

DIVISION OF SPECIALIZED EDUCATION (DSE)

POLICY IN PRACTICE WEBINAR SERIES:

**Part B Initial Evaluation and
Reevaluation Policy**





Agenda

- A. Introduction: Referral for Evaluation**
- B. Initial Evaluation Process and Requirements**
- C. Quick Overview of Disability Categories**
- D. Reevaluation Requirements and Process**
- E. Additional Resources**



INTRODUCTION: REFERRAL FOR INITIAL EVALUATION

Referral for Initial Evaluation

Individuals with Disabilities Education Act (IDEA)

- *Request for initial evaluation.* Consistent with the consent requirements in § 300.300, either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.
- This is “request” for evaluation is commonly known as a referral.

Referral for Initial Evaluation

District of Columbia Municipal Regulations (DCMR)

(a) A child with a suspected disability who may need special education and is at least two years, eight months of age and less than twenty-two years of age, shall be referred, in writing, to an IEP team.

(b) A referral, which shall state why it is thought that the child may have a disability may be made by the following:

- 1. A child's parent or person in a parental relationship; or**
- 2. A child (self-referral) who is between the ages of eighteen and twenty-two years of age or an emancipated minor who is eligible to attend the LEA; or**
- 3. A professional staff employee of the LEA, or**
- 4. A staff member of a public agency who has direct knowledge of the child.**

Referral for Initial Evaluation

- ❖ **A referral may come from a variety of sources, including:**
 - Early Childhood Screening
 - Part C Infant-Toddler Program
 - General Education Intervention (e.g. Student Support Team (SST) or Response to Intervention (RTI) Team)
 - Parent
 - Self-referral by Adult Student (or on behalf of a minor-age student who expresses a concern)
 - Public Agency
 - Medical Professionals
 - Student's Teacher

Referral for Initial Evaluation

Practical Application of Referral

- ❖ **A referral is defined as written documentation that clearly states why it is thought that the child may have a disability.**
- ❖ There are no “magic words” to indicate that a referral is needed.
 - Example: Parent may come to school staff/teacher concerned about their child’s academic progress, but may not know how to articulate their concern in a precise manner.
- ❖ Every LEA is responsible for recognizing when a parent needs help, to further clarify the parent’s request, and document the referral in writing.



INITIAL EVALUATION PROCESS AND DOCUMENTATION REQUIREMENTS

Initial Evaluation Process

Timelines for Initial Evaluation

Federal Regulatory Timeline

- ❖ The initial evaluation must be conducted within sixty (60) days of receiving parental consent for the evaluation; or if the State establishes a time-frame within which the evaluation must be conducted, within that timeframe.

34 C.F.R. §300.301(c)

State Timeline (District of Columbia)

- ❖ The LEA must complete an initial evaluation, including the eligibility determination, of a child suspected of having a disability within 120 calendar days of receiving the written referral.

DC Code § 38-2561.02

Initial Evaluation Process

Timeline Exception

- ❖ **The 120 day timeframe does not apply if:**
 - **The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or**
 - **A child enrolls in a school of another public agency after the relevant timeframe [120 calendar days] has begun, and prior to the determination by the child's previous public agency as to whether the child is a child with a disability.**

NOTE: This exception only applies if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and public agency agree to a specific timeline for completion of the evaluation.

34 C.F.R. § 300.301(d)

Initial Evaluation Process

Analyzing Existing Data

- ❖ Review of existing evaluation data. As part of an initial evaluation ... the IEP Team and other qualified professionals, as appropriate, must--
 - (1) Review existing evaluation data on the child, including-
 - (i) Evaluations and information provided by the parents of the child;
 - (ii) Current classroom-based, local, or State assessments, and classroom-based observations; and
 - (iii) Observations by teachers and related services providers; and
 - (2) On the basis of that review, and input from the child's parents, identify what additional data, if any, are needed to determine...Whether the child is a child with a disability... and the educational needs of the child.

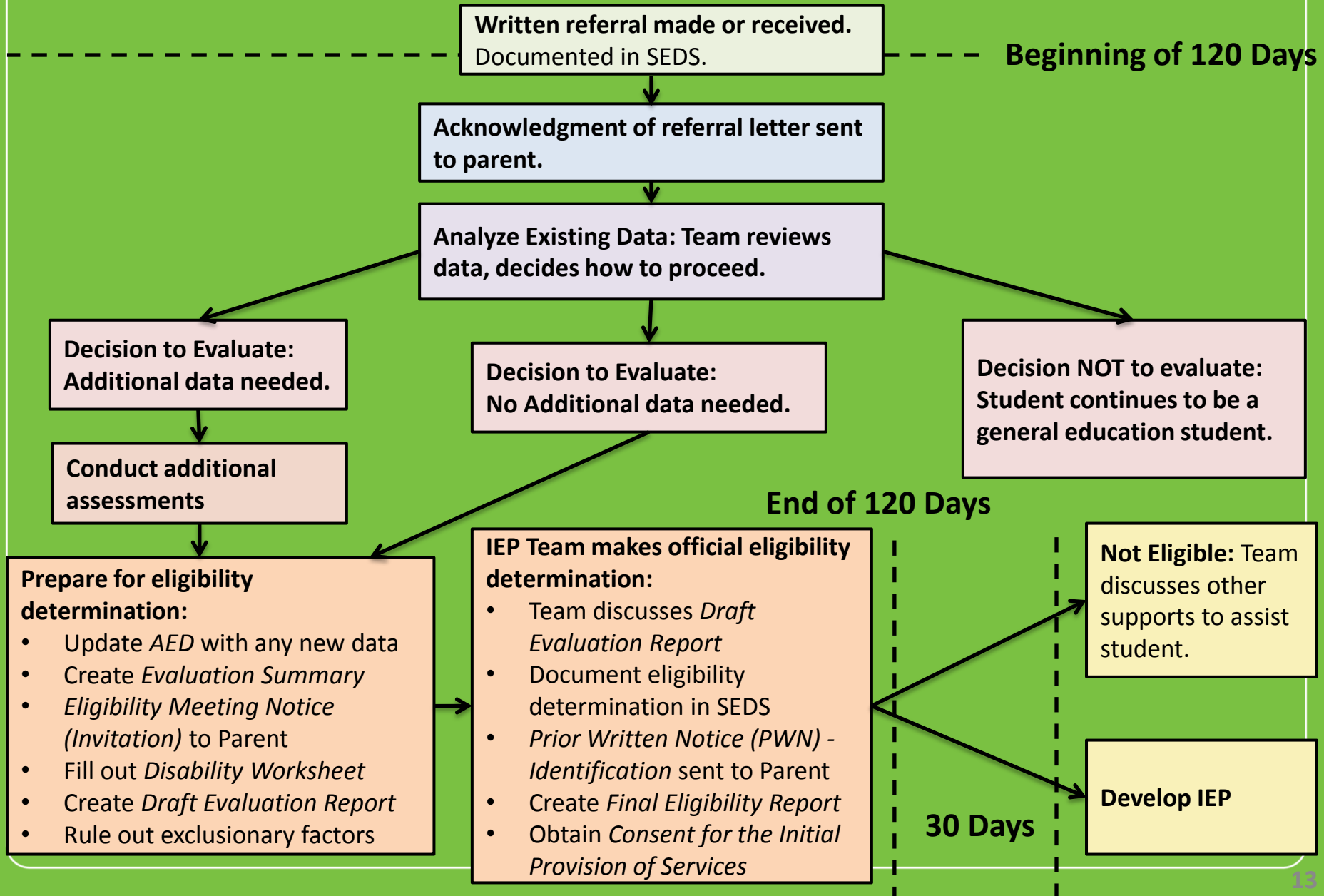
34 C.F.R. § 300.305(a)

