FOR REFERRAL, EVALUATION, AND

ELIGIBILITY DETERMINATION

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In order for a child to be eligible for special education or special education and related services, the school district must ensure that the following procedures are followed:

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SPECIAL EDUCATION REFERRAL PROCEDURES

<u>Referral</u>: A referral is a <u>written request</u>, which brings a student to the attention of a school district administrator (building principal, superintendent, or special education director) as a child who may be in need of special education services.

	REFERRAL √ CHECKLIST
1.	Ensure that prior to a special education referral, the classroom teacher or general education teacher submits a completed <u>Student At-Risk Referral</u> form to the district's assistance team for recommendation(s) and Teacher Assistance Team (TAT) meetings were conducted to evaluate the interventions implemented.
	** The parents/guardian have the right to proceed directly to a special education referral and forego the district's TAT process.
2.	Ensure that all referrals are documented in <u>writing</u> and submitted to the administrator. When a referral is made verbally by the parents/guardian, the special education teacher or administrator must also complete a <u>Referral for a Special Education Evaluation</u> form.
3.	Ensure that upon receipt of the <u>Referral for a Special Education Evaluation</u> form, the district administrator inserts the date the district received the referral on the bottom of the form.
4.	Ensure that the district administrator conducts an informal review with the person making the referral, the child's parents or guardian, and other qualified individuals. If parents/guardians are making the referral, ask them to identify the area(s) of concern they wish to be included in the evaluation. Review the child's educational records and any data reflecting the child's academic, behavioral, or social performance.
5.	Ensure that after the informal review, the administrator notifies the parents or guardians of the district's decision to either proceed with an evaluation or that no evaluation is necessary. (See the Evaluation Decision Table below).
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EVALUATION DECISION TABLE √ CHECKLIST NO: If the decision is made that NO evaluation is YES: If the decision is made that an evaluation IS necessary, complete the following: necessary, complete the following: The district administrator notifies the The district administrator or special education teacher contacts the parent or parents or guardian either in person or by telephone of the district's decision for guardian in writing, via phone, or in declining to evaluate the child. person, indicating that the school district will be seeking their permission to The district administrator completes an conduct an evaluation. Parental Prior Written Notice form The district administrator or special describing the reasons why the district is education teacher mails to the parents or declining to evaluate the child. guardian the following: The district administrator mails the - A completed Parental Prior Written completed Parental Prior Written Notice - Consent for Evaluation/Re-**Notice** form to the parents or guardian. Evaluation form. - A Parental Rights Brochure for initial The parents or guardian shall also be evaluations. Parental/Guardian rights must informed of their due process rights by be given to parents/guardian one time per sending them a copy of the Parental year, except that a copy must also be given Rights Brochure. to parents/guardians: a. Upon initial referral or parental request for evaluation b. Upon request by the parents or guardian c. Upon the first occurrence of the filing of a request for a due process hearing. For a psychological evaluation the district administrator or special education teacher must mail to the parents/guardian the following forms: - A Psychological Evaluation Cover **Letter** explaining the psychological evaluation process: - A Parental/Guardian Input for Evaluation form; and - Other forms as recommended by school psychologists. - A Parental/Guardian Input for Evaluation form; and - Other forms as recommended by school psychologists (i.e., BASC-2, Conners-3, ABAS-II, etc). The parents/guardian shall be notified that they must return the completed/signed forms listed in steps 2 and 3 to the school district.

EVALUATION PROCEDURES

THREE (3) TYPES OF EVALUATIONS

INITIAL EVALUATION TO DETERMINE ELIGIBILITY

• Before any action is taken concerning the <u>initial placement</u> of a child with disabilities in a special education program, a full and individual evaluation of the child's educational needs <u>must be</u> conducted. The district is required to obtain informed <u>written consent</u> from the parents or guardian of the child before conducting the evaluation. The district shall document reasonable attempts for consent on the <u>Parental Prior Written Notice - Consent for Evaluation/Re-Evaluation</u> form. If signed parental consent is not obtained the evaluation shall not be conducted. The district may, but is not required to, pursue parental consent for the initial evaluation of the child by using the procedural safeguards.

