

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD
ISSUE DATE: **9-15-08**
05-15-17

Child Find Responsibilities

The Jackson County School District is responsible for identifying, locating, and evaluating all children with disabilities from birth through twenty-one (21) years of age.

This requirement applies to, but is not limited to:

- Highly mobile children, such as migrant and homeless children;
- Children who are not enrolled in school but who have not yet graduated;
- Children who are wards of the State;
- Children with disabilities who are enrolled by their parents in private or parochial elementary and secondary schools;
- Children who are enrolled in public educational programs, such as Head Start;
- Children who are suspected of having a disability and may be in need of special education, even though they are advancing from grade to grade; and
- Children who are ages birth to three (3), including those receiving Part C services through the Mississippi State Department of Health (MSDH) Early Intervention Programs (EIP), known as First Steps.

Collaboration with other agencies and personnel may include:

- Mississippi Department of Human Services and Local Offices;
- Mississippi Department of Mental Health and Regional Community Mental Health Centers;
- Mississippi State and Local Departments of Health, including their EIPs (First Steps);
- Mississippi Department of Corrections;
- State and Local Juvenile Detention Centers;
- Mississippi Schools for the Deaf and for the Blind;
- Mississippi School for Math and Science;
- Mississippi School of the Arts;
- Head Start agencies;
- University-based programs;
- Physicians, nurse practitioners and other primary healthcare providers; and
- Private and parochial schools.

Child Find Coordinator and Child Find Contacts

Each public agency should designate an agency/district-level Child Find Coordinator who is responsible for coordinating all Child Find activities. If appropriate, the public

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

**9-15-08
05-15-17**

agency may also designate local/school-level Child Find Contacts who are responsible for receiving information concerning any child suspected of having a disability and for communicating this information to the Agency/District Child Find Coordinator. All verbal or written requests made by a parent, teacher, Teacher Support Team (TST), or public agency should be given to the Local/School Child Find Contact (or Agency/District Child Find Coordinator if there is no Local/School Child Find Contact). The Local/School Child Find Contact should inform both the Agency/District Child Find Coordinator and the school-level Multidisciplinary Evaluation Team (MET) any time there is a child from birth through twenty-one (21) years of age suspected of having a disability. The Jackson County School District's Child Find policies include procedures for documenting verbal requests as well as a process for handling any requests when school is not in session.

Annual Child Find Publicity Campaign

The District Child Find Coordinator is responsible for conducting an annual Child Find publicity campaign to identify, locate, and evaluate all children residing in the jurisdiction of the agency/district who are suspected of having a disability and may be in need of special education and related services. A child is considered to be residing in an agency/district if:

- The child physically resides full time, weekdays/nights and weekends, at a place of abode located within the limits of a district (*State Board Policy 6600: Residency Verification*);
- The child resides with a resident of the district who meets the definition of parent in the *Individuals with Disabilities Education Act* (IDEA) and State Board of Education policies;
- The child physically resides in the district as a result of placement by court order or by a State agency and the child is a ward of the State; and/or
- The child is legally transferred to the agency/district as prescribed in State law and State Board of Education policies and procedures.

The Child Find publicity campaign is conducted at least once each school year involving personal and written contacts with appropriate agencies and using outreach materials, such as letters, brochures, and news articles, and Child Find notifications, which may include the use of electronic media such as websites and other social media. Documentation of the annual Child Find publicity campaign must be maintained on file in the district or at the agency. All written contact documents, outreach materials, and Child Find notifications will include:

- The Child Find Coordinator's name and contact information;

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

- Information about the agency/district's responsibilities and Child Find timelines;
- Information about characteristics of children who may be in need of special education and related services; and
- A statement that Child Find applies to children from birth through twenty-one (21) years of age.

Interagency Collaboration

Collaboration with State Schools

State schools are jointly responsible with school districts to ensure appropriate Child Find procedures are implemented for children served by that school. Each State school may designate an Agency Child Find Coordinator who receives information concerning children who may have a disability and communicates the information to the District Child Find Coordinator of the district of residence. The child's district of residence will collaborate with the State school personnel in the evaluation and eligibility process. This may include, but not be limited to, provision of educational records as well as other pertinent information or data and will assist in determining the educational needs of the child. Evaluations will be conducted in accordance with State policies.