Initial Evaluation Process

OSSE's State-Level Policy

The Office of the State Superintendent of Education (OSSE) issued the *Part B Initial Evaluation/Reevaluation Policy* on March 22, 2010 to address obligations pertaining to the Individuals with Disabilities Education Act (IDEA) Part B initial evaluation process, determination of eligibility, and the reevaluation process.

Initial Evaluation Process



Initial Evaluation Process

Case Study: Lucy

- **8th Grader**
- **Transfers into a new LEA**
- **Small group interventions have begun**
- **Struggles academically -- three grades below grade level in reading after interventions**
- **Experiencing anxiety and withdrawal concerns**
- **Mom makes referral and requests testing**



Initial Evaluation Process

Special Education Data System (SEDS): Acknowledge Referral

**SAMPLE REFERRAL FORM
SPECIAL EDUCATION AND RELATED SERVICES**

ABC LEA (Name of LEA)

Initial Reevaluation

Name of child (Last, first, middle) <u>Late, Lucy</u>	Date of birth <u>10/18/1995</u>	Grade <u>12th</u>	School <u>ABC HS</u>
Name of parent or legal guardian <u>Mom</u>	Address (Street, city, state, zip)		
Telephone area/no.	Person making referral/title <u>ABC Teacher</u>	Date parent was notified of intent to refer (if initial referral made by someone other than parent)	
Method of notifying parent of intent to refer <input type="checkbox"/> Conference <input type="checkbox"/> Phone call <input type="checkbox"/> Written		Is an interpreter needed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Parent's or adult student's native language or other primary mode of communication if other than English (specify):			
Child's native language or other primary mode of communication if other than English (specify):			

Date of receipt of referral by LEA _____ (month, day, year)

(Note: the date the LEA receives the referral begins the 120 calendar-day timeline in which to complete the evaluation process. Upon review of existing information, LEA must notify the parents of whether additional assessments are needed to move forward with evaluation.)

State reason(s) you believe this child has a disability (impairment and a need for special education) - such as academic and non-academic performance and medical information; any special programs, services, interventions used to address this student's needs and the results of those interventions, etc.

SAMPLE REFERRAL

- 1) Written
- 2) Form provided by LEA/school
- 3) Must fax into SEDS

Docs Demo
810 First St, NE
Washington, DC 20001

ACKNOWLEDGEMENT OF REFERRAL TO SPECIAL EDUCATION LETTER

12/29/2011

Jane Smith
12 High Lane
Washington, DC, 20001

RE: Referral Acknowledgement for Test Student
Referral Source: School
Referral Received on 12/01/2011

Dear Jane Smith,

On 12/01/2011, Closed Van Ness received a referral for an initial evaluation of your child, Test Student, to determine whether he/she is a child with a disability. The next step is for school staff to review various educational and behavioral data and determine whether to proceed with an evaluation. We will then prepare the Prior Written Notice indicating the next step in the evaluation process. In some cases, we may determine that there is not enough evidence to support conducting an initial evaluation and would, therefore, propose alternative options to special education.

To ensure that you understand your rights, Closed Van Ness is required to provide a copy of the enclosed Procedural Safeguards Notice. If you have questions about this letter or your rights, please contact at 202-555-1234. You may also contact Advocates for Justice (AJE), the District of Columbia parent resource center, for more information. The AJE may be reached by phone at (202) 678-8060 or at www.aje-dc.org/information.html.

Sincerely,

ACKNOWLEDGEMENT OF REFERRAL LETTER:

- 1) Generated in SEDS after referral is faxed
- 2) Includes date of the official referral, which starts the 120-day timeline
- 3) Prior Written Notice (PWN) that school intends to evaluate the student
- 4) Must be sent prior to starting evaluation

Initial Evaluation Process

Referral Acknowledgement for Lucy Late1221

Student Information				
Student Name: Lucy Late1221	Local ID:	State USI: LUCYLATE1221	Date of Birth: 06/01/2004	Student Grade:

LEA / School Information		
LEA of Enrollment: Docs Demo	School / Site: Academy 810	Case Manager: New Trainer1221

Referral Acknowledgement				
Referral Source:* Parent				
Date Referral Received:* 01/15/2008				
<i>A referral must be documented in writing. However, no standard form is required. Use the cover sheet below to fax in the referral document. The fax must be received before a Referral Acknowledgement Letter can be created.</i>				
<input type="button" value="Create Final Referral Documentation Cover Sheet"/>				
Permitted file extensions are: PDF, DOC, XLS, TXT, RTF, PPT, TIF, JPG, PNG, XLSX, PPTX, and DOCX No file may be greater than 3.00 MB in size.				
Date Generated	Document Type	EasyFax	Date Received	Upload
02/15/2013	Referral Acknowledgement Documentation Cover Sheet	Fax	02/15/2013	<input type="button" value="Upload Files"/>

| Individual Holding Educational Rights to which letter will be sent: |
| Mom Late1221 |
| |

LEA must fax written referral into SEDS prior to generating Referral Acknowledgement Letter.

