



TASB Student Solutions

CHILD FIND

AGES 0-5

September 2025

Model operating procedure created by



and

**Thompson
& Horton LLP**

ATTORNEYS | COUNSELORS

Disclaimer: This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.

©2024 by Texas Association of School Boards, Inc.

TASB grants members/subscribers of TASB Student Solutions™ the limited right to customize this publication for internal (non-revenue generating) purposes only.

CONTENTS

AGES 0-5	3
What is Required	3
Developmental Delay	3
Individualized Family Services Plan ("IFSP") for VI and DHH Students	4
Transition from ECI to Preschool Programs	5
Individualized Education Program ("IEP")	6
Dual Enrollment	6
Definitions	6
Additional Procedures	7
Developmental Disability	8
IFPS for VI and DHH Students	9
Transition from ECI to Preschool Programs	9
Students Not Previously Served by an ECI Program	10
Dual Enrollment	11
Evidence of Implementation	12
Resources	12
CITATIONS	13

AGES 0-5

What is Required

The district must provide FAPE to all eligible students with disabilities ages 3 through 21. See [CHILD FIND DUTY]

District Special Education Administration must develop a system to inform parents of students from ages 3 to 5, including those students placed in private preschool or daycare, who are eligible for enrollment in a special education program of the availability of the program. See [CHILD FIND DUTY]

Students with visual impairments, or who are deaf or hard of hearing, must have FAPE made available as set out in an Individualized Family Service Plan (IFSP) from birth through 2 years of age and an Individualized Educational Program (IEP) for those students aged 3 and older. See [VISUAL IMPAIRMENT] and [DEAF OR HARD OF HEARING] and [DEAF-BLINDNESS]

Developmental Delay

Young students may be eligible as a student with a disability under one of more of the 13 disability categories under the IDEA or may be identified as a student with a Developmental Delay (DD). Developmental Delay applies to a student between the ages of 3 through 9 years of age who is evaluated by a multidisciplinary team for at least one disability category under the IDEA and whose evaluation data indicates a need for special education and related services and shows evidence of, but does not clearly confirm, the presence of the suspected disability(ies) due to the child's young age. The ARD Committee may determine that data supports identification of developmental delay in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development. See [DISABILITIES].

For those students identified as a student with a Developmental Delay (DD), at the initial ARD Committee meeting, the District shall provide the parent or legal guardian of the student with information about services and public benefits provided by the local intellectual and developmental disability authority that serves the county in which the student resides, including services under state waiver programs. TEA in collaboration with the Health and Human Services Commission will develop information materials which will be available for District use to satisfy this requirement.

Prior to the 2025-2026 school year, students between the ages of 3 through 5 could also be identified as Noncategorical Early Childhood (NCEC). However, beginning with the

2025-2026 school year, students may no longer be identified under the NCEC category. Any eligible student who begins the 2025-2026 school year with an NCEC eligibility can maintain this eligibility, however, until the required re-evaluation before the age of 6.

Individualized Family Services Plan (“IFSP”) for VI and DHH Students

An IFSP should be held in place of an ARD Committee meeting for students from birth through two years of age with a visual impairment and/or who is deaf or hard of hearing. See [VISUAL IMPAIRMENT and DEAF OR HARD OF HEARING]. The IFSP team must include the student’s parent or guardian and other Campus and District Special Education Personnel.

The IFSP team must determine the appropriate setting for providing the services based on the student’s outcomes that are identified by the IFSP team at the IFSP meeting. Home instruction may be appropriate for students ages 0 through 2. The appropriate instructional setting for students ages 0 through 2 will be determined in accordance with the IFSP, current attendance guidelines, and the MOU between TEA and Early Childhood Intervention (ECI) services.