Collaboration with Correctional Facilities

Juvenile Detention Centers are responsible for collaborating with the assigned sponsoring school district to identify, locate, and evaluate children suspected of having a disability. The child's district of residence will collaborate in the process by providing the child's educational record in a timely manner.

State juvenile correctional facilities operated by the Mississippi Department of Human Services (MDHS) are responsible for identifying, locating, and evaluating children suspected of having a disability. The child's district of residence will collaborate with MDHS in the evaluation process by providing the child's educational records and will assist in determining the educational needs of the child.

State adult correctional facilities are responsible for identifying, locating, and evaluating all children suspected of having a disability who are seventeen (17) years of age or younger. Youth ages eighteen (18) through twenty-one (21) years are included in Child Find activities only if they had been previously identified as having a disability. The child/youth's school district of residence or previous school district of residence, if the child left school prior to incarceration, will collaborate

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

9-15-08

05-15-17

with Mississippi Department of Corrections (MDOC) personnel in the evaluation process by providing the child/youth's educational records. MDOC must make reasonable efforts to obtain and review the child/youth's educational records to determine if the child/youth had been previously identified as having a disability and if an Individualized Education Program (IEP) had been developed in their last educational placement.

If a youth with an out-of-state eligibility ruling enters a State adult correctional facility, the facility is responsible for providing an initial evaluation using Mississippi eligibility criteria. In these cases, the facility would be responsible for providing reevaluations, special education, and related services for any youth who enters the facility with an existing eligibility ruling.

Collaboration with MSDH Early Intervention Programs (First Steps)

Under IDEA, both the lead agency for Part C services (i.e., MSDH) and the lead agency for Part B services (i.e., MDE) have shared responsibilities for Child Find. The MDE and MSDH have specified their shared responsibilities in an Interagency Agreement (IA) outlining how they will work collaboratively to ensure compliance with (a) Child Find responsibilities including the identification, location, and evaluation of children eligible for early intervention and/or special education services, (b) early childhood transition, (c) provision of services according to the *IDEA*, (d) the *Family Educational Rights and Privacy Act (FERPA)*, and (e) the Federal reporting requirements of these Acts. The MSDH-MDE IA also describes the procedures for collaboration between the Mississippi EIPs known as First Steps and local school districts.

For any infant or toddler from birth to forty-five (45) calendar days prior to the child's third birthday (i.e., 34.5 months) who has been identified through Child Find activities or for whom a request for an evaluation has been received, the local school district must notify the MSDH EIP Central Referral Unit within seven (7) calendar days after the identification or receipt of the request. The local school district and First Steps EIP should collaborate to ensure that the child is evaluated and served, if appropriate.

For each preschool child referred to the MSDH or local First Steps EIP who is fewer than forty-five (45) calendar days before the child's third birthday (i.e., older than 34.5 months) who has been identified through Child Find activities or for whom a request for an evaluation has been received, the MSDH must notify the MDE and

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

**9-15-08
05-15-17**

the local school district of residence after securing written parental consent to release personally identifiable information (i.e., the child's name, the child's date of birth, the parent's name, and the parent's contact information) as required in IDEA. First Steps will not conduct an evaluation or develop an Individualized Family Service Plan (IFSP) for these children.

Local First Steps EIPs must notify the local school district of residence of children they serve who meet the definition of *potentially eligible for Part B special education and related services* (i.e., toddlers who are twenty-seven (27) months of age or older with an active status in First Steps and an implemented IFSP). The assigned First Steps Service Coordinator must notify the Special Education Director of the school district of residence in writing using a Child Find letter. This written notification will contain the: (a) child's name, (b) child's date of birth, (c) parent's name and contact information, and (d) Service Coordinator's name and contact information. In addition, the MSDH EIP Central Office must provide an electronic notification of the same information to the MDE to enter into the Mississippi Student Information System (MSIS).

If a child is referred to a local First Steps EIP between twenty-seven (27) and thirty-four-and-one-half (34.5) months of age, the assigned Service Coordinator must send written notification to the Special Education Director of the child's district of residence within ten (10) business days* of determining eligibility for Part C early intervention services—not waiting until an IFSP has been implemented—to ensure timely notification and response by the local school district. In addition, the MSDH EIP Central Office must provide an electronic notification of the same information to the MDE to enter into the MSIS.