Written referral should contain:

- Name of person referring student
- Date of referral
- Reason for referral

Initial Evaluation Process

Analyze Existing Data: Purpose of Review

- ❖ Progress monitoring and data collection for a student should be ongoing, long before a referral is made.
- ❖ This existing information will be reviewed by a school-based team as the first step of the evaluation process.
- ❖ The purpose of reviewing existing data is to identify what additional data, if any, is needed to determine:
 - If the child is a child with a disability;
 - The educational needs of the child;
 - The present levels of academic achievement and developmental needs;
 - Whether any additions or modifications to the special education and related services are necessary to enable the child to meet his/her annual goals, and to participate in the general education curriculum.

Initial Evaluation Process

Case Study: Team Reviews Lucy's Existing Data

- DC CAS below basic reading & math, ANet scores show similar levels without much progress unit to unit.
- Homework/classwork grades are 60% math, 50% reading (class averages are 85% and 92%).
- Recent math unit test is 45% (class average 88%).
- Currently in small group setting for math with 10 n each period.
- Struggles to do basic addition/multiplication, seems to confuse numbers often.
- Reading interventions have been ongoing since August, but AIMSweb shows reading levels are still 3 grades below on multiple benchmarks.



Initial Evaluation Documentation

Analyzing Existing Data (AED) in SEDS

Areas to Consider*

- Academic-Mathematics
- Academic-Reading
- Academic-Written Expression
- Adaptive-Daily Living Skills
- Hearing
- Vision
- Communication/ Speech and Language
- Emotional, Social, and Behavioral Development
- Health/ Physical
- Motor Skills/ Physical Development

Step 1: Review Existing Data in Each Identified Area

Current IEP Information

There is no finalized IEP in the system or the most current IEP in the system does not have a full IEP document associated with it.

Areas to Consider	Details	Status
Academic-Mathematics	Details	Completed
Academic-Reading	Details	Completed
Academic-Written Expression	Details	Completed
Communication/ Speech and Language	Details	Completed
Emotional, Social, and Behavioral Development	Details	Completed

Identify area(s) of concern.

Review existing data for each area of concern.

Summarize each type of data reviewed by the team using the 'Details' tab.

Initial Evaluation Documentation

Review of Existing Data Determines Next Steps

ANALYZE EXISTING DATA: Is there enough data to answer three **GUIDING QUESTIONS?**

- 1) Does the child have disability & what are his/her educational needs?
- 2) What are present levels of academic & developmental needs of child?
- 3) Does child need special education & related services?

Team needs additional data before moving forward with eligibility process.

- Obtain parental consent to evaluate.
- Order additional assessments.
- Send copy of AED Report to parent.
- Send PWN to parent.

No further information needed. Team will proceed with eligibility process.

- Obtain parental consent to evaluate.
- Send copy of AED Report to parent.
- Create evaluation summary report.
- Send PWN to parent.

No further information needed. Team does NOT suspect disability.

- Parental consent is not required.
- Give copy of AED Report to parent.
- Send PWN to notify parent of decision.

Initial Evaluation Documentation

Decision to Proceed*

Based on the review of the existing data the team proposes to proceed with the eligibility determination process

Based on the review of the existing data the team refuses to proceed with the evaluation of the student

Guiding Questions

IEP Team has enough information in all areas of concern to determine if the child has or continues to have a disability and the educational needs of the child;*	Yes
IEP Team has enough information in all areas of concern to determine the present levels of academic achievement and related developmental needs of the child;*	Yes
IEP Team has enough information in all areas of concern to determine whether the child needs or continues to need special education and related services;*	No

Save and Proceed to Assessment Decision

Step 2: Assessment Decision

Team Decision Block

The team CANNOT determine eligibility or continued eligibility based upon existing data. ADDITIONAL FORMAL ASSESSMENTS NEEDED in order to determine eligibility or continued eligibility. Check areas where more information is needed:

Academic-Mathematics

Academic-Reading

Academic-Written Expression

Communication/ Speech and Language

Emotional, Social, and Behavioral Development

Save and Proceed to Analyze Existing Data Form, Prior Written Notice and Consent to Evaluate

Step 3: Create Analyze Existing Data Form

Create Analyze Existing Data Form

Date Analyze Existing Data Form Will Be Sent to Parent:* 02/15/2013

A Prior Written Notice must be sent to the parent to explain the team's decision about evaluating the student. Check to indicate that Prior Written Notice Form will be sent to parent along with Analysis of Existing Data.* (Required)

Create Draft Analyze Existing Data Form * **Create Final Analyze Existing Data Form ***

Team Decides How to Proceed

- Team decides to proceed (or not proceed) with the evaluation process.
- Team answers the three 'Guiding Questions' to determine if enough data exists to move forward.
- If Team answers 'No' to one of the questions, then additional assessments are selected as appropriate.
- LEA generates AED report and sends it to parent. LEA includes PWN explaining decision.

Initial Evaluation Documentation

Decision to Proceed *

Based on the review of the existing data the team proposes to proceed with the eligibility determination process
 Based on the review of the existing data the team refuses to proceed with the evaluation of the student

Guiding Questions

IEP Team has enough information in all areas of concern to determine if the child has or continues to have a disability and the educational needs of the child;*	Yes ▼
IEP Team has enough information in all areas of concern to determine the present levels of academic achievement and related developmental needs of the child;*	Yes ▼
IEP Team has enough information in all areas of concern to determine whether the child needs or continues to need special education and related services;*	Yes ▼

Step 2: Assessment Decision

Team Decision Block

The team CAN determine eligibility or continued eligibility based upon existing data. NO ADDITIONAL ASSESSMENT DATA needed.