The IFSP must include:

- The student’s present levels of physical development—including vision, hearing, health status, cognitive development, communication development, social or emotional development, and adaptive development based on the information from the student’s evaluation and assessments;
- With the concurrence of the family, a statement about the family’s resources, priorities, and concerns related to enhancing the student’s development as identified through a family assessment;
- A statement of the measurable results or measurable outcomes expected to be achieved for the student (including pre-literacy and language skills as developmentally appropriate for the student) and the family, as well as the criteria, procedures, and timelines used to determine progress and whether modifications or revisions to the expected results or outcomes, or early intervention services, are necessary;
- Any specific early intervention services needed to meet the unique needs of the student or family, including the length, duration, frequency, intensity, and method of delivering the services;
- A statement that the early intervention services are provided in the student’s natural environment to the maximum extent possible—as well as the location of the early intervention services and payment arrangements, if any—or an explanation as to why they cannot be;
- An educational component promoting school readiness that includes pre-literacy, language, and numeracy skills (for those students ages 3 through 5 only);

- The date services will begin;
- The anticipated duration of each service; and
- The name of the service coordinator responsible for implementing the services;
- Steps and services that will be taken to encourage a smooth transition from IDEA-C services to IDEA-B services, if appropriate, or other appropriate services.

Where appropriate, the IFSP should also include:

- Any medical and other services that the student or family needs and is receiving through other sources not required or funded under Part C of IDEA; and
- Any steps that the service coordinator or family can take to help the student and family obtain such services if not currently provided.

Transition from ECI to Preschool Programs

District Special Education Personnel must ensure a smooth and effective transition for students receiving ECI services under Part C of the IDEA to preschool special education programs under Part B of the IDEA.

Unless the student with a disability's parent has notified the Health and Human Services Commission ("HHSC") in writing of the decision to opt out, the HHSC will notify District Special Education Administration not fewer than 90 days before the student's third birthday that the student will soon reach the age of eligibility under Part B of the IDEA. If a student is determined to be eligible for services under Part C of the IDEA more than 45, but less than 90, days before the student's third birthday, HHSC will notify District Special Education Administration as soon as practicable. If a student is referred for special education services under Part C of the IDEA fewer than 45 days before the student's third birthday, HHSC will obtain parental consent to refer the student to District Special Education Administration but is not required to conduct an evaluation, assessment, or initial IFSP meeting.

Notification from HHSC will abide by state policies related to confidentiality of personally identifiable information—including the ability of a parent to object to disclosure of personally identifiable information—and early intervention records. Unless a parent objects to the HHSC notification, the notification must include the student's name and date of birth, as well as contact information for the parents.

Upon approval of the family, HHSC will convene a transition conference with the family not fewer than 90 days but not more than nine (9) months before the student's third birthday to discuss whether the student will receive services under Part B of the IDEA. The transition conference may be combined with initial and annual IFSP meetings where appropriate. District Special Education Personnel will participate in transition conferences arranged by HHSC to fully inform families of the possible services available under Part B

and support family involvement in the transition planning process prior to the child's third birthday.

In the case of a student who was previously served under Part C services, District Special Education Personnel will send an invitation to the initial ARD Committee meeting at the request of the parent to the student's service coordinator of Part C services or other appropriate representatives to assist with a smooth transition.

Individualized Education Program ("IEP")

District and Campus Special Education Personnel must ensure that an IEP is developed by the third birthday of each eligible student with a disability so that services are available on the student's third birthday. The ARD Committee meeting and the IEP developed at the ARD Committee meeting must meet all requirements under state and federal law. See [ADMISSION, REVIEW, AND DISMISSAL COMMITTEE] and [PRIOR WRITTEN NOTICE].

The IEP must provide special education and related services in the student's least restrictive environment. See [LEAST RESTRICTIVE ENVIRONMENT]. The ARD Committee may agree to provide home instruction for students ages 3 through 5 if it is determined to be the student's least restrictive environment. The student's ARD Committee must determine the date services will begin for a student turning three (3) years old during the summer.

Dual Enrollment

A student ages 3 or 4 may be dually enrolled in both public and private school beginning on the student's third birthday until the end of the school year in which the student turns five or until the student is eligible to attend the District's kindergarten program, whichever comes first. If the parent of a student residing within the district chooses dual enrollment, District Service Providers must provide special education and related services to the student. See [CHILDREN IN PRIVATE SCHOOLS].

Definitions

“Developmental Delay (DD)” means a condition where a student between the ages of 3 and 9 is evaluated by a multidisciplinary team for at least one disability category under the IDEA and the evaluation data indicates a need for special education and related services and shows evidence of, but does not clearly confirm, the presence of the suspected disability or disabilities due to the child's young age.

