted into the MSDS system?
- O Do special education personnel receive a copy of the submitted data?

Part II : Probe Questions for Child Find

continued

- Who verifies the data (a) before data are submitted into the MSDS, (b) during data entry into the MSDS, and (c) once data are entered into the MSDS? Who confirms the data in the MSDS initial IEP report? In other words, is someone (or something) checking the data before, during, and after processing?
- Do you have a system to (a) collect the initial data and (b) systematically (or regularly) review the data that are collected for timeliness and accuracy?

Child Find Services Questions

- Has your district had any formal complaints related to Child Find? What patterns do you see?
- Are there policies, procedures, and/or practices in your district that prohibit-or make more difficult-the timely completion of initial evaluations/IEPs? (For example, is there a district practice that prioritizes three-year reevaluations for students moving between school buildings above completing initial evaluations for special education eligibility?)
- What is the process at your local level to document a written, agreed-upon extension to the 30-school-day timeline?
- Do staff and service providers know how to accurately count school days?
- How is an extended timeline communicated to relevant personnel?
- What is the effect of waiting for outside evaluations in the initial evaluation process?
- Are there any patterns in the completion of initial IEPs beyond the required timeline that are based on the lack of available diagnostic personnel, including the ability to communicate with non-English-speaking children or parents/guardians?

Part III : Data Collection for Child Find

What does Indicator 11 measure and what is the formula?

- Annual Performance Report (APR) definition: Percent of children who were evaluated within 60 days (in Michigan, 30 school days) of receiving parental consent for initial evaluation or, if the state establishes a timeframe within which the evaluation must be conducted, within that timeframe. (20 U.S.C. 1416(a)(3)(B))
- Calculation: Percent = [(b) divided by (a)] times 100
 - The letter "a" represents the number of children for whom parental consent to evaluate was received.
 - The letter "b" represents the number of children whose evaluations were completed within 30 school days or an agreed upon extension.
- For the children included in (a) but not included in (b), indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

How are Indicator 11 data collected?

- Data are submitted by the local districts into MSDS:
 - Within the Initial IEP Component and the IEP Date in the Special Education Component (if found eligible).
 - In four characteristics (previously referred to as "fields").
 - As a fifth characteristic in the component for children turning three, Part C transition timelines is used.

When are Indicator 11 data collected?

- Data submissions are required three times per year (fall, spring, and end-of-year). Data can also be submitted in the Student Record Maintenance (SRM).
- In the reporting period during which the evaluation and IEP were completed.

What are the four Initial IEP Components in the MSDS?

1. Date of (receipt of) parental consent (MSDS Format: MM-DD-CCYY).

Directions: Enter the date on which the district received the signed Parental Consent to Evaluate form **(from MSDS Collection Details Manual 2013-2014 School Year)**.

Note: Consent must always follow the provision of notice by the district. a) The notice must meet the federal requirements. b) Parents do not sign the notice. They give written consent and sign their consent. c) The consent may be part of the notice form or may be separate from it. d) If notice and consent are separate

forms, they must be given to the parent at the same time. e) When a district receives written, signed consent to conduct an initial evaluation and IEP, the date of receipt must be date-stamped or otherwise noted as the date of receipt. This date begins the 30-school-day timeline (or extended timeline).

Part III : Data Collection for Child Find *continued*

2. Timeliness of Initial IEP (*MSDS Format 2 digit codes*).

Directions: Enter the timeliness status for the evaluation of eligibility (*from MSDS Collection Details Manual/2013-2014 School Year.*)

This characteristic has 12 choices:

Use these codes when an initial IEP was completed within required timeline.		
Code 11	IEP completed within 30 school days.	The evaluation was completed within the allocated 30 school days.
Code 12	IEP completed within extended timeline.	The evaluation was completed within the agreed upon written timeline extension.
Code 22	Child moved into Michigan from another state with a current IEP.	The IEP from the previous state was implemented while conducting a review of the existing evaluation data or convening an IEP team meeting within 30 school days.
Use these codes when an initial IEP was completed, but not within the required timeline.		
Code 13	IEP Not Timely: Parent did not make child available.	The child's parent or guardian did not make the child available for evaluation during the timeline.
Code 14	IEP Not Timely: Timeline began in previous district.	The child enrolled in the district after the 30-school-day timeline began and prior to a determination of eligibility by the previous district.
Code 15	IEP Not Timely: Personnel not available for evaluation.	Evaluation personnel were not available to complete the evaluation within the 30-school-day timeline or agreed upon written extension.
Code 16	IEP Not Timely: Personnel not available for IEP.	District staff were not available to complete the IEP within the 30-school-day timeline or agreed upon written extension.
Code 17	IEP Not Timely: External reports not available.	Doctors, hospitals, etc. did not respond with legally required reports needed for certification of impairment.
Use these codes when an initial IEP will never be completed.		
Code 18	IEP Not Completed: Student died.	Because of the death of the student, evaluation and/or initial IEP will not be completed.
Code 19	IEP Not Completed: Parent withdrew consent.	The child's parent or guardian revoked consent for evaluation.
Code 20	IEP Not Completed: Parent did not make child available.	The district made an attempt to evaluate the child, but his/her parent or guardian did not make the child available for evaluation.
Code 21	IEP Not Completed: Student moved.	The child moved from the district and was unavailable for the completion of the

