

Understanding The Evaluation Process In Special Education



- **Family Driven**
- **Non-Profit 501(c)3**

Family Driven: What makes FND unique is that the majority of our Board of Directors, all of our Management Staff and all of our Program Staff are parents or family members of persons with disabilities.

When family members call FND, they not only receive the expertise and knowledge of a professional, but also the compassion and empathy of someone who has walked (and continues to walk) in their shoes.

We do NOT:

Act As Attorneys

We DO:

- ♥ Provide Support
- ♥ Provide Information
- ♥ Help Identify Options

We don't represent families, and we don't give legal advice.

FND has been the statewide Parent to Parent since 1985, and the value of families getting support by networking with other families is built into everything we do. We often get calls from parents or other family members who just need to talk – and we're there to listen.

Altogether, FND logs over 15,000 calls a year, most of them from parents, family members, or professionals who are looking for information. We have a large database of resources in Florida, and a library filled with disability-related information. Regardless of the question, our staff will go the extra mile to find an answer.

Our philosophy at FND is that it is not our role to tell families what to do. It is our role, however, to inform families of what their options are – and encourage them to make their own decisions about what is right for their family.

The Principles of IDEIA

- Free Appropriate Public Education (FAPE)
- **Appropriate evaluation**
- IEP
- Parent & student participation
- Least Restrictive Environment
- Procedural safeguards

These six principals are included within the Individuals with Disabilities Education Improvement Act. The Act itself defines each principal, and provides strict guidelines for states to follow in implementing the provisions of the law. In this workshop, we will provide an overview of the evaluation process and describe the steps from identification to eligibility.



“We had intelligence tests today. Boy, were they HARD!”

FND believes that the more parents know about how the system works, the more successful we are in helping to provide the best educational opportunities for our children.

The more we know, the less likely we will be to look as SURPRISED as this mom!

Special Education Process

- Referral
- **Evaluation**
- Identification
- IEP
- Placement

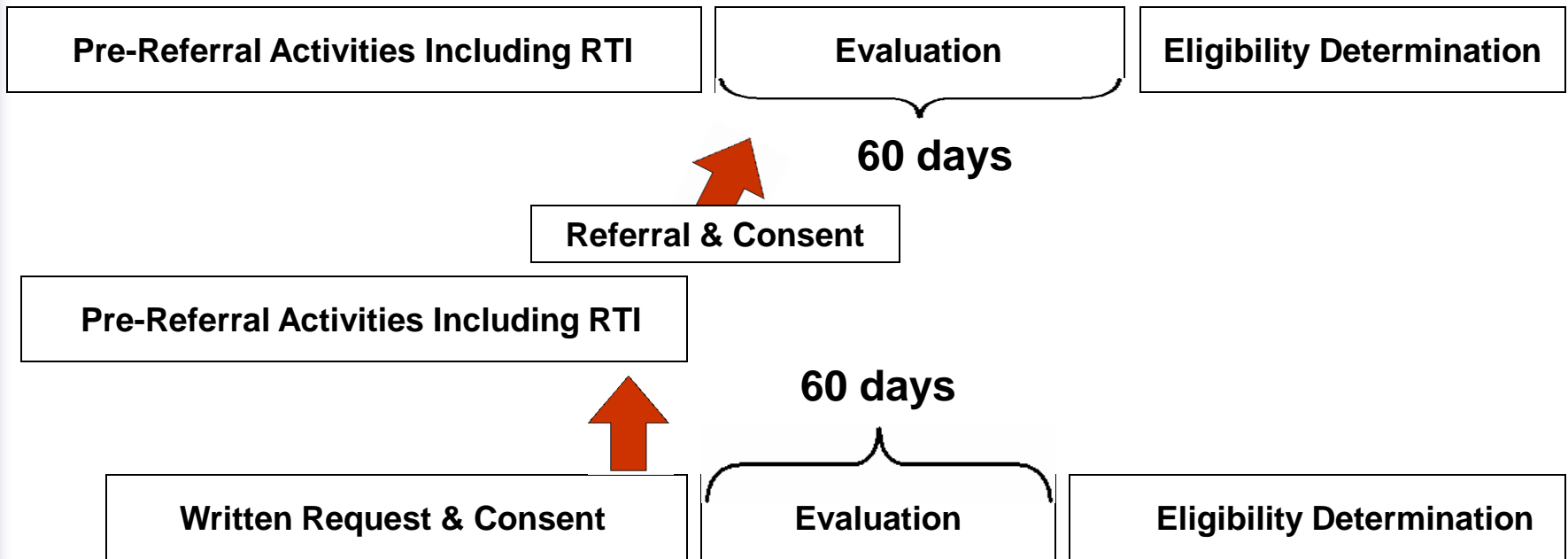
Students cannot receive any special education and related services until this process has been completed.