Step 3: Create Analyze Existing Data Form

Create Analyze Existing Data Form

Date Analyze Existing Data Form Will Be Sent to Parent:*

A Prior Written Notice must be sent to the parent to explain the team's decision about evaluating the student. Check to indicate that Prior Written Notice Form will be sent to parent along with Analysis of Existing Data.* **(Required)**

* *

Date Generated	Document Type	Type
02/25/2013	Analyze Existing Data Form	Final
02/19/2013	Analyze Existing Data Form	Final

- Decide if existing data is enough to make an eligibility determination decision, or if additional data is needed.
- PWN will be generated to reflect this decision.
- Regardless of whether additional data is needed, or not, parental consent must be obtained in order to move forward with the process.

Initial Evaluation Documentation

Type of Information Reviewed	Type of Specific Data Used	Date Collected/Completed	Date Reviewed	Person Responsible
Formal Assessments	DC CAS given in Spring 2012 testing on DC state standards for reading comprehension.	04/18/2012	09/05/2012	Gerald General
Input from parent	Lucy's mom sits with Lucy to read her English assignments 2 nights a week.	02/05/2013	02/12/2013	Gerald General
Observations	General Education teacher for English observes Lucy reading out loud in the classroom twice a week.	02/11/2013	02/12/2013	Gerald General
Analysis of Information Revealed by Formal Assessments: Lucy is performing at a 6th grade level for reading comprehension.				
Analysis of Information Revealed by Input from parent: Parent states that Lucy struggles to read fluently, and often takes a long time to pronounce a certain word, and appears to be confusing words with one another.				
Analysis of Information Revealed by Observations: Lucy struggles to read out loud and usually won't do it in front of peers. Lucy's teacher has worked with her in small groups and one-on-one, as well as assigning her extra reading assignments with her mom at home twice a week. Also, when asked to spell a word out loud, she often confuses her D's with B's, and jumbles the letters in the middle of the words.				
Summary Information for Academic-Reading				
Summary of Strengths for Academic-Reading: Lucy can read a passage with fluency after practicing it three times.				
Summary of Concerns for Academic-Reading: Lucy takes a lot longer than her peers to decipher meaning of the text and to comprehend what she just read. The first time she reads a passage she is so focused on trying to pronounce the words correctly, that she cannot state the meaning of the passage upon it's completion. Timed reading makes this even worse. Lucy seems to confuse the words and letters when reading out loud.				
Description of previous or current interventions attempted	Progress Monitoring Tools	Outcomes		
Small group instructions, one-on-one reading practice with general education teacher twice a week.	General education teacher uses a reading log to track speed of Lucy's reading, as well as accuracy in pronouncing and spelling words out loud.	Lucy is far below her peers in fluency, and although she seems intelligent, she consistently performs far below grade level in reading comprehension both during formal assessments and informal classroom-based activities. Lucy has not responded to high-level interventions, and exhibits characteristics typical of a student with dyslexia. Lucy is not a limited English speaker, nor are there cultural factors deemed to contribute to her low reading abilities.		
Academic-Written Expression				
Type of Information Reviewed	Type of Specific Data Used	Date Collected/Completed	Date Reviewed	Person Responsible

Final AED Report: Summary of Data Reviewed

- Description of previous or current interventions attempted.
- Corresponding progress monitoring tools.
- Description of outcomes.

Initial Evaluation Documentation

Prior Written Notice (PWN) explains to Lucy's Parent why the LEA proposes to move forward with an evaluation, including an additional assessment.

Description of the proposed or refused action(s):

LEA proposes to conduct an initial or re-evaluation and additional assessments are needed.

Lucy shows signs of a potential specific learning disability. Further evaluation is recommended to determine if Lucy is eligible to receive special education services.

Explanation of reasons for proposal or refusal of action:

Team does NOT have enough information to make decisions about the educational needs of the student.

Lucy's math teacher provided valuable information about her performance, however, an additional formal assessment or diagnostic is needed to determine Lucy's areas of weakness for math.

A description of each evaluation procedure, assessment, record, or report used as a basis for the proposed or refused action:

See AED form for a list of assessments and data sources used. Already existing data shows a likelihood of a specific learning disability.

Description of other options considered by the IEP Team, if any, and reason for rejecting them:

No additional options considered other than those described above.

Description of other factors related to the proposal or refusal:

No additional factors apply.

Initial Evaluation Documentation

Parental Consent Not Required for: Parental Consent Required for:

- ❖ Test administered to all children
- ❖ Referring student for evaluation
- ❖ Reviewing existing data directly after referral is made (AED)
- ❖ Making initial eligibility determination (PWN only, as consent to evaluate already obtained earlier in process)

- ❖ Proceeding with evaluation after analyzing existing data, which could include:
 - Conducting evaluations for the purposes of determining eligibility
 - Proceeding with an initial evaluation that does not require additional assessments

Consent must always be written.

- ❖ Initializing provision of special education services

What if parent refuses to grant consent?

Initial Evaluation Documentation

Docs Demo
810 First St, NE
Washington, DC 20001

Consent for Initial Evaluation/Reevaluation

Student Information

Student: Test Student Local ID: TRANSFERTEST001 State USI: TRN0009243 DOB: 01/01/2000 Grade: 5

LEA/School Information

LEA of Enrollment: Docs Demo
School/Site: Closed Van Ness
School Address: , Washington, DC 20009

Case Manager:
School Phone: 202-555-1234

Based on the information provided in the Analysis of Existing Data Report and the Prior Written Notice, Closed Van Ness is requesting that you provide consent to conduct an evaluation of your child to determine if he/she has or continues to have a disability that requires special education and related services under the Individuals with Disabilities Education Act (IDEA).

A Procedural Safeguards Notice that explains the educational rights of you and your child is enclosed with this form. Please read it carefully and if you have any questions about the content of the Notice or this consent, please contact at 202-555-1234.

I give my consent to have Test Student evaluated to determine if he/she is eligible or continues to be eligible for special education and to determine educational needs. I understand this consent is voluntary and may be revoked at any time.

I DO NOT give my consent to have Test Student evaluated to determine if he/she is eligible for special education and to determine educational needs.

Signature of Parent _____

Date _____

The following documents are enclosed:

- Procedural Safeguards (required for initial referral and parent request for evaluation)
- Prior Written Notice
- Analysis of Existing Data Report

(Only complete if team needs parental consent for the release of additional records pursuant to the evaluation process)
The following education records (if any) related to your child will be released to the IEP Team at Closed Van Ness:

I give my consent to have the education records listed above released to the IEP Team at Closed Van Ness. I understand this consent is voluntary and may be revoked at any time.