evaluation and initial IEP.

Part III : Data Collection for Child Find

3. Result of Initial IEP (*MSDS Format: 1 digit code*).

Directions: Enter one of three codes that represent the outcome of the initial IEP determining if the student is eligible or ineligible for special education programs and services.

Code 1: Eligible.

Code 2: Not eligible.

Code 3: Eligible and services refused (only for use when the student has been parentally placed in a non-public school or is homeschooled).

4. Days Beyond Timeline (calendar days) (*MSDS Format: up to 3 digits*).

Directions: Enter the whole number (0-365) that represents the number of calendar days that the evaluation and completion of the initial IEP went beyond the 3D-school-day timeline or agreed upon extended timeline (if applicable).

If the district reports timeliness codes 11, 12, 18, 19, 20, 21, or 22, the district *does not* report in this characteristic.

If the district reports timeliness codes 13, 14, 15, 16, 17 (IEP Not Timely), it must still complete the initial evaluation and IEP. Once the initial IEP is completed, the district must report the number of calendar days beyond the timeline that it took to complete the initial IEP.

Example: A district has 30 school days to complete an initial IEP. There is no agreed upon timeline extension on file. The initial IEP is completed 10 calendar days beyond the required date of completion. The district must report 10 days in this characteristic.

Example: A district has a signed timeline extension to complete the initial IEP within 45 school days. The initial is completed 5 calendar days beyond the required date of completion (45 school days). The district must report 5 days in this characteristic.

In addition to the Initial IEP Component, if a student is found eligible, the Special Education Component needs to be submitted.

Part IV: Resources for Child Find

[One Pager \[PDF\]](#)

A brief description of the initial evaluation and IEP process and timelines published by the OSE.

[B-11 Child Find-CIMS: Continuous Improvement and Monitoring System Michigan](#)

- Considerations for B-11 Corrective Action Plans (CAPs).
- Special Education Facts for B-11 (2009-2010 APR).
- B-11 Probe Questions.
- **Special Education Public Reporting from Mi School Data**
- Sample Corrective Action Plans.

http://michigan.gov/cepi/0,4546,7-113-986_50502-304687--,00.html

The 2013-2014 MSDS Collection Details Manual.

www.michigan.gov/cepi/0,4546,7-113-986_50502---,00.html

The 2013-2014 MSDS Collection Component Matrix.

Appendix: Legal Foundations for Child Find

Applicable *Individuals with Disabilities Education Act (IDEA)* 34 CFR Regulations

§ 300.301 Initial evaluations.

(a) *General.* Each public agency must conduct a full and individual initial evaluation, in accordance with §§ 300.305 and 300.306, before the initial provision of special education and related services to a child with a disability under this part.

(b) *Request for initial evaluation.* Consistent with the consent requirements in § 300.300, either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

(c) *Procedures for initial evaluation.* The initial evaluation-

(1)(i) Must be conducted within 60 days of receiving parental consent for the evaluation; or (ii) If the State establishes a timeframe within which the evaluation must be conducted, within that timeframe; and

(2) Must consist of procedures-

(i) To determine if the child is a child with a disability under § 300.8; and

(ii) To determine the educational needs of the child.

(d) *Exception.* The timeframe described in paragraph (c)(1) of this section does not apply to a public agency **if**-

(1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) A child enrolls in a school of another public agency after the relevant timeframe in paragraph (c)(1) of this section has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability under § 300.8.

(e) The exception in paragraph (d)(2) of this section applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed.

(Authority: 20 U.S.C. 1414(a))

§ 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.

(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.

Appendix: Legal Foundations for Child Find

continued

(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.

