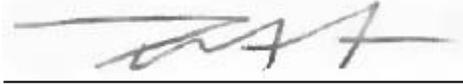


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POLICY NUMBER: 19.2.3		
CHAPTER: 19: PROGRAMS AND SERVICES		
	STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS: See Section VIII
EFFECTIVE DATE: December 28, 2020	LATEST REVISION:	CHECK ONLY IF APA []

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

A.R. Gould School at Long Creek Youth Development Center.

III. POLICY

It is the policy of the Department of Corrections that child find provisions in the Individuals with Disabilities Act (IDEA) are implemented and maintained in the A.R. Gould School in compliance with federal and state statutes and regulations to ensure that all juvenile residents twenty (20) years old and under who may have a disability are identified, located, and evaluated for special education services.

IV. DEFINITIONS

1. Child Find - an IDEA provision that requires schools to identify students who have a disability and may be entitled to special education services. Note: the term child is the term used in federal and state law and refers to anyone twenty (20) years old and under.
2. Child find activities - include obtaining data on a resident, through multiple measures, direct assessment, and parent information, regarding a resident's academic and functional performance, gross and fine motor skills, receptive and expressive language skills, vision, hearing, and cognitive skills.
3. Individualized Education Program (IEP) - a written plan for a student with a disability that is developed, reviewed, and revised in a team meeting. The IEP specifies the individual educational needs of the student and what special

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education and related services are necessary to meet the student's educational needs.

4. Individualized Education Program (IEP) Coordinator - oversees a resident's needs to assure that the process under the Maine Department of Education's special education requirements is met. The IEP Coordinator communicates with education staff, the parent and/or guardian, the resident, and teachers to provide coordination and follow up for the IEP process.
5. Individualized Education Program (IEP) team – a team of individuals, consisting of the IEP Coordinator, special education staff, the student, the parent and/or guardian, and classroom teacher representatives, that is responsible for developing, reviewing, or revising an IEP for a student with a disability.
6. Project Impact (Interagency Model Project for Academic and Correctional Transition) – serves as the education liaison between the Long Creek Youth Development Center's detained residents and their public school systems. The project is funded through the Maine Department of Education and has been in existence since 1988.
7. Screening - a process to determine if a referral for an evaluation for special education and related services is indicated, which is conducted by individuals appropriately trained in the screening process.
8. Special education - services provided to a resident who does not have a high school diploma and has been identified as being eligible for special education services under IDEA.

V. CONTENTS

- Procedure A: General
 Procedure B: Initial Screening and Referral
 Procedure C: Referral After Child Find and Post-Referral
 Procedure D: Documentation and Annual Reporting

VI. ATTACHMENTS

- Attachment A: [Referral to Special Education](#)
 Attachment B: [MDOE Parental Consent for Evaluation form](#)

VII. PROCEDURES

Procedure A: General

1. Project Impact coordinates with the school administrative unit in which the juvenile resident resided prior to being housed at the Long Creek Youth Development Center (LCYDC) in terms of the school administrative unit's education responsibilities, including special education, for:
 - a. detained residents; and

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- b. residents who are confined pursuant to Title 15, section 3314(1)(H) (“shock sentence”), Title 12 M.R.S.A. sections 6004, 8004, or 10608 (adult hunting or fishing crime), Title 29-A M.R.S.A. section 115 (adult motor vehicle crime), or Title 15 section 3314(7) (contempt of court).
- 2. Responsibility for special education for juvenile residents committed to the Long Creek Youth Development Center (LCYDC) shall rest with the Department of Corrections.
- 3. The requirements of child find are:
 - a. to identify, locate, and evaluate committed residents with a disability that would impede the learning of a resident and his or her access to education and are in need of special education and related services;
 - b. to develop and implement a practical method to determine which committed residents need special education and related services; and
 - c. to ensure that committed residents who were highly mobile prior to being housed at the LCYDC and are suspected of being students with a disability and in need of special education, even though they are advancing from grade to grade, are included in child find efforts.
- 4. The Principal, or designee, shall ensure there are public awareness efforts to inform the public, parents and/or guardians, and residents of the availability of special education services and maintain documentation of these efforts. This information may be provided through a variety of methods such as distributing brochures or flyers, including providing information on the Department’s website.
- 5. Child find records, as with all education and other records of facility residents, are considered confidential documents, the confidentiality of which is addressed in Department Policies (JF) 19.2, Education Programs and 22.2, Confidentiality of Resident Information. Also, educational records are protected by the federal Family Educational Rights and Privacy Act (FERPA).

Procedure B: Initial Screening and Referral

- 1. Child find screening shall occur during the initial screening at intake for committed juvenile residents in accordance with Department Policy (JF) 19.2, Education Programs to determine if the resident has a disability that would impede the learning of the student and his or her access to education.
- 2. If the initial screening at intake indicates that a resident may have a disability that would impede the learning of the student and his or her access to education, the Education Transition Coordinator, or designee, shall complete and submit the Referral to Special Education, Attachment A, to the Individualized Education Program (IEP) Coordinator, or designee.
- 3. If, during intake, the guidance counselor, or designee, learns that a committed resident is a special education student, he or she shall follow the procedures for

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special education in accordance with Department Policy (JF) 19.2, Education Programs.

4. In addition to a referral made during intake, a referral of a committed resident may be made by others at any time, to include:
 - a. other staff, who shall complete Attachment A and/or a written request and submit it to the Individualized Education Program (IEP) Coordinator, or designee;
 - b. a parent and/or guardian, and staff who receive a request from a parent and/or guardian shall complete Attachment A and submit it to the IEP Coordinator, or designee. A parent and/or guardian shall not be required to complete a specific form to initiate the referral process;
 - c. staff from other agencies, and staff who receive the request shall complete Attachment A and submit it to the IEP Coordinator, or designee; or
 - d. a resident (18 years of age or over), who may request a special education evaluation to the IEP Coordinator, or designee, or other education staff.
5. Upon receipt of a Referral Form or other written request, the IEP Coordinator, or designee, shall within fifteen (15) school days review existing evaluation data and determine the need for additional evaluations.

Procedure C: Referral After Child Find and Post-Referral

1. If the child find process indicates that a committed juvenile resident may require special education and related services in order to benefit from regular education, the IEP Coordinator, or designee, shall:
 - a. make a referral to the IEP Team to make a determination if the resident is eligible for special education or not; and
 - b. obtain consent for the evaluation from the parent and/or guardian of the resident using the MDOE Parental Consent for Evaluation, Attachment B.
2. Within forty-five (45) days of consent, the IEP Team shall meet to:
 - a. review any evaluations;
 - b. determine if further evaluations are needed;
 - c. have any additional evaluations completed; and
 - d. make a determination if the resident is eligible for special education, and, if so, follow the procedures for providing special education in accordance with Department Policy (JF) 19.2, Education Programs.

Procedure D: Documentation and Annual Reporting

1. The IEP Coordinator, or designee, shall ensure that for any committed juvenile resident who is referred for special education as a result of child find,

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documentation in that resident's education record file specifies:

- a. the date and the person who coordinated the referral and post-referral processes;
 - b. a description or example of the post-referral activities, procedures, forms, or instruments used; and
 - c. the results of the referral and post-referral processes, including any recommendations and/or referrals to the Individualized Education Program (IEP) Team.
2. The IEP Coordinator, or designee, shall maintain documentation and annually report to the Maine Department of Education the number of committed residents with disabilities within each disability category that have been identified, located, and evaluated.

VIII. PROFESSIONAL STANDARDS

None

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