

Evaluation and Eligibility

SPECIAL EDUCATION LEARNING
LUNCH II
ALASKA CENTER FOR RESOURCE FAMILIES
CHRISTIE REINHARDT

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

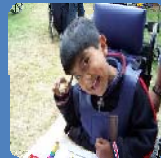
ESER to IEP

- Eligibility Determination Meeting
- Consent for Initial Placement
- IEP meeting



REFERRAL TO EVALUATION

Child Find



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.asdk12.org/Depts/Sped/preschool/ChildCheck/>
<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?

Medical Diagnosis	Special Ed Eligibility
<ul style="list-style-type: none"> Special Education Personnel Variety of assessments, including present educational performance Leads to special education 	<ul style="list-style-type: none"> Physicians, psychologists, psychiatrists Variety of assessments Leads to medical diagnosis, treatment, therapies and medication

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

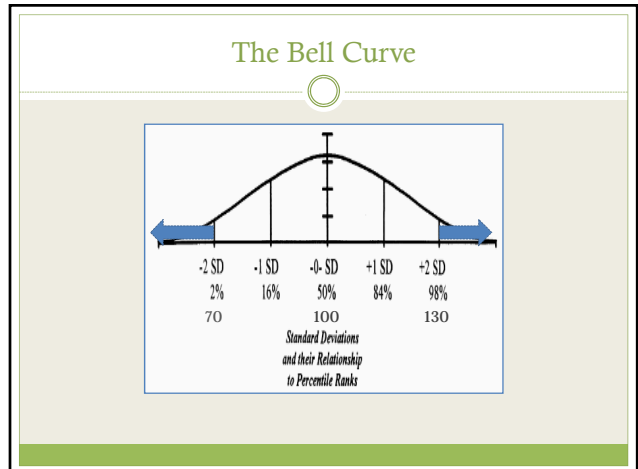
Directions:
A student currently in state custody (OCS or DJJ) who is receiving special education or 304 services or is being considered for special education or 504 must have an "affirmed" foster parent OR surrogate parent.
A person who is the student's natural family member is automatically eligible 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) has received a copy of the Alaska Notice of Procedural Safeguards
- (4) knows of 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.

If for any reason his/her foster placement should change, I will notify the Surrogate Parent Program at 742-4272 Immediately.



Response to Intervention

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

Special Education Distribution

Tiered Interventions

Student Support Teams and Tiered Interventions

The law states that no specific RTI model needs to be used, but all interventions need to be documented.

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

- *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.

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).



In Alaska, the school districts have 45 school days to complete an evaluation, once the *Consent for Evaluation* is signed



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.eed.state.ak.us/elearning/transition.html>


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*.



- Can ask for a *review*
- 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*



Procedural Safeguards

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?