RE-EVALUATION to DETERMINE CONTINUED ELIGIBILITY

• Re-evaluations shall be conducted at least <u>every three years</u>, or sooner if conditions warrant, or if the child's parent/guardian or teacher requests an evaluation.

If the district determines that <u>no</u> additional data is needed to determine continuing eligibility, the district shall notify the parents/guardian of that determination and the reasons. The <u>Notice of Agreement That a Three-year-reevaluation is Not Needed</u> form must be completed, signed by the district administrator and mailed to the parents/guardian. The district shall also notify the parents/guardian of their right to request an evaluation for the determination of continued eligibility for special education services.

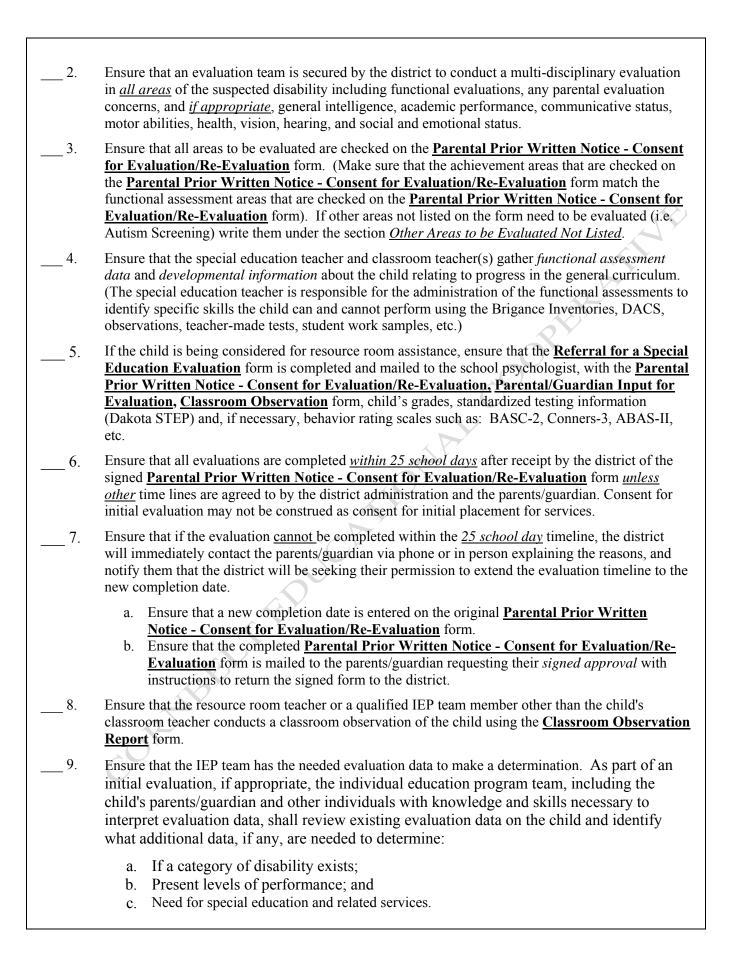
DISMISSAL EVALUATION for DETERMINING a CHILD is NO LONGER a CHILD WITH a DISABILITY