Who May Make a Referral for Evaluation?

- **Parents**
- **Teacher**
- **Doctor**
- **Social Worker**
- **Therapist**
- **Student**
- **School-Based Problem Solving Team**

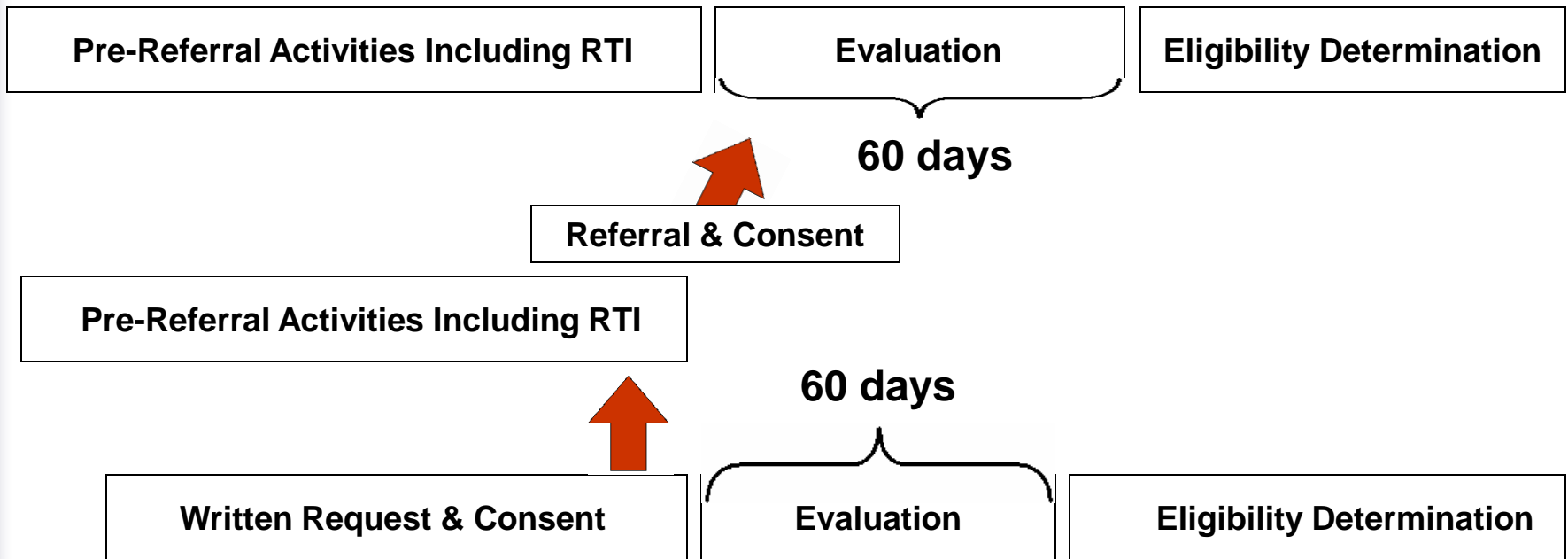
In general, anyone who has knowledge of the child and suspects that the child has a disability may initiate the referral and evaluation process.

Referral Evaluation



The referral process starts with pre-referral activities to determine if the child can be successful with interventions. If the child's difficulties are not solved during pre-referral, then a referral is made and the parents are sent a consent form for evaluation. At that point, evaluation begins. The clock starts ticking - the evaluation must be complete within 60 school days in which the student is in attendance. When evaluation is complete, then an eligibility determination is made. IDEA includes a provision that allows the parent to submit a written request and consent for evaluation. As soon as this is submitted, the 60-day clock starts ticking ...