I DO NOT give my consent to have the education records listed above released to the IEP Team at Closed Van Ness.

Signature of Parent _____

Date _____

1.866.610.8030
EASYFAX



Student, Test
Page: 1

State USI: TRN0009243

Local ID: TRANSFERTEST001
Closed Van Ness

Consent to Move Forward with Evaluation

“Based on the information provided in the Analysis of Existing Data Report and the Prior Written Notice, the LEA is requesting that you provide consent to conduct an evaluation of your child to determine if he/she has or continues to have a disability that requires special education and related services under the Individuals with Disabilities Education Act (IDEA).”

Initial Evaluation Documentation



Office of the
State Superintendent of Education

District of Columbia

Notice of

Procedural Safeguards

Rights of Parents of Students with Disabilities

Revised January, 2011

Procedural Safeguard Notice (PSN) Highlights:

- Parent's right to refer child for evaluation (Page 5)
- 120-Day Timeline for Initial Evaluation (Page 6)
- LEAs "Reasonable Efforts" to contact Parent (Page 10)
- Non-mandatory parent signature confirming the receipt of the PSN (last page)

Initial Evaluation Documentation

Assessments are Part of Evaluation Process

EXAMPLES OF INFORMAL SOURCES OF DATA

- Progress monitoring
- Response to Intervention
- Classroom activities, projects, observations, logs, checklists
- Curriculum-Based Measurement (CBM)

EXAMPLES OF FORMAL SOURCES OF DATA

- Assessments administered by trained provider
- Medical assessments

Are Prior Written Notice (PWN) and consent always needed for assessments?

- ***Not required*** if assessment is conducted **before** a child is suspected of having a disability, as part of a screening process (for all children).
- ***Required*** if the assessment is conducted **after** a child is suspected of having a disability and has been referred for an evaluation under the IDEA.

Initial Evaluation Documentation

❖ Screenings Come Before Evaluation

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services.

34 C.F.R. § 300.302

❖ Screening practices for academic performance are effective when:

- Appropriate instruction is delivered in the general education setting by qualified personnel.
- Instruction and interventions are provided at varying intensity levels (also known as differentiated learning).
- Progress monitoring data is collected reflecting a child's progress during instruction.

Initial Evaluation Documentation

Multiple Sources of Data Required

- ❖ Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent;
- ❖ Not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and
- ❖ Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

Initial Evaluation Documentation

Evaluation Summary Report

Date Sent: 02/19/2013

Student Information				
Student: Lucy Late1221	Local ID:	State USF: LUCYLATE1221	DOB: 06/01/2004	Grade:
LEA/School Information			Case Manager: New Trainer1221	
LEA of Enrollment: Does Demo			School Phone:	
School/Site: Academy 810				
School Address: 810 1st Street NE, Washington, DC 22222				

Upon completion of the initial evaluation or reevaluation process and the determination of eligibility we must prepare a comprehensive written report to be provided at no cost to you. Because the intent of this report is to summarize the information from a variety of sources gathered during the evaluation process and used to determine if your child is a child with a disability and the educational needs of your child, it is important that you carefully review this information. If you feel valuable information is missing or incorrect, please contact New Trainer1221 at .

Academic-Mathematics				
A. Review of Existing Data for Academic-Mathematics				
Type of Information Reviewed	Type of Specific Data Used	Date Completed/ Collected	Date Reviewed	Person Responsible
Classroom-based assessment	Mid-term pre-algebra exams, individual math assignments.	01/10/2013	01/11/2013	Gerald General
Analysis of Information Revealed by Classroom-based assessment				
Lucy is taking pre-algebra for the 2nd time. She continuously performs in the lowest quartile of students.				
Description of Strengths				
Lucy has basic number sense and basic computation skills, and understands Unit 1 pre-algebra concepts that overlap with her instruction in previous years about 1 out of 3 instances.				
Description of Concerns				
Lucy is currently at the 5th grade level according to 5th grade common core math standards. Lucy continues to struggle despite intense levels of intervention, and Lucy continues to perform far below her peers on assessments.				
Strategy	Progress Monitoring Measures	Outcome		
See above for description of results of previous interventions tried.	General education quizzes and classroom test scores, tracked on monthly basis since September 2012. Review of common core pre-algebra concepts twice a week during one-on-one tutoring, with teacher tracking progress each week.	Lucy's response to research-based interventions indicates she is not achieving adequately for her age or to meet grade-level standards for common core state standards for pre-algebra, and she is not making sufficient progress to meet those standards. Lucy exhibits characteristics indicative of a specific learning disability. Cultural factors and limited English proficiency are not the cause of her deficiencies.		
Type of Information Reviewed	Type of Specific Data Used	Date Completed/ Collected	Date Reviewed	Person Responsible
Formal Assessments	Comprehensive pre-algebra student skills diagnostic examination.	02/19/2013	02/19/2013	New Trainer1221
Analysis of Information Revealed by Formal Assessments				
This diagnostic assessment shows that Lucy struggles in 7 out of 8 of the pre-algebra foundational units. It is also shown that Lucy erroneously reverses and confuses numbers when dealing with 2 3-digit numbers.				
Description of Strengths				

Evaluation Summary Report Includes:

- Existing data
- Additional assessment data
- Strengths & concerns in each area
- Relationship of behavior to academic functioning
- Basis for disability determination

Initial Evaluation Documentation

Conclusion of Evaluation Process

TEAM MAKES DECISION

- 1) Review Disability Criteria Worksheet(s)
- 2) IEP Team (including Parent) reviews *Draft Eligibility Determination Report*
- 3) **Eligibility Determination:**
 - Document decision in SEDS
 - *Final Eligibility Report* created
 - *PWN to Identify* sent to Parent
 - Dissent statement (if needed)
- 4) *Consent for the Initial Provision of Services* obtained

Not Eligible

OTHER SUPPORTS:

Team discusses other academic or behavioral supports and interventions to assist student.