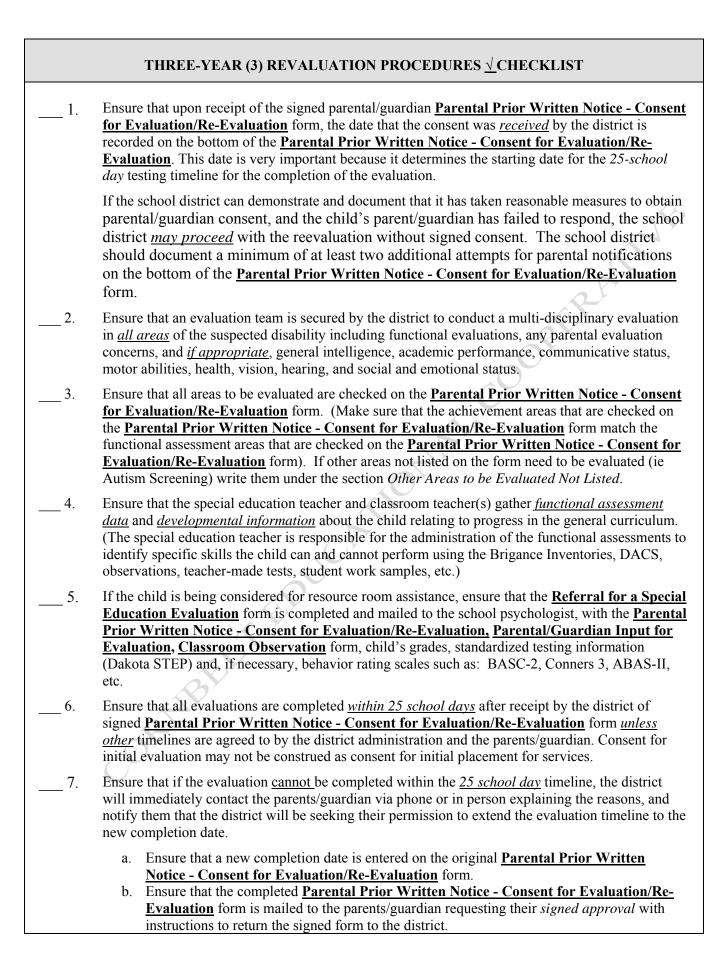
• The evaluation procedures described under re-evaluation are not required before the termination of a child's eligibility due to graduation with a regular high school diploma, or exceeding the age eligibility for FAPE. However, the school district shall follow the procedures for evaluation before determining that *the child is no longer a child with a disability* and *before dismissing the child from services*.

INITIAL EVALUATION PROCEDURES $\underline{\vee}$ CHECKLIST

1. Ensure that upon receipt of the signed <u>Parental Prior Written Notice - Consent for Evaluation/Re-Evaluation</u> form, the date that the consent was <u>received</u> by the district is recorded on the bottom of the <u>Parental Prior Written Notice - Consent for Evaluation/Re-Evaluation</u> form. This date is very important because it determines the starting date for the 25-<u>school day</u> testing timeline for the completion of the evaluation.

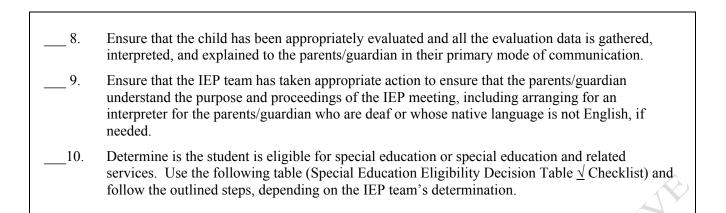
**Consent for conducting an initial evaluation may not be construed as consent for initial placement for special education services.





- Ensure that the resource room teacher or a qualified IEP team member other than the child's classroom teacher conducts a classroom observation of the child using the Classroom Observation Report form.
 Ensure that the IEP team has the needed evaluation data to make a determination. As part of an initial evaluation, if appropriate, the individual education program team, including the child's parents/guardians and other individuals with knowledge and skills necessary to interpret evaluation data, shall review existing evaluation data on the child and identify what additional data, if any, are needed to determine:
 - a. If a category of disability exists;
 - b. Present levels of performance; and
 - c. Need for special education and related services.

