

## **Students with Disabilities – Child Identification Procedures**

The district implements an ongoing system to locate, identify and evaluate all children birth to age 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education or special education services. For preschool children the district is responsible for the evaluation(s) used to determine eligibility; the designated referral and evaluation agency [insert name] is responsible for determining the eligibility of children for EI/ECSE services in accordance with Oregon Administrative Rule (OAR) 581-015-2100. The district 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 advance 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 district;
7. Attending a public charter school located in the district;
8. Below the age of compulsory school attendance; or
9. Above the age of compulsory school attendance who have not graduated from high school with a regular or modified diploma and have not completed the school year in which they reach their 21st birthday.

The district determines residency in accordance with Oregon Revised Statute (ORS) Chapter 339 and, for the purposes of charter school students with disabilities, in accordance with ORS Chapter 338 and ORS Chapter 339. The district enrolls all students who are five by September 1 of the school year. Students with disabilities are eligible to enroll in the district through the school year in which they reach the age of 21 if they have not graduated with a regular diploma.

The district shall annually submit data to the Oregon Department of Education regarding the number of resident students with disabilities who have been identified, located and evaluated are receiving special education and related services. The district conducts an annual count of the total number of private school children attending private schools located within the boundaries of the district, and a count of all children with disabilities attending private schools located within the boundaries of the district, in accordance with OAR 581-015-2465. The district reports any additional data to ODE required by the ODE to meet the requirements of federal or state law and the applicable reporting dates.

END OF POLICY

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**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) (2006).  
Early Intervention Program for Infants and Toddlers with Disabilities, 34 C.F.R. Part 303 (2006).  
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.111(2006).