Eligible

30 Days to Develop IEP (or modify existing IEP)

END of 120 Day Timeline



OVERVIEW OF DISABILITY CATEGORIES

Overview of Disability Categories

14 Disability Categories Recognized in the District of Columbia

- Autism Spectrum Disorder
- Deaf-blindness
- Deafness
- Developmental Delay
- Emotional Disturbance
- Hearing Impairment
- Intellectual Disability
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Visual Impairment
- Traumatic Brain Injury

(All disability criteria listed in the Part B Initial Evaluation/Reevaluation Policy, March 2010, pp. 20-33; Also 5 D.C.M.R. § 3001.1.)

Disability Category Application

Specific Learning Disability (SLD)

- ❖ Disorder in understanding or using language, spoken or written, manifesting itself in imperfect ability to:
 - **Listen, think, speak, read, write, spell, do math.**
 - **Can include perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, developmental aphasia.**
- ❖ SLD does NOT include learning problems primarily resulting from:
 - **Visual, hearing, or motor disabilities**
 - **Intellectual disability or emotional disturbance**
 - **Environmental, cultural or economic disadvantage**

Disability Category Application

Specific Learning Disability (SLD) Continued

- ❖ Each State must adopt a criteria for determining whether a child has SLD and the criteria --
 - (1) Must not require the use of a severe discrepancy model.
 - (2) Must permit the use of a process based on the child's response to scientific, research-based intervention as part of the SLD determination process.
 - (3) May permit the use of other alternative research-based procedures for determining whether a child has a specific learning disability.
- ❖ OSSE strongly supports the use of identification procedures that are based on scientific, research-based intervention.

Disability Category Application

Two Ways to Identify SLD

Scientific Research-Based Interventions Model	Discrepancy Model
Criterion 1: Inadequate responses to interventions AND assessments show pattern of weaknesses consistent with SLD characteristics OR not making sufficient progress to meet learning standards.	Criterion 1: Inadequate performance even after appropriate instruction and learning experiences provided.
Criterion 2: Show that SLD is NOT primarily the result of certain exclusionary factors.	Criterion 2: Discrepancy between achievement (IEE) and measured ability (Intellectual Eval) of at least 2 years below age.
Additional Requirement: Observations in the child's learning environment.	Criterion 3: Show SLD is NOT primarily the result of certain exclusionary factors.

Disability Criteria Application

OSSE Policy on SLD Identification

- ❖ OSSE supports the use of identification procedures that are based on scientific research rather than identification through the use of a discrepancy model.
- ❖ IDEA 2004 introduced new options/opportunities for the way in which states must define eligibility as a response to widespread concern about over-identification of children with SLD.

Disability Criteria Application

SLD Disability Worksheet

Option A: Discrepancy Model

Criterion 1: The student does not achieve adequately and/or does not make sufficient progress to meet age or State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the student's age or State-approved grade-level standards (At least one of the following must be marked in order to meet the requirement):

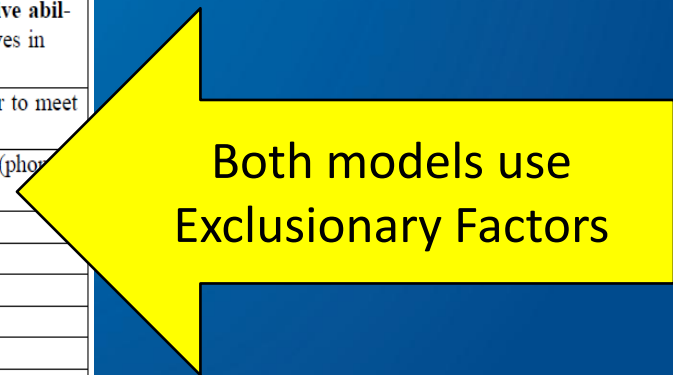
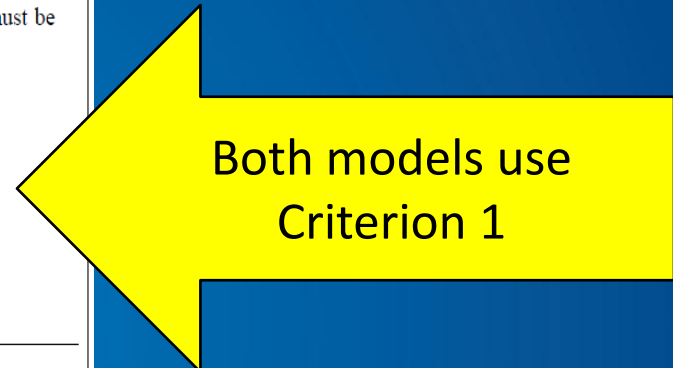
- | | |
|--|--|
| <input type="checkbox"/> Oral expression | <input type="checkbox"/> Reading fluency skills |
| <input type="checkbox"/> Listening comprehension | <input type="checkbox"/> Reading comprehension |
| <input type="checkbox"/> Written expression | <input type="checkbox"/> Mathematics calculation |
| <input type="checkbox"/> Basic reading skill | <input type="checkbox"/> Mathematics problem solving |

Basis for determination:

___ Yes ___ No **Criterion 2: The student demonstrates a discrepancy between achievement (as measured by the academic evaluation) and measured ability (as measured by the intellectual evaluation) of two years below a student's chronological age and/or at least two standard deviations below the student's cognitive ability as measured by appropriate standardized diagnostic instruments and procedures. (Must be yes in order to meet the requirement)**

Criterion 3: Is the impact on the student's achievement level the result of: (All of the following must be no in order to meet the requirement)

___ Yes ___ No	Lack of appropriate instruction in reading, to include the essential components of reading instruction (phonemic awareness, phonics, fluency, vocabulary and comprehension)
___ Yes ___ No	Lack of appropriate instruction in math
___ Yes ___ No	Lack of appropriate instruction in writing
___ Yes ___ No	A visual, hearing, or motor disability
___ Yes ___ No	Intellectual disability (known as mental retardation)
___ Yes ___ No	Emotional disturbance
___ Yes ___ No	Cultural factors
___ Yes ___ No	Environmental or economic disadvantage
___ Yes ___ No	Limited English Proficiency



Disability Criteria Application

SLD Worksheet: Research-Based Intervention Model

Document interventions or instructional strategies and student-centered data collected (At least 2 interventions required)

Intervention/Strategy	Progress Monitoring Tool	Outcome

What interventions were used?