It is recommended that a local interagency agreement between local school districts and local First Steps EIPs be developed to (a) designate the responsibilities of each agency, (b) define referral procedures, (c) support the use of joint evaluations, and (d) maximize resources.

The procedures governing sharing information from Part C to Part B are contained within MSDH Part C Policies and Procedures and the MDE-MSDH Interagency Agreement, including the definition of ten (10) business days.

It shall be the policy of the Board of Education that the Jackson County School District will be in compliance with state and/or federal requirements for the Early Childhood Programs (preschool, kindergarten, and teacher assistant). Legal Ref. MS

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD
ISSUE DATE: **9-15-08**
05-15-17

Code 37-21-1 et.seq.

Collaboration with Head Start

Personnel from Head Start are responsible for screening and referring children suspected of having a disability to the child's district of residence per Head Start procedures. The Head Start should provide relevant information concerning the child's suspected disability and participate in the evaluation, should one be conducted. The child's district of residence is responsible for Child Find requirements including the identification and evaluation of the child. The Jackson County School District will ensure a local interagency agreement with local school districts and the Head Start agencies serving children in their jurisdiction be developed to (a) designate the responsibilities of each agency, (b) define referral procedures, and (c) maximize resources.

Collaboration with University-Based Programs

University-Based Programs are not responsible for Child Find and must refer any child suspected of having a disability to the appropriate Child Find agency. For children ages birth through forty-five (45) calendar days before their third birthday (i.e., thirty-four and a half (34.5) months), the appropriate Child Find agency is the MSDH First Steps EIP. For children older than thirty-four and a half (34.5) months, the appropriate Child Find agency is the school district of residence.

Collaboration with Private Facilities with DHS or Court Placement

When children with suspected disabilities who are wards of the State are placed in a private residential facility with a school, the District in which the private facility is located must be responsible for Child Find activities. The District must work with the private facility or school as well as a surrogate parent appointed by the District, unless the judge overseeing the court ordered placement appointed one.

Collaboration with Private Facilities with Parental Placement

When children with suspected disabilities who are wards of the State are placed in a private residential facility with a school, the District in which the private facility is located must be responsible for Child Find activities. The District must work with the private facility or school as well as a surrogate parent appointed by the District, unless the judge overseeing the court ordered placement appoints one.

Participation of Private or Parochial School Children in Child Find

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08**
05-15-17

The Jackson County District must identify, locate, and evaluate all children suspected of having a disability who have been enrolled by their parents in private or parochial elementary and secondary schools located within the district. Child Find activities for these children must be similar to those undertaken for public school children, including the identification and evaluation of these children, and must ensure the equitable participation of parentally-placed school children. The Child Find process must be completed in a time period comparable to that for children attending public schools in the District. An accurate count of these children must be maintained by the District which includes the number of private and parochial school children evaluated, the number determined to be children with disabilities, and the number of children served. The cost of carrying out these Child Find requirements, including individual evaluations, may not be considered in determining if the District has met its obligations.

In cases where a child resides in one district but attends a private or parochial school located in the jurisdiction of another school district, the district where the private or parochial school is located is responsible for Child Find, including conducting an initial evaluation, if appropriate. If the child is eligible, the District where the private or parochial school is located may develop and implement a Service Plan, if the child has been designated to receive services. The child's district of residence also has responsibility for Child Find activities for this child; however, this district is encouraged to collaborate with the district where the private or parochial school is located to ensure the Child Find process is completed and to share educational records including evaluations, with parental consent, to be able to offer to provide a Free Appropriate Public Education (FAPE) for eligible children were they to enroll in the district of residence.

In cases where a parentally-placed private or parochial school child resides in a state other than the state in which the private or parochial school is located, the child must be included in the Child Find process of the District where the school is located. The child's district of residence is encouraged to collaborate with the district where the private or parochial school is located to ensure the Child Find process is completed and to be able to offer to provide a FAPE for eligible children were they to enroll in the district of residence.

Private and parochial preschool programs and facilities do not meet the State definition of "schools" and are therefore not considered a private or parochial school. In these cases, the district of residence is responsible for Child Find and for

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD
ISSUE DATE: **9-15-08**
05-15-17

the provision of a FAPE. The District where these preschool programs are located is not responsible for Child Find for children who reside in another district.