(Authority: 20 U.S.C. 1401(3)); 1412(a)(3))

Applicable Michigan Administrative Rules for Special Education (MARSE)

R 340.1721 Parental consent for initial evaluation; contents of notice; refusal to consent or respond.

Rule 21.

(1) Within 10 calendar days of receipt of a referral of a student suspected of having a disability, and before any formal evaluation designed to determine eligibility for special education programs and services, the public agency shall notify the parent and shall request written consent to evaluate. The written notice shall contain both of the following: (a) The reason or reasons an evaluation is sought and the nature of the evaluation.

(b) A description of the types of special education programs and services currently available within the intermediate school district.

R 340.1721a Evaluation procedure.

Rule 21a.

(1) Each student suspected of having a disability shall be evaluated by a multidisciplinary evaluation team as defined in R 340.1701b (b). If an initial evaluation review is conducted by the individualized education program team, then the multidisciplinary evaluation team shall complete the evaluation as determined by the individualized education program team in addition to requirements as defined in R 340.1705 to R 340.1716 as applicable to the suspected impairment.

(2) The multidisciplinary evaluation team shall do both of the following: (a) Complete a diagnostic evaluation.

(b) Make a recommendation of eligibility and prepare a written report to be presented to the individualized education program team by the appointed multidisciplinary evaluation team member. The report shall include information needed to determine a student's present level of academic achievement and functional performance and educational needs of the student. Information presented to the individualized education program team shall be drawn from a variety of sources, including parent input.

(3) Special education personnel who are authorized to conduct evaluations of students suspected of having a disability may provide pre-referral consultation to general education personnel in accordance with procedures established by the department.

R 340.1721c Scheduling individualized education program team meeting; requesting parent participation.

Rule 21c.

(1) The school district of residence is responsible for conducting the initial individualized education program team meeting involving a student in its district and shall conduct, or authorize the operating district to conduct, each subsequent individualized education program team meeting at a mutually agreed upon time and place.

(2) The time from referral or from receipt of parental consent to an initial evaluation to the completion of the individualized education program or the determination of ineligibility shall not be more than 30 school days. This time line begins upon receipt of the signed parental consent by the public agency requesting it and may be extended if agreed to by the parent and public agency.

R 340.1832 (ISD Plan) Content areas.

Rule 132.

An intermediate school district plan for special education, or any modification thereof, shall be an operational plan that sets forth the special education programs and related services to be delivered. The plan shall comply with 1976 PA 451, MCL 380.1 et seq. and these rules. The plan shall also comply with the following format and include, at a minimum, all of the following:

(a) A description of the procedures used by the intermediate school district to advise and inform students with disabilities, their parents, and other members of the community of the special education opportunities required under the law; the obligations of the local school districts, public school academies, and intermediate school district; and the title, address, and telephone number of representatives of those agencies who can provide information about the special education opportunities.

(b) A description of activities and outreach methods which are used to ensure that all citizens are aware of the availability of special education programs and services.

(c) A description of the type of diagnostic and related services that are available, either directly or as a purchased service, within the intermediate school district or its constituent local school districts or public school academies.

(d) A description of the special education programs designed to meet the educational needs of students with disabilities.

(e) The intermediate school district plan shall either describe special education programs and services under part 3 of these rules or shall propose alternative special education programs and services.

(f) Provide an assurance statement that any personally identifiable data, information, and records of students with disabilities are collected, used, or maintained in compliance with 34 C.F.R. §§300.610 through 300.626.

(g) The identity of the full- or part-time constituent local school district or public school academy administrator who, by position, is responsible for the implementation of special education programs and services.

(h) A description of the qualifications of paraprofessional personnel.

- (i) A description of the transportation necessary to provide the special education programs and services described in subdivisions (c), (d), and (e) of this subrule.
- (j) A description of the method of distribution of funds under R 340.1811(5).
- (k) A description of how the intermediate school district will appoint the parent advisory committee members under R 340.1838(1) and (2).

Appendix: Legal Foundations for Child Find

continued

(l) A description of the role and responsibilities of the parent advisory committee, including how it shall participate in the cooperative development of the intermediate school district plan, formulate objections thereto, if any, and other related matters. (m) A description of the role and relationship of administrative and other school personnel, as well as representatives of other agencies, in assisting the parent advisory committee in its responsibilities.

(n) A description of the fiscal and staff resources that shall be secured or allocated to the parent advisory committee by the intermediate school district to make it efficient and effective in operation.

(o) The plan shall be approved by the superintendent of public instruction before implementation under R 340.1831(1). The plan is developed and approved under R 340.1833 and R 340.1835 to R 340.1837.