Referral Evaluation



... bringing the day of eligibility determination a bit sooner. This written request and consent for evaluation can occur at any time during the pre-referral period . And as a result, pre-referral activities and evaluation would have to be simultaneous – and still complete within 60 days.

RTI is a pre referral activity and is meant to identify students who do not need specially designed instruction but may benefit from intense instruction in some areas of academics. RTI helps to prevent the over identification of students with disabilities using a tier system. RTI does not interfere with the 60 day time frame.

Parental Consent for Evaluation

Request for consent (in the parents' native language) must include. . .

- ✓ **Reason for evaluation**
- ✓ **Type of testing to be used**
- ✓ **Who will test**

The school district must obtain an informed consent from the parent before an initial evaluation is conducted. Consenting to an evaluation on your child does NOT mean that you have consented to *placement*. Placement is determined through the IEP process.

The School District is required to NOTIFY parents of plans to schedule an evaluation (after the initial evaluation). The District must document attempts to contact the parents. If the parent does not respond to notification, the District may proceed with the evaluation.

Informed consent means that you have been given a full explanation as to what you are giving consent for. What is the test? What does it measure? What will the results tell me about my child? You may give your consent with conditions. This means that you may give permission to do some of the tests requested, but not others. You may ask if the child may be tested in increments of time due to attention span issues. You are allowed to observe as long as it does not interfere with the integrity of the testing.

The Evaluation Team

- Teacher
- Psychologist
- Therapist
- Doctor or nurse
- Counselor
- Social worker
- **Parents**

The Evaluation Team must be a multidisciplinary team with at least one teacher/specialist with knowledge of the suspected disability.

IDEA does not state that parents **MUST** be involved in the evaluation process; it does state that parents have to be **NOTIFIED**. However, parents have critical information about their child and are encouraged to be active members of the team.

Evaluation Determines ...

- **Category of disability**
- **Whether the child needs specially designed instruction and/or related services**
- **The present levels of performance and educational needs of the child**
- **Whether any accommodations or modifications are needed**

The evaluation is the cornerstone or *foundation* of the IEP process. The results of the evaluation will drive future decisions.

During the evaluation process, the school district may use a variety of strategies and appropriate assessment tools designed to measure the area that is being tested to gather relevant functional and developmental information, including information provided by the parent.

Present Level

- What the child is doing *now*
- The strengths of the child
- The unique needs of the child
- How the child's disability affects their involvement and progress in the general curriculum, including behavioral issues

The purpose of evaluation is to determine a child's Present Level of Educational Performance (PLEP). PLEP includes how the disability affects the child's involvement and progress in the general curriculum. In order to have a clear picture of the child's current level, we need to know:

Areas that may be evaluated

- Health
- Vision
- Hearing
- Independent Skills
- Communication

Evaluation is not limited to academic areas of study. It may be important to assess a child's needs in areas such as:

Health. An evaluation of the child's health addresses the child's medical needs and services to be provided during the school day.

Vision or Hearing evaluations may be required and are paid for by the school district, if the evaluation is for diagnostic purposes. **Independent Skills** testing will show what a child may not be able to do on his own, and what supports will be required to assist him.

Communication evaluation will determine if a child needs speech and/or language therapy, or if the child may need a type of communication device.

There are a variety of tests that may be used to measure intelligence and behavior. Parents are encouraged to find out which tests will be administered to their children, and familiarize themselves with them.

Areas that may also be evaluated

- **Intellectual achievement**
- **Academic achievement**
- **Social history of child and family**
- **Behavior (if needed)**

There are a variety of tests that may be used to measure intelligence and behavior. Parents are encouraged to find out which tests will be administered to their children, and familiarize themselves with them.

Testing for Intellectual achievement and Academic achievement give a picture of where the child is in comparison to other children of the same age. Test results will help identify what supports a child will need to progress in the general curriculum.

If the child's behavior is impeding his/her ability to learn, there is a need to evaluate to determine the need for the related service of behavioral supports.

Parent participation is critical in identifying the history of the child.