Child Find Requests and Referral Procedures

Each public agency must have Child Find policies and procedures for responding to requests and/or concerns from schools, parents, public agencies and other individuals knowledgeable about the child to ensure that no child is "lost" in the Child Find process from the initial request through the evaluation process. A request for an evaluation may be made by any source who:

- Has knowledge of or interest in a child ages birth through twenty-one (21) years, including but not limited to parents, teachers, and Teacher Support Team (TST) members, or representatives of other public agencies; and
- Suspects that child may have a disability.

Public agencies must ensure that requests for initial evaluations and responses to such requests are not limited by the number per year or the time of year requests are received.

When a written or verbal request for an initial evaluation is made, a Multidisciplinary Evaluation Team (MET) composed of the parent, the child (if appropriate), and qualified professionals must be convened within fourteen (14) calendar days to review the request including all pertinent existing documentation. The public agency must invite the parent to participate; however, if the parent is unable to attend, the MET team must proceed. The MET should also include a MET Chairperson who can allocate school resources for the evaluation and, if necessary, resolve disagreements in eligibility determination decisions. Day one is the day the parent, teacher, Teacher Support Team (TST) member or representative of another public agency makes the request to the District.

The appropriate composition of the MET including the selection of qualified professionals will depend on the concerns included in the initial request. Consideration should be given to the *Special Education Eligibility Determination Guidelines* which specify the qualified professionals required for each disability category in assembling the initial MET; however, as a child's disability must not be pre-determined, the composition of the MET must be flexible to change over time as needed for conducting specific evaluations, assessments, observations and

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

**9-15-08
05-15-17**

procedures necessary for determining the eligibility and the educational needs of the child.

The MET has the sole responsibility for deciding whether or not to evaluate a child. If the MET determines that the need for an evaluation is substantiated, *Prior Written Notice, Informed Parental Consent, and Procedural Safeguards: Your Family's Special Education Rights* must be given to the parent within seven (7) calendar days of the meeting. In these cases, the MET must obtain informed written consent from the parent before it can proceed with an initial evaluation (i.e., no individual assessments may be conducted prior to obtaining this consent). If the MET determines that the need for an Initial Evaluation is not substantiated at this time, *Prior Written Notice* and *Procedural Safeguards: Your Family's Special Education Rights* must be given to the parent within seven (7) calendar days of the meeting. In these cases, the MET may refer the child to the TST for focused supplemental instruction or intensive interventions using the Three Tier Instructional Model to promote the child's success in the general education curriculum. The *MET Documentation Form*, or a similar form, may be used to document MET meetings and decisions.

It is critical to remember that the Three Tier instructional model adopted by the State Board of Education, which is based on a Response to Intervention (RTI) process, provides a school-wide approach to address the needs of all children in the general education setting. It does not constitute the provision of special education services. Under the provisions of Child Find, it is required to identify, locate, and evaluate all children suspected of having a disability in a timely manner and to ensure that no procedures or practices, including Response to Intervention (RTI) procedures or practices, result in delaying or denying this process. All public agencies including the MDE have an obligation to ensure timely evaluations of children suspected of having a disability whether or not the child has participated in the Three Tier instructional model prior to an evaluation. Therefore, if a child suspected of having a disability is identified through Child Find procedures or a request for evaluation is made by a parent, guardian, representative of a public agency or others acting on behalf of a child, the public agency **may not delay or deny** the evaluation on the basis that the child has not participated in an RTI process.

Consent to Evaluate for Children Who Are Wards of the State

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

9-15-08

05-15-17

Public agencies are not required to obtain *Informed Parental Consent* from a biological or adoptive parent to conduct an evaluation of a child who is a ward of the State and who does not reside with a biological or adoptive parent under the following conditions:

- The public agency cannot locate the biological/adoptive parent despite reasonable efforts; or
- The rights of the biological/adoptive parent have been terminated in accordance with State law; or
- The rights of the biological/adoptive parent to make educational decisions have been subrogated by a judge and the judge has appointed an individual to represent the child (i.e., a surrogate parent).