“Individualized family service plan (IFSP)” means a written plan for providing early intervention services to an infant or toddler with a disability and the infant's or toddler's family that is based on an evaluation and assessment, includes the content required by

law, is implemented as soon as possible once parental consent for the early intervention services in the IFSP is obtained, and is developed in accordance with the procedures outlined in law.

“Noncategorical early childhood disability (NCEC)” was an eligibility category that could be used for students ages 3-5 who were evaluated as having an intellectual disability, an emotional disability, a specific learning disability, or autism. This eligibility category can no longer be used in Texas beginning with the 2025-2026 school year. However, any student who begins the 2025-2026 school year already identified as NCEC may maintain that eligibility category until the child is re-evaluated during the required re-evaluation before the age of six years old.

“Private school” is a private elementary or secondary school, including any pre-school, religious school, and instructional day or residential school that is a nonprofit entity and provides elementary and secondary education that incorporates an adopted curriculum designed to meet basic educational goals, including scope and sequence of courses, and formal review and documentation of students’ progress.

Additional Procedures

At the beginning of each school year, the district must have in effect an IEP for students identified with disabilities, ages three through five. The district utilizes its child find process to locate, identify, and evaluate students in the community and District who are at least three years of age, but younger than 6 years of age. See [CHILD FIND DUTY].

District Special Education Personnel will actively look to identify and locate all students with exceptional needs living in the District’s jurisdiction by disseminating information to the community, including childcare centers, private schools, homeschools, residential treatment centers, day treatment centers, hospitals, mental health institutions, and detention and corrections facilities. The information will indicate the availability of early childhood special education services, as well as services for students through age 21. District Special Education Personnel will document and maintain records of all efforts to identify, locate, and evaluate students who may need special education services, including the date of each activity and the result of each activity. Child find activities include, but are not limited to, the following activities:

- Distributing written information to all schools, both public and private, in the area, as well as other agencies that may associate with students with special needs;
- Publishing information on the internet, including the district’s website and individual campus websites;
- Offering training and information to private schools and homeschool parents regarding child find obligations and the intervention strategies utilized by the district;

- Drafting pamphlets about the availability of special education services and how to access them and post them in places where parents of a student with a disability are likely to be present, including doctor's offices, daycare centers, hospitals, therapy centers, treatment centers, detention, and correctional facilities, etc.; and
- Otherwise providing outreach to the community through public service announcements, media advisories, or press releases.

Developmental Disability

Following a referral for possible special education services for a student ages 3 through 5 or upon notice from HHSC, District Special Education Personnel will conduct an evaluation that assesses a student ages 3 to 5 [or about to turn 3] in all areas of suspected disability to determine if the student has a disability and is in need of special education and related services. See [EVALUATION PROCEDURES]. Young students may be eligible as a student with a disability under one of more of the 13 disability categories under the IDEA or may be identified as a student with a Developmental Delay.

A student may be eligible for special education services based on the Developmental Delay disability category if the student is (1) between the ages of 3 and 9, (2) evaluated by a multidisciplinary team for at least one of the IDEA disability categories, and (3) whose evaluation data indicates a need for special education and related services and shows evidence of, but does not clearly confirm, the presence of the suspected disability(ies) due to the child's young age.

A student will only be eligible under this category if the ARD Committee determines that data indicates the presence of a developmental delay in at least one of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development. The ARD Committee must also review multiple sources of data that support the presence of a developmental delay, including but not limited to performance on appropriate norm-references measures and/or multiple direct and indirect sources, such as play-based assessments, parent input and interviews, observations, work samples, etc. that demonstrate a pattern of atypical development that is significantly impacting the student's performance and progress in the school setting.

If the student is identified as eligible to receive special education and related services based on one of the 13 IDEA disability categories or DD, the ARD Committee will develop an IEP providing special education and related services in the student's least restrictive environment and meet annually to review and revise the plan.