Evaluation “Musts”

- **No Discrimination**
- **Trained Evaluators**
- **More than one Procedure**
- **Native Language**

Native language. The evaluation must be conducted in your child's native language (for example, Spanish) or other means of communication (for example, sign language, if your child is deaf), unless it clearly isn't possible to do so.

No discrimination. Tests must be given in a way that does not discriminate against your child because he or she has a disability or is from a different racial or cultural background.

Trained evaluators. The people who test your child must know how to give the tests they decide to use. They must give each test according to the instructions that came with the test.

More than one procedure. Evaluation results will be used to decide if your child is a "child with a disability" and to determine what kind of educational program your child needs. These decisions cannot be made based on only one procedure such as only one test.

It's important to **MEET** the person

It is important to meet the person who will test your child. Parents have a natural sense about how well a child will accept a stranger and interact with that person. By meeting the evaluator prior to testing, there is an opportunity to help the evaluator understand how to approach your child and how to accommodate your child's needs and tolerances.

Example: If your child needs to take breaks during testing.

Parents are encouraged to ask any questions about the upcoming evaluation.

Learn the “Lingo”

McCarthy Scales of Children’s Abilities

Wechsler Intelligence Scale

Stanford-Binet Intelligence Scale

Kaufman ABC

Vineland Social Maturity Scale

AAMD Adaptive Behavior Scale

Woodcock Johnson

Thematic Appreciation Test (TAT)

What is all this? What does it all mean?

The language of testing and evaluation can sound a bit like alphabet soup. It is important for parents to request an explanation of what an evaluation means. Remember that parents have the right to have a clear UNDERSTANDING of evaluation tools and the results of testing.

Independent Educational Evaluation (IEE)

- **If parent disagrees with evaluation**
- **IEE at public expense – or initiate hearing**

Independent Educational Evaluation

If Parent Disagrees - A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the school district. The parent does not have to disclose the reason(s) why they disagree.

IEE or Hearing - Once a parent requests an IEE, the school district must – without unnecessary delay - either initiate a hearing to show that its evaluation is appropriate or provide the IEE at public expense. If a hearing determines that the school/district's evaluation was appropriate, the parent still has the right to an IEE, but not at public expense.

Re-evaluation

- **Notification & Request for Consent**
- **Without Parental Consent**

Notification & Request for Consent - Prior to conducting any re-evaluation, the school district must notify the child's parents and request consent to reevaluate.

Without Parental Consent - If the parents fail to respond to the request, the school district may conduct the re-evaluation without parent consent if the district can demonstrate that it had taken measures to obtain consent.

In only two situations is a parent's consent required – evaluation and initial agreement to services and placement.

Eligibility Determination Meeting

Results of all testing are discussed at an Eligibility Determination Meeting attended by parents, school staff and evaluator(s). If the results indicate that a child is eligible for special education services, the team begins the Individual Education Plan process. At that time, the child's placement and services are determined.

Evaluation results are the basis for writing IEP goals.