In these cases, consent to conduct an initial evaluation must be obtained from one of the persons listed below, in the following order:

- A foster parent, unless State law, regulations, or contractual obligations with a State or local entity prohibit a foster parent from acting as a parent;
- A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child;
- An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or
- A surrogate parent who has been appointed.

If a child is a ward of the State, the State cannot be considered the "parent" of the child for educational decision-making purposes. Any public agency service provider or case manager for a child or any family member of that child may not act as the "parent" for the child. Instead, a surrogate parent must be appointed to make educational decisions for the child.

Parent Refusal for Consent to Evaluate

If the parent of a child either does not provide consent for an initial evaluation or fails to respond to a requested consent, the public agency may, but is not required, to pursue the evaluation by using means available per the procedural safeguards, i.e., mediation or due process procedures. However the public agency would not be considered in violation of its obligation for Child Find if it declines to pursue the evaluation under these circumstances.

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD
ISSUE DATE: **9-15-08**
05-15-17

For homeschooled or parentally-placed private or parochial school children, the District cannot pursue the evaluation by using mediation or due process procedures to override the parent refusal to evaluate.

REGULATORY REFERENCE: §§300.111; 300.300; 300.301

Evaluation and Eligibility

Evaluation and Eligibility Determinations

An evaluation is an individualized discovery process to determine if a child meets the eligibility criteria for special education and related services under the Individuals with Disabilities Education Act of 2004 (IDEA) and, if so, what are the child's educational programming needs. Evaluations are conducted by a Multidisciplinary Evaluation Team (MET) consisting of multiple methods including reviewing existing records, interviewing important informants, observing the child in his/her environmental settings, and administering formal and informal assessments and measures. The results of an evaluation are summarized in a psychoeducational report used by the MET to determine eligibility for special education and related services.

The District, State Board-governed schools, State adult and juvenile correctional facilities, and special State agency schools **may** make educational eligibility determinations. University-based programs, the 15 local juvenile detention centers, private school programs, private facilities, and Head Start centers **may not** determine eligibility; rather, they must work with the public agencies responsible for Child Find to determine eligibility for special education and related services. The following sections provide detailed information about procedures used by districts, State Board-governed schools, or special State agency schools regarding: the MET, the evaluation process, the eligibility determination process, and the re-evaluation process.

Multidisciplinary Evaluation Team (MET)

The public agency must assemble a MET to respond to requests for comprehensive evaluations for children identified through Child Find activities, referrals from Part C Early Intervention Programs (First Steps), and requests from parents, teachers, Teacher Support Teams (TST), and other individuals knowledgeable about the child.

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

Each MET is responsible for:

- Determining if the child is in need of a comprehensive evaluation;
- Designing the comprehensive evaluation; and
- Determining if the child meets eligibility criteria for special education and related services.

MET Membership

The MET must include input from parents and collect, analyze, and interpret information to make an informed decision about the eligibility of a child for special education and related services. Depending upon the requirements of the specific evaluation and the nature of the child's suspected disability, many different people may be members of the MET. The MET must consist of the parents or guardians designated to make educational decisions for the child (unless they choose not to participate), qualified professionals from the list below who can administer individual diagnostic assessments and interpret the results, a general education teacher and/or care providers with direct knowledge of the child. It is recommended a MET Chairperson who can allocate school resources for the evaluation and resolve disagreements in eligibility determination decisions be included as needed.

Qualified professionals who are a part of the MET may include:

- **Regular Education Teachers** who have knowledge of the child, general curriculum, and Tiered Intervention supports;
- **Special Education Teachers** who have knowledge of disabilities and educational programming needs and who can conduct educational assessments;
- **Speech-Language Pathologists** who have knowledge of typical and atypical language and speech development and impairments and who can conduct speech, language, fluency, and/or voice assessments;
- **Speech Therapists** who have knowledge of typical and atypical speech development and impairments and who can conduct speech assessments;
- **School Psychologists** who have knowledge of typical and atypical development, education, interventions, and disabilities and who can conduct cognitive, academic, adaptive, social-emotional, and behavioral assessments, interviews, and observations;
- **Psychometrists** who have knowledge of human development and the administration of formal assessments and, depending upon their specialized training, who can conduct cognitive, academic, adaptive, social-emotional, and behavioral assessments, interviews, and observations;