Prior to the 2025-2026 school year, students between the ages of 3 through 5 could also be identified as Noncategorical Early Childhood (NCEC). However, beginning with the 2025-2026 school year, students may no longer be identified under the NCEC category. Any eligible student who begins the 2025-2026 school year with a NCEC eligibility can

maintain this eligibility, however, until the required re-evaluation. Specifically, before the student turns 6, the ARD Committee will need to conduct a REED and formal evaluation, if necessary, and an ARD Committee meeting must be held to determine if the student is eligible under one of the 13 IDEA disabilities or Developmental Delay and is still in need of special education and related services.

IFPS for VI and DHH Students

For a student from birth through two years of age with visual impairments and/or who are deaf or hard of hearing, an individualized family services plan (IFSP) meeting will be held in place of an ARD Committee meeting in accordance with the law and the memorandum of understanding between the Texas Education Agency and the Department of Assistive and Rehabilitation Services.

The district will make special education services available to a student from birth to age 2 who has a visual impairment or who is deaf or hard of hearing, and whom an IFSP committee has determined to be eligible for special education services. Such a student is eligible for average daily attendance (ADA) based on the amount of time that they receive special education services.

Transition from ECI to Preschool Programs

For those students already receiving ECI services, District Special Education Administration will communicate on a regular basis at least monthly with the HHSC regarding students that will soon reach age 3. During the first meeting of a new school year, the District Special Education Administration will share the adopted district calendar with the ECI service provider to avoid scheduling meetings during planned school closures. The District Special Education representative will work with the ECI Service provider to ensure coverage is available for meetings that need to occur during the summer by providing a secondary contact for meetings.

At each monthly meeting, the ECI service provider and the District Special Education representative will schedule transition planning conferences that should occur within the next month. The ECI service provider will contact the parent(s) of the student served by ECI to schedule the meeting. A planning conference can occur when the student is 27 months of age, but no later than 33 months of age.

The ECI service provider and the District Special Education representative will work with the parent(s) to find a date the parent is available (either in-person or virtually). However, if the parent(s) does not attend a Transition Planning Conference but does desire their student to transition to the district for services, the ECI agency may provide referral information data to the District Special Education Administration. The District Special Education Administration will then contact the parent in order to initiate the referral.

District Special Education Personnel will complete the student-centered process, including evaluation and ARD Committee documentation. A review of existing evaluation data, timelines and referral requirements will be conducted as follows:

- The District Special Education Administration will receive referrals from an ECI agency no less than 90 days or no more than 9 months prior to the student's third birthday. When referrals are received less than 90 days before the student's third birthday, the ECI agency should provide documentation of the reason for the delay to the district.
- Special Education Administration will contact the parent to obtain the parent intake information needed for the referral, including signed parent consent to evaluate.
- An evaluation and the ARD process will be completed within the required timelines.
- The ARD Committee will determine eligibility. To ensure a smooth transition of services, District Special Education Personnel will invite the student's service coordinator of Part C services or other appropriate representatives to the initial ARD Committee meeting if the parent requests it.
- An IEP that provides services in the least restrictive environment will be developed for students who meet eligibility requirements. The ARD Committee may provide home instruction for a student ages 3 to 5 if there is agreement that home instruction is the student's least restrictive environment.
- Eligible students who transition from Part C to Part B will receive services, as determined by the ARD Committee, beginning on their third birthday, with parental consent for placement.
- If an eligible student's birthday occurs during the summer, the ARD Committee will determine the date services under the IEP will begin.

Students Not Previously Served by an ECI Program

Referrals for students aged 3 to 5 who have not previously received ECI services may be initiated in a variety of ways. See [CHILD FIND DUTY]. Parent/guardians, medical personnel or other concerned individuals may make a referral to the District's Special Education Department on behalf of a student who is suspected of having a disability and who needs special education services.

If the District is contacted about a student, ages birth through two, with a suspected developmental delay, the parent/guardian or other concerned party will be referred to an ECI program within the district attendance boundaries. For students referred between the ages of 2 years, 9 months, and 5 years of age prior to September 1 of the current school year, the district will complete the referral and evaluation process in a timely manner by following the required initial evaluation timelines. See [EVALUATION PROCEDURES]. District Special Education staff members will contact the parent by phone, obtain the information required for a referral and complete the referral form. Information collected will include the parent's concerns, medical information, screening information and the

results of any additional assessments the student may have been administered. A review of referral information by the Special Education evaluation staff is utilized to identify evaluation needs. The student's case is assigned for evaluation based on the needs and the suspected area of disability (developmental, communication, atypical behavioral). These procedures will also apply to students placed in private preschool or daycare.

