

CHILD FIND NOTICE

581-015-2080 Child Find

(1) School districts must identify, locate and evaluate all resident with disabilities, regardless of the severity of the disability, who are in need of early intervention, early childhood special education, or special education services. The requirements of this rule apply to all preschool and school age children unless these children are no longer entitled to a free appropriate public education under OAR 581-015-2040 to OAR 581-015-2050.

(2) The requirements of this rule apply to all resident children, including:

(a) Highly mobile children with disabilities (such as migrant and homeless children),

(b) Children who are wards of the state;

(c) Indian preschool children who reside on reservations;

(d) Children who are suspected of having a disability even though they are advancing from grade to grade;

(e) Children enrolled in public charter schools;

(f) Children who are home schooled;

(g) Children below the age of compulsory school attendance who are not enrolled in a public or private school program; and

(h) Children above the age of compulsory school attendance who have not graduated with a regular high school diploma.

(3) For purposes of this rule, residency is determined in accordance with ORS Chapter 339.

Stat. Auth.: ORS 343.041, ORS 343.045, ORS 343.157

Stats. Implemented: ORS 343.045, ORS 343.157, 34 CFR 300.111

Hist.: 1EB 269, f. & ef. 12-22-77; 1EB 14-1983, f. 11-23-83, ef. 11-25-83; EB 11-1995, f. & cert. ef. 5-25-95; ODE 16-2000, f. & cert. ef. 5-23-00; ODE 2-2003, f. & cert. ef. 3-10-03; Renumbered from 581-015-0037, ODE 10-2007, f. & cert. ef. 4-25-07

581-015-2085 Child Find for Children Attending Private Schools

(1) Each school district must locate, identify and evaluate all children with disabilities who are enrolled by their parents in private, including religious, elementary and secondary schools located within the boundaries of the school district.

(2) The child find process for parentally-placed private school children must be designed to ensure the equitable participation of parentally-placed private school children with disabilities and an accurate count of such children.

(3) The school district's child find activities for parentally-placed private school children must be similar to, and completed within a comparable time period, to child find activities for public school children with disabilities.

(4) The cost of implementing child find activities, including individual evaluations, may not be considered in determining whether a school district has met its obligations to spend a proportionate share under OAR 581-015-2470.

(5) These child find requirements apply to all parentally-placed private school children, including those children who are residents of another state.

(b) Each school district must consult with appropriate representatives of private school children with disabilities on how to carry out these activities, in accordance with OAR 581-015-2480.

Stat. Auth.: ORS 343.041, ORS 343.045, ORS 343.157

Stats. Implemented: ORS 343.045, ORS 343.157, 34 CFR 300.131

Hist.: ODE 10-2007, f. & cert. ef. 4-25-07