

**281—120.302(34CFR303) Comprehensive child find system.**

**120.302(1) General.** The Early ACCESS system must include a comprehensive child find system that:

- a. Is consistent with Part B of the Act (see 34 CFR 300.111);
- b. Includes a system for making referrals to applicable public agencies or EIS providers under this chapter that:
  - (1) Includes timelines; and
  - (2) Provides for participation by the primary referral sources described in subrule 120.303(3);
- c. Ensures rigorous standards for appropriately identifying infants and toddlers with disabilities for early intervention services under this chapter that will reduce the need for future services; and
- d. Satisfies subrules 120.302(2) and 120.302(3) and rules 281—120.303(34CFR303), 281—120.310(34CFR303), 281—120.320(34CFR303), and 281—120.321(34CFR303).

**120.302(2) Scope of child find.** The department, as part of the child find system, must ensure that:

- a. All infants and toddlers with disabilities in the state who are eligible for early intervention services under this chapter are identified, located, and evaluated, including:
  - (1) Indian infants and toddlers with disabilities residing on a reservation or settlement geographically located in the state (including coordination, as necessary, with tribes, tribal organizations, and consortia to identify infants and toddlers with disabilities in the state based, in part, on the information provided by them to the department under 34 CFR §303.731(e)(1)); and
  - (2) Infants and toddlers with disabilities who are homeless, in foster care, and wards of the state; and
  - (3) Infants and toddlers with disabilities that are referenced in subrule 120.303(2); and
- b. An effective method is developed and implemented to identify children who are in need of early intervention services.

**120.302(3) Coordination.**

a. The department, with the assistance of the council, must ensure that the child find system under this chapter:

- (1) Is coordinated with all other major efforts to locate and identify children by other state agencies responsible for administering the various education, health, and social service programs relevant to this chapter, including Indian tribes that receive payments under this chapter, and other Indian tribes, as appropriate; and
- (2) Is coordinated with the efforts of the:
  - 1. Program authorized under Part B of the Act;
  - 2. Maternal and Child Health program, including the Maternal, Infant, and Early Childhood Home Visiting Program, under Title V of the Social Security Act (MCHB or Title V) (42 U.S.C. 701(a));
  - 3. Early Periodic Screening, Diagnosis, and Treatment (EPSDT) under Title XIX of the Social Security Act (42 U.S.C. 1396(a)(43) and 1396(a)(4)(B));
  - 4. Programs under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.);
  - 5. Head Start Act (including Early Head Start programs under Section 645A of the Head Start Act) (42 U.S.C. 9801 et seq.);
  - 6. Supplemental Security Income program under Title XVI of the Social Security Act (42 U.S.C. 1381);
  - 7. Child protection and child welfare programs, including programs administered by, and services provided through, the foster care agency and the state agency responsible for administering the Child Abuse Prevention and Treatment Act (CAPTA) (42 U.S.C. 5106(a));
  - 8. Child care programs in the state;
  - 9. Programs that provide services under the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);
  - 10. Early Hearing Detection and Intervention (EHDI) systems (42 U.S.C. 280g-1) administered by the Centers for Disease Control (CDC); and
  - 11. Children's Health Insurance Program (CHIP) authorized under Title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.).

- b.* The department, with the advice and assistance of the council, must take steps to ensure that:
- (1) There will not be unnecessary duplication of effort by the programs identified in paragraph 120.302(3) “*a*”; and
  - (2) The state will make use of the resources available through each public agency and EIS provider in the state to implement the child find system in an effective manner.
- [ARC 7805C, IAB 4/17/24, effective 5/22/24]