Evaluation and Eligibility

SPECIAL EDUCATION LEARNING
LUNCH II
ALASKA CENTER FOR RESOURCE FAMILIES
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Initial Referral for Special Education
A Three Part Process

Referral to Evaluation
- Child Find
- Referral
- Evaluation Planning Meeting
- Consent for Evaluation

Evaluation to ESER
- Evaluation Process
- Eligibility Determination Meeting
- Consent for Initial Placement
- IEP meeting

Referral to Evaluation

Each state is required to locate, evaluate and identify all children with disabilities who might need special education.

- Annual Public Notice
- Screenings
- Referrals/Requests

http://www.cdc.gov/ncbddd/actearly/milestones/index.html
Public Notice

- Radio
- Newspaper
- Brochures to agencies
- Doctors
- Community health aides
- Public health nurses
- Therapists
- Community and private child- and day-care programs.

Screening

- **Infants 0-2**
  - Responsibility of Health and Human Services (DHSS) with Infant Learning Programs (ILP)

- **Preschool 3-5**
  - School District with parents and non-public school agencies

- **School Age 6-21**
  - District wide in general school population

Screening includes:

- general health
- vision
- hearing
- basic skills
- primary language
- daily living skills at home and in the community.

Screening results are **not** a substitute for a comprehensive assessment.

Referrals

- Infant Learning Programs should refer eligible kids within 90 days of their 3rd birthday.
- **Referrals** can be made by teachers, parents, family, friends, private schools or community agencies.
- Records are reviewed; teachers and parents are consulted.
- There may be intervention strategies and documentation first
  - Response to Intervention (RTI)
  - Student Support Teams (SST)

Requests

- Requests can be made at **anytime** by parents
- Requests should be submitted in **writing** and appropriate documentation provided.
- Requests for evaluation should be made by the **school**, if adequate progress is not shown.
Our Dr. already gave us a bunch of tests. Why does the school need more?

<table>
<thead>
<tr>
<th>Medical Diagnosis</th>
<th>Special Ed Eligibility</th>
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</thead>
<tbody>
<tr>
<td>• Special Education Personnel</td>
<td>• Physicians, psychologists, psychiatrists</td>
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<tr>
<td>• Variety of assessments, including present educational performance</td>
<td>• Variety of assessments</td>
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<tr>
<td>• Leads to special education</td>
<td>• Leads to medical diagnosis, treatment, therapies and medication</td>
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Who is a Parent?

1. A natural parent,
2. An adoptive parent,
3. Foster parent,
4. Legal guardian,
5. An individual acting as a parent in the absence of a parent or guardian, or
6. In the case of a student receiving special education, a person acting as the parent of a child or a surrogate parent appointed in accordance with state regulations.

Affirmation for Foster Parents

Directions:
A student currently in state custody (OCS or DJJ) who is receiving special education services or is being considered for special education or 504 must have an "affirmed" foster parent or surrogate parent.

A person who is the student's natural family member is automatically eligible to be affirmed.

A foster parent who is not a natural family member is eligible if he/she meets all the following:

1. The child has been placed with them for at least six weeks
2. He/she is willing to make special education decisions
3. He/she has received a copy of the Alaska Notice of Procedural Safeguards
4. He/she has no plans to move the child within the foreseeable future

I am serving as the foster parent for ________________, with a birth date of ________________, who has been living in my home since _________________. The student is currently assigned to the following OCS social worker, or DJJ Probation Officer:
__________________________, contact #______________.

It is reasonable to assume that ________________ will not be moving to a different foster situation in the foreseeable future.

I, ____________________________, a foster parent, will inform the Surrogate Parent Program at (742-4272) immediately if for any reason his/her foster placement should change.

The Bell Curve

The Bell Curve and its Relationship to Normal Scores
Response to Intervention

RESEARCH-BASED INTERVENTIONS TO HELP DETERMINE IF A CHILD HAS A SPECIFIC LEARNING DISABILITY

Tiered Interventions

Student Support Teams and Tiered Interventions

- **Student Support Teams (Tier I)** typically include: a parent, a school psychologist, the general education teacher, a special education teacher and the principal.
- **Tier II** includes supplemental support in specific areas like phonics or fractions or specific behavior.
- **Tier III** need highly specialized instruction and may need all or some of the core curriculum changed or a behavior plan.

