

Date: April 22, 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 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 N.H. 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 local school district where the child resides.

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

Program Responsibilities

- ESS will discuss notification process with all families no later than the child's 2nd birthday (24 months).
- When a child is found eligible for ESS after 24 months of age, a discussion of notification will occur at the first IFSP meeting.
- ESS will document, in the child's record, the date of discussion about notification with notes if the family chooses to opt-out.
- Informed written parental consent is required prior to sending any additional information to the LEA.
- ESS program will document in NHSEIS the date that notification was reviewed with the family and whether the family has chosen to opt-out.

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.