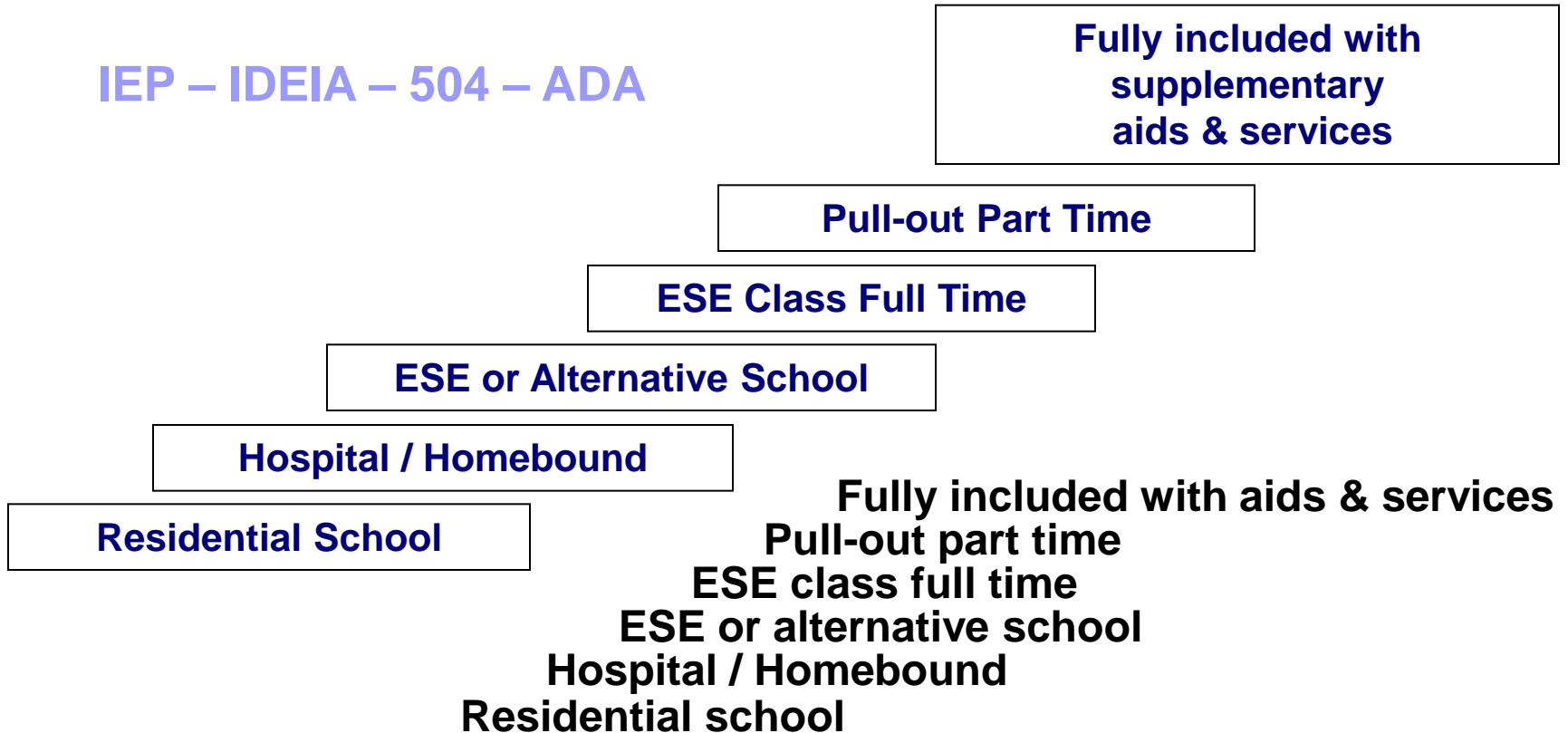
When the IEP is written, all parties involved will sign onto the plan of delivery of services.

When a parent signs the IEP document, after the initial evaluation, the parent is signing consent to placement and delivery of agreed services. Once all participants have signed off on the IEP services begin.

After the initial evaluation and consent to start services, the parent signature on an IEP only means that the parent attended the meeting.

Placement Steps

IEP – IDEIA – 504 – ADA



The goal is to provide the child with an appropriate education that is also free. This graphic illustrates that there is a range of available placements.

Steps to Conflict Resolution

504: Procedural Manual:

Teacher / Principal
 504 Team

District 504 Compliance Rep

504 Hearing

Regional Complaint

Federal Appeal

IDEIA: SP&P & State Rules:

Teacher / Principal
 IEP Team

District ESE Personnel

Mediation/Resolution Meeting

State Complaint

Due Process

Each side has a graphic of books. Whenever there is conflict, a parent can consult the 504 manual for a 504 issue – or for an IDEA issue, they can consult their district’s Special Programs & Procedure Manual and the Florida State Rules.

Resolution may be reached on any step – the goal is to reach resolution near the bottom.

If a parent is going up the stairs and not reaching resolution, maybe they are climbing the wrong side of the steps.

The bus ride is longer for a child with a disability than it is for his nondisabled peers. Which side of the steps should the parent be climbing?

Answer: Section 504. IDEA does not address access, only educational benefit. 504 addresses access “as adequately as nondisabled peers.”

Introducing: FND University

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- **Transcript of all courses**
- **Certificates of completion**

Website: <http://fnduniversity.org>

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