

504 Child Find

Under Iowa's application of the Individuals with Disabilities Education Act (IDEA), the Area Educational Agency (AEA) is responsible for child find within its jurisdiction. School districts generally have a separate child find requirement under Section 504 of the Rehabilitation Act of 1973 (504). Under 504, districts have a duty to find students, not only within their district, but also within their jurisdiction. Districts must find and evaluate students suspected of having a disability, which is a physical or mental impairment that substantially limits a major life activity.

A recipient that operates a public elementary or secondary education program or activity shall annually: (a) Undertake to identify and locate every qualified handicapped person residing in the recipient's jurisdiction who is not receiving a public education; and (b) Take appropriate steps to notify handicapped persons and their parents or guardians of the recipient's duty under this subpart.

34 CFR 104.23.

This child find requirement applies to students in private schools. The district is responsible for finding the child within its jurisdiction based on the child's residence, not on the location of the private school. The distinction is between district and jurisdiction or geographic area. Under 504, a school district may have to reach private schools outside the district in order to reach students residing within its jurisdiction. Some recommend 50 to 100 miles or adjoining counties.

Since 504 does not specify how districts should conduct child find efforts with regard to private school students, districts have discretion in developing a 504 child find plan.

Some recommendations include:

- Notices to private schools
- Notices in newspapers
- Radio announcements and public service announcements
- Information packets to mental health agencies
- Information packets to pediatrician offices
- Informational packets delivered to private schools
- Information in student handbook including duties under child find and 504 contact person for district
- Keep track of private school students residing in the district
- Evaluate the student and offer services within the district if available
- Be prepared to offer services to the student if the student enrolls in the district's system
- Document any child find efforts
- Defer to agreements with AEA concerning 504 child find plan

Please contact Corwyn Moore at 515-281-3010 or corwyn.moore@iowa.gov for more information.