How were responses measured?

What was the outcome?

Were parents notified of all the following? (Response to all must be yes in order to meet the requirement)

<input type="checkbox"/> Yes <input type="checkbox"/> No	The State's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
<input type="checkbox"/> Yes <input type="checkbox"/> No	Strategies for increasing the student's rate of learning
<input type="checkbox"/> Yes <input type="checkbox"/> No	The parents' right to request an evaluation

Disability Criteria Application

Document Research-Based Interventions: AED Details Page

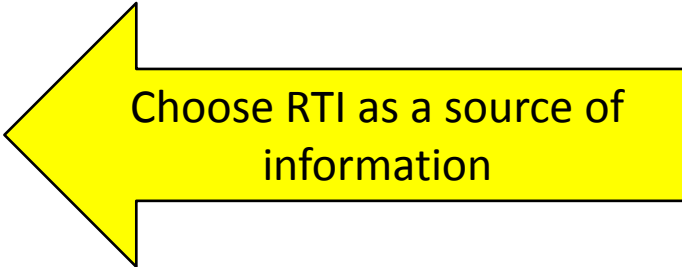
Academic-Reading

List formal and informal information reviewed to determine student's current ability in this area.*
Formal Assessments are standardized tests that are data driven and measure overall student achievement that have been "normed" or administered to a representative sample. The mathematically computed score provides a summary using percentile, stanines, or standard scores and used to compare children of similar characteristics and indicate the child's relative performance in the group. The formal assessments must be administered as specified in the manual to ensure valid and reliable results.



Informal Assessments are methods teachers use to find out how well a child is progressing in basic academic areas. Typical classroom activities such as group or individual projects, experiments, oral presentation, journals, essays, reports, and reading logs are examples of informal assessments. Curriculum-Based Measurement (CBM) is the best known method of progress monitoring and utilizes informal assessments to determine the success of the instruction and intervention the child is receiving.

Note: All informal assessment data should have been completed no more than 1 year prior to the date of the review.

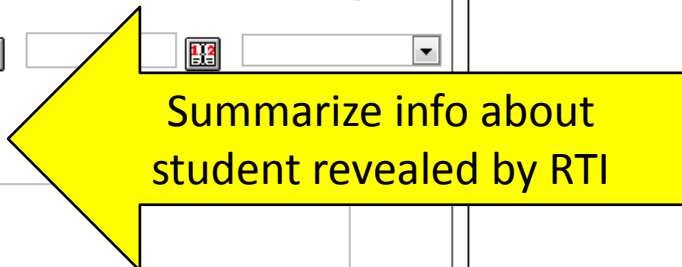
Classroom-based assessment Discipline Record
 Input from parent Formal Assessments
 Results of Previous Interventions Current Progress Report
 Input from student Independent Educational Evaluations (provided by parent)
 State or Local Assessments Related services session notes indicating progress toward goals
 Student work samples Other
 Observations



Results of Review for Academic-Reading

Del	Type of Information Reviewed*	Type of Specific Data Used*	Date Completed/Collected*	Date Reviewed*	Person Responsible for Reviewing Data*
	Results of Previous Interventions	<input type="text"/>	<input type="text"/> 	<input type="text"/> 	<input type="text"/>

Analysis of Information revealed by Results of Previous Interventions*





REEVALUATION REQUIREMENTS AND PROCESS

Reevaluation Requirements

Federal Regulatory Requirements

- (a) General. A public agency must ensure that a reevaluation of each child with a disability is conducted in accordance with Sec. Sec. 300.304 through 300.311 –
 - (1) If the public agency determines that the educational or related services needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or
 - (2) If the child's parent or teacher requests a reevaluation.
- (b) Limitation. A reevaluation conducted under paragraph (a) of this section –
 - (1) May occur not more than once a year, unless the parent and the public agency agree otherwise; and
 - (2) Must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary.

Reevaluation Requirements

Local Regulatory Requirements

As part of ... any reevaluation, the IEP team, including other qualified professionals, as appropriate, shall:

- (a) review existing evaluation data on the child, including:**
- (1) evaluations and information provided by the parents of the child;**
 - (2) current classroom-based assessments and observations; and**
 - (3) observations by teachers and related service providers.**

Reevaluation Requirements

- ❖ **A reevaluation is defined as an evaluation conducted after the initial evaluation.**
- ❖ **It is the process by which the IEP Team gathers data to determine:**
 - If the child with a disability still has a disability;
 - The present levels of academic achievement and related developmental needs of the child;
 - Whether the child continues to need special education and related services, and;
 - Whether any additions or modifications to the special education and related services are necessary.
- ❖ **As in the case of an initial evaluation, the IEP Team may agree to determine eligibility without conducting additional assessments.**

Reevaluation Requirements

When is a Reevaluation Required?

- ❖ A reevaluation must occur once every 3 years, whether or not the child's needs have changed, unless the parent and LEA agree that a reevaluation is unnecessary.
- ❖ **Reevaluation is required before determining that a child is no longer eligible for special education and related services, unless the child is graduating with a regular high school diploma or is aging out of the system.**

34 C.F.R. §300.303(b)(2) & 34 C.F.R. §300.305(e)(1)

Reevaluation Requirements

INITIAL EVALUATION

34 C.F.R. §300.300(a)

Parental consent for initial evaluation.

(1)(i) The public agency proposing to conduct an initial evaluation to determine if a child qualifies as a child with a disability under §300.8 must, after providing notice consistent with §300.503 and §300.504, obtain informed consent, consistent with §300.9, from the parent of the child before conducting the evaluation.

REEVALUATION

34 C.F.R. §300.300 (c)

Parental consent for reevaluation.

- (1) Subject to paragraph (c)(2) of this section, each public agency – (i) must obtain informed parental consent, in accordance with §300.300(a)(1), prior to conducting any reevaluation of a child with a disability.
- (2) The informed parental consent described in paragraph (c)(1) of this section *need not be obtained* if the public agency can demonstrate that –
 - i. **It made reasonable efforts to obtain such consent; and**
 - ii. **The child’s parent has failed to respond.**

Reevaluation Requirements

Overview of the Reevaluation Timeline

The reevaluation process looks similar to the initial evaluation process, with a few key differences.