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

- **School Health Nurses** who have knowledge of physical development, health, and impairments and who can conduct health screenings and orofacial examinations;
- **School Counselors** who have knowledge of typical and atypical social-emotional and occupational development and, depending upon their specialized training, who can conduct child and family interviews, educational/occupational assessments, and child observations;
- **School Social Workers** who have knowledge of typical and atypical social functioning and family systems and who can conduct child and family interviews, adaptive assessments and environmental observations; or
- **Representatives of other agencies and/or additional examiners** as needed, such as Audiologists, Physical Therapists, Physicians/Nurse Practitioners, Psychiatrists, Occupational Therapists, Ophthalmologist/Optometrists, or Rehabilitation Specialists.
- **Behavior Specialists** who has knowledge of and provides specialized behavioral assessments and treatment interventions.

In the case of a preschool child who is not enrolled in a district preschool education program, a teacher qualified to teach children of that age or the child's current direct care providers (e.g., Head Start teachers or private preschool providers), if applicable, should be invited to participate as a member of the MET.

MET membership must be configured based on the specific concerns of the referral. MET membership may change based on needs or concerns identified during the evaluation process. The *MET Documentation Form* or a similar form, may be used to document any MET meetings or decisions.

Determining the Need for an Initial Evaluation

When a parent, public agency representative, TST member, or other individual knowledgeable about the child makes a verbal or written request for an evaluation of a child, the public agency will assemble a MET to consider the request and determine the need for conducting a comprehensive evaluation. The public agency should have procedures for documenting verbal requests, as well as the process for handling any requests when school is not in session. **The public agency must ensure that requests for evaluations and responses to those requests are not limited by the number per year or the time of year the requests are received.**

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD
ISSUE DATE: **9-15-08**
05-15-17

The MET must meet within fourteen (14) days of receiving the request to consider the request and review any pertinent documentation and existing data. The public agency must invite the parent and others knowledgeable of the child to participate in the meeting. The MET may use the *Meeting Invitation*, or a similar form, to invite the parent to participate in the meeting. Parental consent is not required for the review of existing data (e.g., existing teacher or related service provider observations, ongoing classroom assessments, criterion-referenced tests that are used to determine child progress, administration of tests or other assessments that are administered to all children, or screening by teachers or specialists to determine appropriate instructional strategies for curriculum implementation) to determine the need for a comprehensive evaluation.

Based on this review, the MET will either determine:

- There is sufficient evidence to suspect that the child may have a disability; or
- There is insufficient evidence to suspect that the child may have a disability.

The standard of “suspecting a child may have a disability” is an intentionally low threshold to ensure that all children who may—but not necessarily will—qualify for special education services are provided a comprehensive evaluation. The intention is to prevent under-identification, as well as over-identification, of children with disabilities who need special education and related services. The MET should not attempt to pre-determine whether or not a child will be eligible for special education before conducting a comprehensive evaluation.

If the MET determines there is sufficient evidence to suspect that the child may have a disability and may be in need of special education services, the MET must:

- Give the *Prior Written Notice*, or a similar form, to the parent seven (7) calendar days prior to the meeting to inform the parent the District is requesting an initial evaluation; and
- Give the *Informed Parental Consent*, or a similar form, to inform the parent of the evaluation process and to secure written consent for the initial evaluation; and
- Give a copy of *Procedural Safeguards: Your Family Special Education Rights* to the parent.

If the MET determines there is insufficient evidence to suspect that the child may have a disability, the MET must:

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

**9-15-08
05-15-17**

- Give the *Prior Written Notice*, or a similar form, to the parent within seven. (7) calendar days prior to the meeting to inform the parent that the District is declining the request for an initial evaluation and the reasons for the decision; and
- Give a copy of *Procedural Safeguards: Your Family's Special Education Rights* to the parent with an explanation of the due process procedures that the parent may use to dispute the MET's decision.

The Jackson County School District will follow all State *Procedural Safeguards* and *Dispute Resolution* on obtaining parental consent for evaluation and due process procedures for resolving disputes.

Infants/toddlers receiving early intervention (First Steps) services who are transitioning from Part C to Part B services are entitled to receive a comprehensive evaluation per the MSDH-MDE Interagency Agreement; therefore, an initial MET meeting is not required. When these children reach twenty-seven (27) months of age, the district of residence will receive written notification from First Steps of children "potentially eligible for Part B services." If the parent invites Part B personnel to participate in the transition meeting, this meeting can cover topics typically addressed in the initial MET meeting, such as informing the parents about Part B services, the evaluation and eligibility process, and, if consent is given, planning the evaluation.

