



May 2025 ECEA Rule Change: Child Identification Obligations for CDEC Enrolled Children

Introduction

On March 13, 2025, the Colorado State Board of Education adopted changes to the Rules governing implementation of Colorado's Exceptional Children's Educational Act, 1 CCR, 301-8 (ECEA Rules).

The Colorado Department of Education (CDE) recommended technical changes to the child identification process for referrals of children enrolled in Colorado Department of Early Childhood (CDEC) programs.

Background

ECEA Rules added May 10, 2023, acknowledged that Department of Early Childhood programs may receive information about preschool children that triggers Child Find identification and referral obligations. The Rules added at that time required that each Department of Early Childhood program comply with the Child Find identification and referral procedures established by the Department of Education.

Implementing the 2023 rules demonstrated a need for a technical change to ensure consistency between ECEA Rules 4.02 and 8.04 regarding child identification responsibilities when a child is enrolled in a school that is a CDEC program.

Reason for This Change

Prior to the change approved by the State Board of Education in March 2025, ECEA Rules 4.02(1)(c) and 4.02(3)(b)(ii) required the administrative unit of residence to conduct identification, referral and initial evaluation when a referral is initiated by a Department of Early Childhood Program. The expectation for the administrative unit of residence to fulfill child identification obligations for all children enrolled in CDEC programs conflicts with 8.04(1) when a child is enrolled in school, which obligates the administrative unit of attendance to conduct the initial assessment.

Implementation of Rule Changes

Technical fixes in 4.02(1)(c) and 4.02(3)(b)(ii) include updates to replace the term "Child Find evaluation" with "initial evaluation" to align to IDEA terminology. The phrase "of residence" was stricken to indicate that the responsible AU outlined in 8.04 applies to referrals made by CDEC programs. The changes approved are shown in Section 4.02 of [the redline version of the ECEA Rules](#) passed by the State Board of Education on March 13, 2025.

As a result of these changes, preschool aged children attending CDEC programs considered to be schools, which includes licensed child care centers, should be referred to the AU of attendance when there is a concern that the child may have a qualifying disability and need special education. Referrals to special education for children not enrolled in a public or private school should be made to the AU of residence.

Referrals may be made to the [Child Find contact](#) in each Administrative Unit. Questions about referral for initial evaluation may be directed to [Melissa Taucher](#) at the Department of Education.