IEP Team plans several months ahead for upcoming reevaluation.

Analyze Existing Data: Team reviews data, including progress on current IEP and any assessments done within the last 3 years, then decides how to proceed.

Continue with Reevaluation, Additional data needed:

- LEA makes reasonable efforts to obtain consent.

Continue with Reevaluation, No Additional data needed:

- LEA makes reasonable efforts to obtain consent.

Conduct additional assessments

Prepare for eligibility decision:

- Update *AED* with any new data
- Create *Evaluation Summary*
- *Reevaluation Meeting Notice*
- Fill out *Disability Worksheet*
- Create *Draft Evaluation Report*
- Rule out other factors

Teams makes official eligibility determination:

- Team discusses *Draft Eval Report*
- Document decision in SEDS
- *PWN to Identify* sent to Parent
- Create *Final Eligibility Report*
- *Consent for Services* not needed

End of 3 Year Cycle

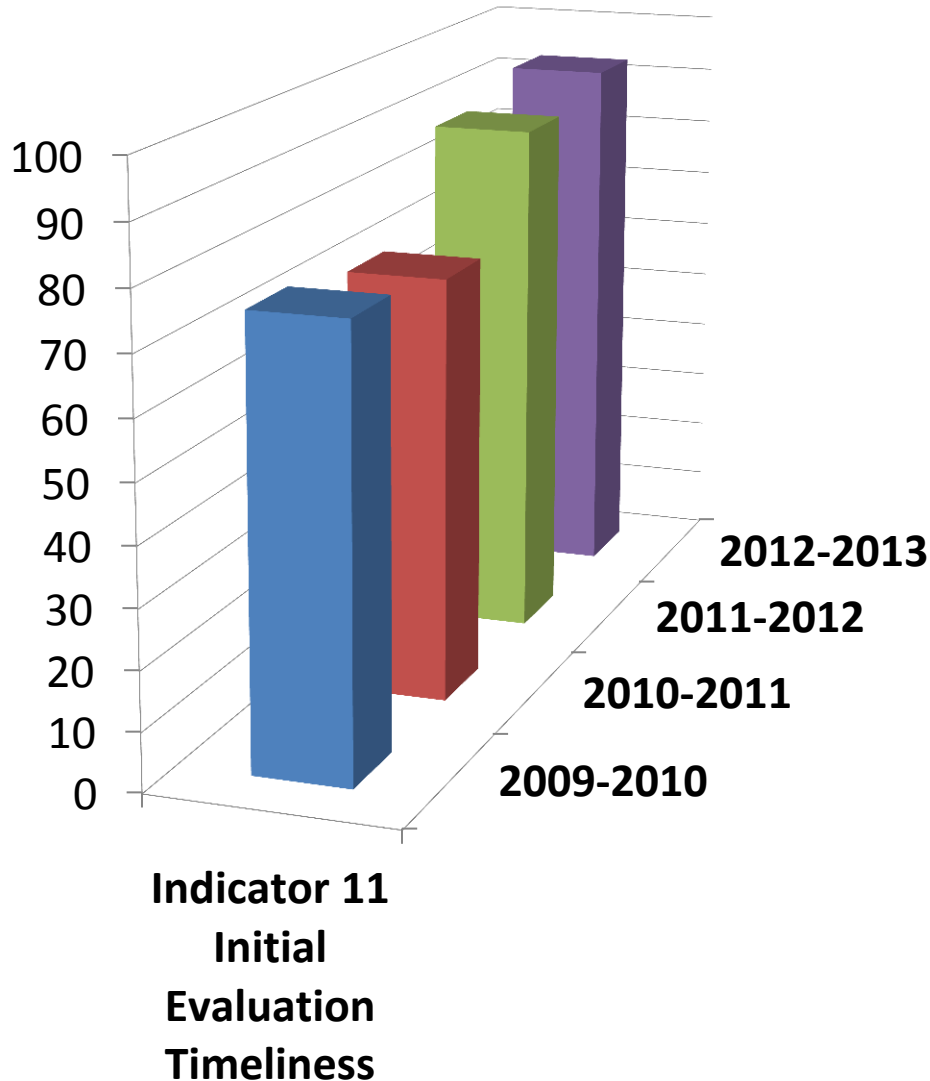
No Longer Eligible: Team discusses other supports to assist student.

Continues to be Eligible: Review & Revise IEP.



ADDITIONAL RESOURCES

Data for Monitoring and Compliance



State Performance Plan (SPP)

- Evaluates state's implementation of Part B IDEA
- Describes plan for improvement based on 20 different performance indicators
- Sets target goals

Annual Performance Report

- Yearly report on state's performance in reaching targets

Special Conditions

- Enhanced monitoring by U.S. DOE due to low performance on certain indicators
- Directs specific use of IDEA funds

Data for Monitoring and Compliance

OSSE Tools to Assist LEAs in Improving Performance:

- ❖ **LEA Planning & Performance Report**
 - Statistics on timeliness of evaluations and annual IEPs
 - Dashboard report sent weekly to all LEAs
- ❖ **DC Corrective Action Tracking System (DC CATS)**
 - Web-based system for issuing monitoring reports
 - Used by LEAs to document correction of noncompliance
- ❖ **Special Education Quality Review (SEQR) Tool**
 - Web-based self-assessment tool for LEAs
 - Assesses school-level programs for students with disabilities
 - Quality indicators based on best practice and can help LEAs identify areas for improvement

Additional Resources

- ❖ **Individuals with Disabilities Education Act (IDEA)**
 - 34 C.F.R. §300.34 <http://idea.ed.gov>
- ❖ **District of Columbia Municipal Regulations (DCMR)**
 - <http://dcregs.org>
- ❖ **OSSE Part B Initial Evaluation/ Reevaluation Policy**
 - <http://osse.dc.gov/service/policies-and-regulations>
- ❖ **SEDS Resource Site**
 - <https://sites.google.com/a/dc.gov/seds-help-resources/>
- ❖ **Special Education Quality Resource Tool (SEQR)**
 - <http://www.dcseqrtool.org>

Thank You

For questions, please contact the
Training and Technical Assistance Unit:

osse.tta@dc.gov

