Referral Procedures and EI Screening

Children must be referred to the lead agency for Child Find purposes as soon as possible, but in no case more than seven days after the child has been identified.

1. This applies to all referrals including infants and toddlers under the age of three who are the subjects of a substantiated case of child abuse or neglect, or who are identified as directly affected by illegal drug abuse or withdrawal symptoms from prenatal drug exposure.

2. Primary referral sources may include: hospitals including prenatal facilities, physicians, parents, child care programs, tribal government, LEAs and schools, public health facilities, other public health or social service agencies, other clinics or health care providers, public agencies and staff in the child welfare system, homeless family shelters, and domestic violence shelters and agencies.

3. Early Intervention screening procedures. Children under the age of three who have been referred to the EI/ECSE program to determine whether they are suspected of having a disability may be screened by EI/ECSE program. If the EI/ECSE program proposes to screen a child, it must:

   a. Provide written notice of its intent to screen the child to identify whether the child is suspected of having a disability and include in that notice a description of the parent's right to request an evaluation at any time during the screening process.

   b. Obtain parental consent before conducting the screening procedures.

   c. If the parent consents to the screening and the screening or other available information indicates that the child is:

      A. Suspected of having a disability, after notice is provided and once parental consent is obtained, an evaluation and assessment of the child must be conducted under OAR 581-015-2775.

      B. Not suspected of having a disability, the EI/ECSE program must ensure that notice of that determination is provided to the parent and that the notice describes the parent's right to request an evaluation.

   d. If the parent of the child requests and consents to an evaluation at any time during the screening process, evaluation of the child must be conducted under OAR 581-015-2775 even if the EI/ECSE program has determined that the child is not suspected of having a disability.

   e. Definition of screening procedures:

      A. Activities under sections (3)(a), (3)(b), and (3)(c) that are carried out by, or under the supervision of the EI/ECSE program to identify, at the earliest possible age, infants and toddlers suspected of having a disability and in need of early intervention services; and

      B. Includes the administration of appropriate instruments by personnel trained to administer those instruments.

   f. Condition for evaluation or early intervention services. For every child under the age of three who is referred to the EI/ECSE program or screened in accordance with sections (3)(a), (3)(b), and (3)(c), the EI/ECSE program is not required to:

      A. Provide an evaluation of the child under OAR 581-015-2775 unless the child is suspected of having a disability or the parent requests an evaluation under section (3)(d); or

      B. Make early intervention services available under Division 15 to the child unless a determination is made that the child meets the definition of an infant or toddler with a disability under OAR 581-015-2780.

4. Prior Written Notice for EI

   a. Prior written notice must be provided to parents a reasonable time before the Early Intervention Program proposes, or refuses, to initiate or change the identification, evaluation, or placement of their infant or toddler, or the provision of early intervention services to the infant or toddler with a disability and that infant or toddler’s family.

   b. The notice must be sufficient in detail to inform the parents about:

      A. The action that is being proposed or refused;

      B. The reasons for taking the action.

   c. The notice must be:

      A. Written in language understandable to the general public; and

      B. Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.
(C) If the native language or other mode of communication of the parent is not a written language, the Early Intervention Program must ensure that:

(i) The notice is translated orally or by other means to the parent in the parent’s native language or other mode of communication;

(ii) The parent understands the notice; and

(iii) There is written evidence that the native language requirements have been met.

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