

Students with Disabilities - Child Identification Procedures

The ESD implements an ongoing system to locate, identify and evaluate all children birth to age 21 years residing within its jurisdiction who have disabilities and need early intervention, early childhood special education (EI/ECSE) or special education services.. For preschool children the districts are responsible for the evaluation(s) used to determine eligibility. LBL ESD, as the designated referral and evaluation agency, is responsible for determining the eligibility of children for EI/ECSE services in accordance with Oregon Administrative Rule (OAR) 581-015-2100. The ESD identifies all children with disabilities, regardless of the severity of their disabilities, including those who are:

1. Highly mobile, such as migrant and homeless children;
2. Wards of the state;
3. Indian preschool children living on reservations;
4. Suspected of having a disability even though they are advancing from grade-to-grade;
5. Home schooled;
6. Resident and nonresident students, including residents of other states, attending a private school (religious or secular) located within the boundaries of the ESD;
7. Attending a component district charter school;
8. Below the age of compulsory school attendance who are not enrolled in a public or private school program; or
9. Above the age of compulsory school attendance who have not graduated from high school with a regular high school diploma and have not completed the school year in which they reach their 21st birthday.

The ESD determines residency in accordance with Oregon Revised Statutes (ORS) Chapter 339 and, for the purposes of public charter school students with disabilities, in accordance with ORS Chapter 338 and ORS Chapter 339.

The ESD shall annually submit data to the Oregon Department of Education (ODE) regarding the number of resident students with disabilities who have been identified, located and evaluated and are receiving special education and related services. The ESD reports any additional data to ODE as required by the ODE to meet the requirements of federal or state law and the applicable reporting dates.

END OF POLICY

Legal Reference(s):

ORS 332.075

ORS 338.165

ORS 339.115 to -137

ORS 343.151

ORS 343.157

ORS 343.193

ORS 343.221

ORS 343.517

ORS 343.533

OAR 581-015-2040

OAR 581-015-2045

OAR 581-015-2080

OAR 581-015-2085

OAR 581-015-2190

OAR 581-015-2195

OAR 581-015-2315

OAR 581-015-2480

OAR 581-021-0029

OAR 581-022-2315

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1412 (a)(3) 2017).

Early Intervention Program for Infants and Toddlers with Disabilities, 34 C.F.R. Part 303 (2017).

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.111(2017).

9/28/17 |