Dual Enrollment

Parents of an eligible student ages 3 or 4 may choose to be considered for a services plan or may choose to dual enroll their student in both the district and a private school beginning on the student's third birthday. The district will then be responsible for providing special education and related services to the student. The ARD Committee will develop an IEP for the student that is designed to provide the student FAPE in the least restrictive environment. The ARD Committee will determine which special education and/or related services will be provided to the student and whether the services will be provided on a District campus or at the private school. Services may be provided on the premises of a private school, including a religious private school, to the extent consistent with the law.

Unless the parent or guardian choose to end the dual enrollment period early, District Special Education Personnel will continue to provide special education and related services in the location determined by the ARD Committee until either the end of the school year in which the student turns five or when the student is eligible to attend the District's kindergarten program, whichever comes first.

The district will respond to any TEA complaint by the parent regarding the implementation of the student's IEP in dual enrollment, but the district will not be required to participate in a due process hearing related to such complaints.

If the parent chooses a services plan in lieu of dual enrollment, the student may receive limited services, as determined by representatives of the school district and private school. No parentally placed private school student with a services plan has a right to receive some or all the services the student would receive if enrolled in a District school. See [CHILDREN IN PRIVATE SCHOOLS].

The district will maintain documentation requirements of compliance associated with Texas Student Data System (TSDS), Public Education Information Management System (PEIMS), and State Performance Plan (SPP). District staff will provide training, with follow up, to ensure the documentation required is in place and compliant.

[PLEASE REVIEW MODEL AND ADD ANY ADDITIONAL DISTRICT PROCEDURES, AS APPROPRIATE, INCLUDING ENSURING THAT ALL TEA REQUIREMENTS ARE ADDRESSED IN THIS PROCEDURE.]

Evidence of Implementation

- ARD/IEP
- Individualized Family Service Plan
- Communications/Meetings with HHSC
- HHSC Notification to Parent or Guardian
- Written Consent for Initial Evaluation
- Evidence of Consultation with Private School Representatives
- Individualized Services Plan
- Documentation of Services Provided to Students Participating in Dual Enrollment
- Documentation of Child Find Efforts
- Initial FIE
- Documentation for the state in TSDS, PEIMS, and SPP
- **[DISTRICT FORMS]**

Resources

[**The Texas Legal Framework for the Child-Centered Special Education Process: Ages 0-5 - Region 18**](#)

[**Connecting to Community Supports – Texas Education Agency**](#)

[**Early Childhood Intervention Services - Texas Health and Human Services**](#)

[**Parentally Placed Private School Children with Disabilities Quick Guide and Frequently Asked Questions – Texas Education Agency**](#)

[**Early Childhood Special Education \(ECSE\) - Texas Education Agency**](#)

[**Transition from Part C to Preschool - Early Childhood Technical Assistance Center**](#)

[**Questions and Answers on Response to Intervention and Early Intervening Services \(January 2007\) - U.S. Department of Education**](#)

[**A Parent's Guide to Early Childhood Intervention and Early Childhood Special Education - Texas Education Agency**](#)

[**Student Attendance Accounting Handbook – Texas Education Agency**](#)

[**A Guide to Early Childhood Transitions in Texas – Texas Education Agency**](#)

Developmental Delay Quick Guide and FAQ -- Texas Education Agency

[ADDITIONAL DISTRICT RESOURCES]

CITATIONS

Board Policy EHB; Board Policy EHBAA; Board Policy EHBAC; 20 U.S.C. 1436; 34 CFR 300.101, 300.124, 300.24, 300.344, 303.126, 303.13, 303.20, 303.209, 303.26, 303.321, 303.344, 303.420; Texas Education Code 29.009; 19 TAC 89.1035, 89.1050(b), 89.1096, 89.63(c)–(d); Texas Government Code 29.003, 392.002