

**General Framework**

The Louisiana Board of Elementary and Secondary Education (BESE), by delegation from the Louisiana State Legislature, is tasked with assigning responsibility for identifying, locating, and evaluating children with disabilities residing within Louisiana. BESE has assigned these responsibilities through the adoption of regulations outlining the child find obligations of Louisiana’s local educational agencies (LEAs). Citations to the relevant regulations are included at the end of this document.

**Division of Responsibilities in Orleans Parish**

Child find responsibilities in Orleans Parish for children ages 3 through 21 are split between the local educational agencies (LEA) operating within the parish.

The Orleans Parish School Board (OPSB) is responsible for providing child find services for individuals residing within or attending private schools located within the geographic area of Orleans Parish. The OPSB is an LEA comprised of direct-run schools and certain charter schools under the jurisdiction of the OPSB, which have elected to participate in the district’s LEA.

The remaining LEAs operating in Orleans Parish include BESE-authorized Type 2 and Type 5 (RSD) charter schools, as well as OPSB-authorized Type 1, Type 3, and Type 3B schools which have been approved to operate with independent LEA status. Those schools are responsible for conducting child find with respect to all students enrolled in the individual schools or programs operated by those schools.

The affirmative responsibility for conducting child find activities for specific groups of children in Orleans Parish is detailed in the following table:

	<b>School/Program</b>	<b>Agency Responsible for Child Find</b>
<b>Preschool ages 3-5</b>	Preschool operated in a school participating in OPSB’s LEA	OPSB
	Preschool operated in a charter school with independent LEA status	Charter School
	Non-public pre-school or private day care	OPSB
	Unenrolled in any school or program	OPSB
<b>School-age ages 5-21</b>	School operating in OPSB’s LEA	OPSB
	School operating with independent LEA status	Charter School
	Non-public school	OPSB
	Correctional facility in New Orleans (adult or juvenile)	OPSB
	Public or private hospital, institution, or other health care facility	OPSB
	Unenrolled in any school program	OPSB

**General Requirements for Special Education Evaluations**

LEAs are required to conduct a comprehensive evaluation of any individual under their jurisdiction whom the LEA suspects of having a qualifying disability. In the event that the parent of an individual requests an evaluation, LEAs must either initiate an evaluation of the child or provide the parent with a written refusal that includes reasons why the LEA does not suspect that the individual has a qualifying disability. The written refusal to evaluate must be provided to the parent within a reasonable time period following the request and no later than 30 business days after the parental request.

Upon the determination that an individual is entitled to a comprehensive evaluation, LEAs must seek informed parental consent for the evaluation within a reasonable timeframe. Once an LEA has received parental consent to evaluate an individual, the evaluation must be completed within sixty business days of the receipt of consent unless the timeline is extended consistent with the requirements of state and federal law.

LEAs may not delay or deny an evaluation for an individual who is suspected of having a qualifying disability due to the individual's current or planned participation in a Response to Intervention (RtI) program. Additionally, LEAs may not refuse a comprehensive evaluation for a student suspected of having a qualifying disability under the Individuals with Disabilities Education Act (IDEA) on the sole basis that the individual has previously been evaluated or found eligible for services under Section 504 of the Rehabilitation Act of 1973. Lastly, LEAs may not refuse a comprehensive evaluation for a student suspected of having a disability under the IDEA and instead offer that student a 504 Plan or Individualized Accommodation Plan (IAP) under Section 504 of the Rehabilitation Act. If the LEA suspects the student has a disability which adversely affects the student's educational performance, then a comprehensive evaluation is required to confirm or rule out IDEA eligibility. If the evaluation does not result in the student's eligibility under the IDEA, then an LEA may evaluate the student for accommodations under Section 504.

### **Timely Completion of Evaluations for Transferring Students**

In order to facilitate the timely completion of evaluations for transferring students, the Louisiana Department of Education maintains a centralized, state-wide special education data system. The system requires all LEAs to record information about the initiation and completion of special education evaluations. The system also allows LEAs to upload supporting documentation, including detailed information about evaluation processes, to the system and allows receiving LEAs to have access to these records upon enrollment of a student in the LEA.

In the event that a student transfers from one Orleans Parish LEA to another Orleans Parish LEA while an evaluation is in progress, the receiving LEA is responsible for completion of the in-process evaluation in compliance with relevant timelines. All Type 2, 5, and 3B charter schools in Orleans Parish participate in the centralized enrollment system and receive immediate notification from the centralized enrollment system of any enrollment changes at their school. Upon notification of any new enrollment, the enrolling school ("receiving LEA") should check the Louisiana Department of Education's statewide special education data system to determine whether the student is currently in-process for evaluation. Any charter school not participating in the centralized enrollment system are required to follow the same procedures upon notification of any new enrollment.

Generally, the evaluation of a transferring student must be completed within 60 business days of the initiating LEA's receipt of parental consent for the evaluation. The receiving LEA may extend the timeline if it is "making sufficient progress to ensure a prompt completion of the evaluation, and the parent and [receiving LEA] agree to a specific time when the evaluation will be completed."

LEAs receiving students via transfer from another educational agency are required to take reasonable steps to promptly obtain the educational records for transferring students from the students' prior educational agencies. These records include, but are not limited to the following:

- Immunization records and any health plans or medical crisis plans
- Most recent report cards, transcripts, and standardized test results
- Any prior evaluations or re-evaluations, including related medical diagnosis documents or waivers
- Any prior IEPs, including transition plans, ESY documents, and interim IEPs
- Any functional behavior assessments and behavior intervention plans
- Any progress reports and relevant data, including service provider logs
- Any notices or communications to family or guardians, including parental consent to evaluation

Sending LEAs must transfer such records, by mail or otherwise, not later than 10 business days from the date of receipt of a written request from a sending LEA. Sending LEAs are also responsible for closing services in the statewide special education data system, which should be done promptly at the time of the student's official designated "exit" date to allow the receiving LEA to pick up jurisdiction for the child upon enrollment.

## **Relevant Regulations**

Bulletin 741 §709. Transfer of Student Records

Bulletin 1508 §103. Child Find Guidelines

Bulletin 1706 §111. Child Find

Bulletin 1706 §230. LEA Jurisdiction

Bulletin 1706 §302. Initial Evaluations

Bulletin 1706 §305. Evaluation Procedures

Bulletin 1706 §306. Additional Requirements for Evaluations and Reevaluations

Bulletin 1706 §323. When IEPs Shall Be in Effect