

“Child Find” is a requirement of both federal and state law. Section 504 of the Rehabilitation Act promotes the integration of students with disabilities into mainstream society by eliminating discrimination on the basis of handicap in a program or activity receiving federal financial assistance, such as the District.

Section 504 compliments the IDEA in the field of education, and Section 504 federal regulations adopt the language of IDEA regarding Free Appropriate Public Education (FAPE). Indeed, the implementing regulations for Section 504 define “appropriate education” as “the provision of regular or special education and related aids and services that (i) are designed to meet the individual educational needs of the handicapped persons as adequately as the needs of non-handicapped persons are met...”

Under Section 504 (34 CFR §104.35), a district is obligated to evaluate students who need or are believed to need special education or related services because of a disability. Provision of interventions through a multi-tiered system of supports does not supplant the district’s responsibility to evaluate under Section 504 (i.e., to conduct Child Find) nor can an evaluation be conditioned on completion of tiers of support in a MTSS/Response to Intervention (RtI) framework.

There are circumstances where referral to the school-based problem-solving/intervention team (RtI) would not be appropriate (i.e., when the student’s disability clearly requires special education and related services for the student to benefit from education). Further, it would not be appropriate under the Priority Charter Schools (PCS) multi-tiered system of supports to require students with physical conditions (e.g., asthma) who are not demonstrating academic or behavioral difficulties to go through interventions prior to considering whether the student is disabled under Section 504. All referrals are considered confidential, and services are provided at no cost.

If your child is determined to be a child with a disability, PCS will assist you in developing appropriate special education services designed to meet your child's educational needs. For more information concerning eligibility criteria and the referral process, contact the Special Programs Department at (254) 206-2013.

Sources:

<https://www.wrightslaw.com/info/child.find.mandate.htm>

<https://mcandrewslaw.com/publications-and-presentations/articles/child-find-under-section-504-of-the-rehabilitation-act/>

<http://sss.usf.edu/resources/topic/section504/504course/Module3/ChildFind.html>