ELIGIBLITY DETERMINATION √ **CHECKLIST** Ensure that upon completion and receipt of all evaluation reports, the district's representative for 1. special education services contacts the parents/guardian to arrange a mutually agreed upon date and time to conduct an IEP team meeting. The IEP team meeting must be scheduled within 30 calendar days after the end of the 25-school day evaluation time. The IEP team meeting to determine eligibility for services should also include discussion and development of the IEP for those children eligible for special education services. Ensure that the district's representative mails to the parents/guardian a completed **Parental Prior** Written Notice form at least five (5) days prior to the IEP team meeting date informing them of the date, time, and place of the IEP meeting, persons invited to attend the meeting, and persons requesting to be excused from the meeting with parental/guardian consent. 3. Ensure that the IEP team consists of the following people: Parents/guardian of the child; At least one special educator; School administrator or designee; At least one general education teacher: An individual who can interpret the educational implications of the evaluation results; Other individuals who have knowledge or special expertise regarding the child, including related service personnel as appropriate; The child may attend anytime, but attendance is required for transition services; and A representative of any participating agency that is likely to be responsible for providing or paying for transition services if the child is of transition age. Ensure that in the event that one or both parents/guardian of the child cannot be present at the IEP team meeting, they are afforded the opportunity to participate via other modes of communication. Ensure that in the event that the parents/guardian elect not to participate in the IEP team meeting. the district has written documentation of at least two (2) additional attempts to arrange a mutually agreed upon time and place, such as: Detailed records and dates of telephone calls, e-mails, faxes, or other modes of communication made to the parents/guardian and the results of those attempts noted on the Parental Prior Written Notice form; Detailed copies of dated correspondence, such as return receipts for registered mailings; Detailed records and dates of visits made to the parents/guardian's home or place of employment and the results of those visits. In the event that the parents/guardian or district request the IEP team meeting to be held less than five (5) days from the scheduled IEP meeting date, the parents/guardian must waive the five (5) day prior notice requirement by signing the waiver statement on the Parental Prior Written **Notice** form at the beginning of the IEP team meeting. 7. Ensure that if there are IEP team members that cannot be present at the meeting, the parents/guardian excuse these team members by signing the Consent to Excuse IEP Team Members statement on the Parental Prior Written Notice form. These excused IEP team members must also provide the IEP team and parents/guardian with written input that may be used in the development of the child's educational program.



SPECIAL EDUCATION ELIGIBILITY DECISION TABLE V CHECKLIST The consensus determination by the child's IEP team is as follows: YES. The child has been determined by the IEP team **NO.** It has been determined that the child *is not* in need of special education or special education and to be a child in need of special education or special education and related services: related services: The IEP team completes the MDT Report 1 The district representative verifies the child *is* form not eligible for special education or special education and related services as determined by the IEP team by checking 'no' on the front page of the IEP. Each member of the child's IEP team signs, 2. The IEP team completes the **MDT Report** form, verifying that the child is not eligible dates, and certifies (by checking yes or no) whether the MDT Report form reflects his or for special education or special education and her conclusion. If it does not reflect his or her related services. conclusion, the group member must submit his or her conclusion in a separate statement that is attached to the **MDT Report** form. 3. Each member of the child's IEP team signs, Ensure that the parents/guardian have signed and dated the Parent/Guardian verification dates, and certifies (by checking yes or no) section on the **MDT Report** form on the **MDT Report** form reflecting his or documenting that they have received copies her conclusion. If it does not reflect his or her of **both** the evaluation reports and the conclusion, the group member must submit eligibility document (MDT Report) at no cost his or her conclusion in a separate statement to them and have had the results of the that is attached to the **MDT Report** form. evaluation explained to them. The IEP team proceeds to develop an IEP for 4. Ensure that parents/guardian have signed and the child, implementing the administrative dated the Parent/Guardian verification rules and regulations outlined in the **IEP** section on the MDT Report form documenting that they have received copies **Technical Assistance Guide**. of both the evaluation reports and the eligibility document (MDT Report form) at no cost to them and have had the results of the evaluation explained to them. 5. Ensure that if the parents/guardian disagree with the evaluation results, they have the right to request, in writing, an independent educational evaluation at public expense. Refer to the **Independent Educational Evaluation Policy** and **Parents Rights** Brochure.

^{**}Ensure that in the event the child does not meet the eligibility criteria of a child in need of special education or special education and related services, the IEP team may consider using the <u>IEP Team Placement</u> <u>Committee Override</u> form for determining eligibility.