Special Education Distribution

- Kids Need Some Extra Help
- Kids That Need Special Education
- Regular Education Kids
- Kids With Disabilities

Meetings should happen once or twice a month and interventions should not last longer than 9-12 weeks.
Advantages and Disadvantages to RTI

**Advantages**
- Interventions available to all kids
- Doesn’t rush
- Gives access to services even without special ed certification (short term)
- Requires teachers to document, think creatively and customize

**Disadvantages**
- General Ed teachers have to try interventions
- Takes too much time
- Often not enough special education service providers to meet need
- Requires teachers to document, think creatively and customize

Evaluation Planning Meeting

- To determine whether to proceed with an evaluation.
- To sign Consent for Evaluation.
- To determine areas to be evaluated (2 or more)

EVALUATION TO ESER

SECTION 1: PURPOSE OF AN EVALUATION
The purpose of conducting an evaluation is to:
1. Gather information to determine whether a child has a disability and is eligible for special education, and
2. Determine the nature and extent of the special education and related services that the child’s needs.

All evaluation procedures must be provided at no expense to the parent.

http://www.eed.state.ak.us/tls/sped/Handbook.html
**Evaluation Areas**

A child must be evaluated in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional functioning, general intelligence, academic performance, communicative status, and motor abilities. In addition, the evaluation must be sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not they are commonly linked to the disability category in which the child is classified.

Alaska State Special Education Handbook

**Evaluation Process**

- Must be done by trained and knowledgeable personnel.
- Uses a variety of valid and reliable instruments.
- Are administered so as to not reflect language, racial or cultural factors.
- Gather comprehensive information to help determine the child's strengths and needs.
- Guide decision making about appropriate interventions, accommodations and programs (IEPs).

**Transition to IEP from ILP**

- If the child is in an Early Intervention/Infant Learning Program, they contact the local school district and set up a transition meeting. The State wants this to happen within 90 days of the child's 3rd birthday.

http://www.ed.state.ak.us/meeting/transition.html

In Alaska, the school districts have 45 school days to complete an evaluation, once the Consent for Evaluation is signed.
ESER TO IEP

Eligibility Determination Meeting

- Parents should receive a draft.
- Team reviews the Evaluation Summary and Eligibility Report (ESER).
- Eligibility is determined by the IEP team.

Your IEP Team

- Parents!
- A general education teacher
- A special education teacher
- A representative of the school district who is qualified to supervise or provide specialized instruction (principal)
- Someone qualified to interpret evaluation results (psychologist, SLP, OT, PT)
- Other people who share expertise or special knowledge of the child
- The student
- Parent support (Stone Soup Group, LINKS, friend)

Eligibility Categories

- Autism
- Deafness
- Dual Sensory Impairment (Deaf-Blindness)
- Early Childhood Developmental Delay (3-8, ECDD)
- Emotional Disturbance (ED)
- Hearing Impairment
- Multiple Disabilities
- Cognitive Impairment (formerly MR)
- Other Health Impairments (OHI)
- Orthopedic Impairment
- Speech or Language Impairment
- Traumatic Brain Injury (TBI)
- Visual Impairment
- Specific Learning Disability (LD)
Other Health Impairment

To be eligible for special education and related services as a child with a health impairment, a child must:

A. Exhibit limited strength, vitality, or alertness, due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, Tourette syndrome, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes; or a heightened alertness to environmental stimuli due to attention deficit disorder (ADD) or attention deficit hyperactivity disorder (ADHD) that adversely affects educational performance;

B. Require special facilities, equipment, or methods to make his or her educational program effective; and

C. Be diagnosed by a physician; and

D. Be certified by a group consisting of qualified professionals and a parent of the child as qualifying for and needing special education services.

Consent for Initial Placement

- The same as the Consent for Evaluation, the Consent for Initial Placement must be signed by the parent.

What if it’s a “No”?

- Parents must receive a copy of the ESER and can get copies of all the assessments and notes.
- Must receive a Prior Written Notice (PWN) stating why the student is not eligible no later than 3 school days.
- Discuss options.

Procedural Safeguards

- Can ask for an Independent Educational Evaluation (IEE)
- Mediation
- If the child has a disability but is not qualified for special instruction, they may be eligible for a 504 plan.
- Due Process
Independent Educational Evaluations

A parent can request an
Independent Educational Evaluation (IEE)

- Qualified evaluator chosen by parent
- Evaluator not employed by the district
- Evaluation is paid for by the district
- District must provide IEE or request a hearing to prove it's evaluation is adequate

Congrats!

Now all you have to do is make it through the initial IEP meeting!

Questions?