

Date: September 15, 2008

## **Guidance from NH DHHS/BDS and DOE/Special Education New Hampshire Child Find Notification**

Families in New Hampshire are provided options related to section 637(a)(9)(A)(1) of the IDEA 2004, requiring that **Family Centered Early Supports and Services (ESS)** notify the local education agency (LEA) for the area in which the child lives that the child will shortly reach the age of eligibility and may be eligible for preschool services under Part B of the IDEA. The agencies are required by the IDEA and the NH Memorandum of Agreement of 1998 to participate in an interagency child identification process to identify, locate, and notify the Local Education Agency about a child who may be eligible for either Part B (section 619) or Part C. This process is referred to as 'Child Find'.

The purpose of the following information is to clarify how ESS and LEAs will collaborate to identify children for 'Child Find' purposes.

### **Definitions**

IDEA requirements: Part C of the IDEA of 2004 requires the Part C lead agency to provide a description of how it will ensure that the LEA for the area in which such a child resides is notified that the child will shortly reach the age of eligibility for Part B preschool services.

Notification: For all children enrolled in ESS regardless of reason for ESS eligibility the following information is provided for Child Find purposes only:

- Child's name
- Date of birth
- Parent(s) name(s)
- Parent contact information

Opt-out policy: Parental consent is not required for notification. However, NH allows parents to opt-out of notification. If a parent opts-out of notification, this does not mean that they have chosen to not refer their child to special education.

Referral to Special Education: Referral to special education is a separate and distinct process and should occur as outlined in the transition plan in the child's IFSP.

### **Responsibilities**

#### Area Agency Responsibilities

- Policies and procedures are in place defining implementation of notification that reflect the needs of the LEAs and families in their region.
- Notification will be made for all children receiving Early Supports and Services no later than 24 months of age regardless of reason for ESS eligibility (unless a parent chooses the opt-out policy).
- For children who begin receiving services from ESS after 24 months of age, notification will be made as soon as possible after the initial IFSP.
- Notification will be sent to the Special Education Administrator and/or a designee **in the responsible school district.**

- Notification must include:
  - Child's name
  - Date of birth
  - Parents' name(s)
  - Parents' contact information
- Date of notification will be recorded in the statewide data system called New Hampshire Special Education Information System (NHSEIS).

### Program Responsibilities

- For children enrolled in ESS prior to their 2nd birthday, ESS will provide a copy of the "Understanding ESS Notification to Local School Districts for Child Find" brochure to all families **no later than when the child turns 22 months of age**.
- For children found eligible for ESS after **22 months of age**, ESS will provide a copy of the "Understanding ESS Notification to Local School Districts for Child Find" brochure to the family **no later than the child's first visit**.
- **All parents are asked to notify their ESS provider within 30 days of receiving a copy of the "Understanding ESS Notification to Local School Districts for Child Find" brochure whether they choose to opt-out of LEA notification for their child. If the parents do not notify their ESS provider of their decision to opt-out, notification will be provided to the LEA.**
- ESS will document in the child's record the date that the "**Understanding ESS Notification to Local School Districts for Child Find**" brochure was given to the family and whether the family provided notification that they wished to 'opt-out'.
- ESS program will document in NHSEIS the date that the "**Understanding ESS Notification to Local School Districts for Child Find**" brochure was given to the family and whether the family wished to 'opt-out'.
- Informed written parental consent is required prior to sending any additional information to the LEA.

### LEA Responsibilities

- Notification from ESS to the LEA is for Child Find purposes only and does not constitute a referral for special education services.
- Districts must have clear policies and procedures in place for Child Find notification.
- Special education Administrators should let the Area Agency know to whom the notification should be sent.
- It is recommended that policies and procedures include follow up strategies with the families and ESS providers to ensure an effective child find process is in place. Strategies may include but are not limited to:
  - A letter of introduction from the LEA to the parent that provides the name and phone number of an LEA representative who can explain the special education process.
  - Provide the parent with a copy of the Special Education Procedural Safeguards.
  - Provide the parent with general information about preschool special education.
  - A follow up letter to the parent if the transition planning conference is delayed.