

The Arc Michigan Position Statement on Child Find

The Arc Michigan believes that every eligible child should receive a free and appropriate public education (FAPE) in the least restrictive environment (LRE).

Child Find is the federal requirement under the Individuals with Disabilities Education Act (IDEA). Each state is required to have a comprehensive child find system that requires school districts to identify, locate, and evaluate all children with disabilities, from birth through 21 years old who need or may need special education and related services. In Michigan, this mandate extends through age 25. Child Find is an affirmative, ongoing process that includes public awareness activities, policies and procedures, and coordination with other state agencies and programs, including primary sources such as local physicians, local hospitals, public health department, childcare centers and early childhood programs, department of health and human services, and county jails.

As a result of the IDEA, Michigan's Revised School Code, and Michigan Administrative Rules for Special Education (MARSE), require school districts to have procedures to initiate, without delay, the child find process when they suspect that a child or student may have a disability and need special education and related services.

This includes children or students who are:

- suspected of having a disability even though they are advancing from grade to grade
- declining in academic progress, even if student is meeting or exceeding grade-level expectations
- home schooled
- enrolled by their parents in a private, nonprofit elementary or secondary school, including a religious school, which is in the jurisdiction of the district:
- attending an in-district virtual school or magnet school
- a ward of the state
- highly mobile, such as a migrant, homeless, in foster care, and/or in a military family
- dropped out of school and have not reached the age of 26
Enrolled in another public educational program (i.e., Adult Education, Alternative Education)
- held in juvenile justice placement and/or county jail
- in a low incidence placement, such as a residential facility, homebound, or hospitalized setting

Parents are often the first ones to realize their child is struggling and too often parent requests for an evaluation for eligibility for special education services do not get answered. Schools can provide classroom-wide or school-wide supports to a student who is struggling, but this cannot delay a

school district's responsibility to implement child find requirements when the student has a suspected disability.

It is the obligation of the school district to conduct an evaluation for eligibility for special education services for a child who is entering school for the first time, when a parent has requested, verbally or in writing, an evaluation for the child. When a request is made verbally for an evaluation, the school district must support the parent in documenting the request. If the school refuses to evaluate the child based on the parent's request, they must provide the parent with written notice of their decision not to conduct the evaluation based on the requirements under the Individuals with Disabilities Education Act (IDEA) as well a copy of their procedural safeguards.

Some examples that may warrant a parent or school's request for an evaluation for eligibility for special education services for a child/student who is:

- struggling academically (low state test scores, failing to complete work, etc.)
- academically passing or excelling, but struggling behaviorally in the classroom
- regularly removed from the classroom, being suspended, or sent home due to behavior
- being provide supports through Response to Intervention (RTI) for an extended period of time with little or no progress or being referred to a Child Study Team (CST) repeatedly, with no referral for an evaluation for eligibility for special education services
- missing school, excessive absences, avoiding school related to anxiety or mental health issues
- entering school for the first time with a medical diagnosis and information that the child may need special education and related services

It is crucial for families to understand the school district's obligations under child find requirements, as well as their rights and protections under the Individuals with Disabilities Education Act (IDEA) and Michigan Administrative Rules for Special Education (MARSE) in order to ensure that proper procedures are followed when requesting a comprehensive evaluation for eligibility for special education services for their child.

The Arc Michigan believes that families know their children best and should be active team members in making educational decisions for their child. Under Michigan law, these same rights to make educational decisions apply to students who are 18 years of age or older, with no legal guardian. Families and school teams are encouraged to work collaboratively to ensure that students with disabilities or suspected disabilities receive timely evaluations, and if eligible, appropriate accommodations, supports, and services leading to improved educational outcomes.

Resources

- (1) [Michigan Alliance for Families - Child Find](#)
- (2) [Michigan Department of Education- Office of Special Education Child Find Guidance](#)
- (3) [The Arc Michigan Position Statement on School Wide Positive Behavioral Interventions and Supports \(PBIS\)](#)
- (4) [Michigan Department of Education - Office of Special Education Guidance for Notice](#)
- (5) [Michigan Department of Education - Office of Special Education Family Matters Fact Sheet - Procedural Safeguards](#)

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