Initial Comprehensive Evaluation

The purpose of an initial comprehensive evaluation is to assess a child's academic, developmental, and functional skills, identifying any specific strengths and deficits to determine:

- If the child meets the criteria for one or more of the disabilities as defined by the Individuals with Disabilities Education Act (IDEA) and State Board Policy 74.19; and
- If the child needs special education and related services; and
- If so, what special education and related services are needed by the child?

During an initial comprehensive evaluation, the MET must assess broad areas of development, achievement, and functioning to identify all areas of concern with special emphasis given to areas related to the initial referral question(s) and to any areas of concern or deficit identified during the evaluation process, whether or not

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

they are included in the original referral or commonly associated with the child's disability. To conduct an appropriate evaluation, the MET must plan and conduct the evaluation process in accordance with Federal regulations and State Board policies and using best practices as dictated by research and professional standards. The MET must then interpret the results of the evaluation in reliable and valid ways to make meaningful decisions for the child.

Planning the Comprehensive Evaluation

To plan an initial comprehensive evaluation, the MET must first determine what existing information is available and relevant for decision-making, including:

- Information and evaluations provided by the parent;
- Classroom-based assessments, interventions and observations provided by the teacher(s);
- Developmental screeners/assessments and/or medical records;
- Hearing and/or vision screeners gathered through mass screening;
- Other educational records, including early intervention, childcare, preschool or Head Start records, if applicable.

Based on this review of existing information, the MET will determine what existing records are current and what, if any, additional academic, functional, and developmental information are needed to determine eligibility and plan for programming.

When planning additional assessment for the evaluation, the MET must consider various approaches and data-collection techniques to be used including the: (a) collecting and reviewing of existing records, samples of the child's work, and other relevant material; (b) conducting of interviews with important informants (e.g., parents and teachers), (c) conducting of observations of the child in his/her environmental settings (e.g., classrooms and playgrounds), and (d) administering of formal and informal norm-referenced and criterion-referenced academic, developmental and functional tests. The MET may use the *Evaluation Plan*, or a similar form, to develop a comprehensive evaluation plan to assess all areas of development using a variety of techniques. The MET must ensure the parent has the opportunity to provide meaningful input and to participate in decision-making as a member of the team. This plan may change during the course of the evaluation based on additional concerns that arise during the process. If so,

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD
ISSUE DATE: **9-15-08**
05-15-17

Informed Parental Consent for any additional assessments not included in the initial consent must be obtained.

All materials and procedures used for assessment and placement should be selected and administered so as not to be racially or culturally discriminatory. This is to ensure that children are not misclassified, misplaced or unnecessarily labeled as having a disability due to the inappropriate selection, administration or interpretation of materials or procedures.

Other considerations in selecting assessment strategies and/or measures for conducting an initial evaluation include best professional research-based practices outlined below:

- The assessment materials and procedures must have been validated for the purposes for which they will be used (i.e., they must have been validated for use in determining eligibility and programming for special education).
- If the child is an English Learner (EL), assessments must be administered in the child's native language, if available and appropriate, and the materials and procedures selected for assessing the child's academic, developmental, and functional skills should not be impacted by the child's lack of English proficiency.
- If the child has a known sensory, motor, and/or language deficit(s), the materials and procedures selected for assessing the child's other academic, developmental, and functional skills should not be impacted by the child's identified deficit(s) except when determining the extent of the child's sensory, motor, and language impairments. For example, if the child has a known expressive language impairment, the child's cognitive abilities should not be assessed using materials and procedures that require the child to respond using language.

Conducting the Comprehensive Evaluation

The MET must conduct an individualized comprehensive evaluation in accordance with IDEA regulations and State Board Policy 74.19 before the provision of any special education services.

General Provisions. To determine whether a child is eligible for special education services, the MET ensures the comprehensive evaluation gathers information that:

- Consistently supports the presence of a disability; and

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

- Indicates the need for special education and related services for the child to participate in the general education curriculum or appropriate activities; and
- Identifies all of the child's educational needs to be addressed in the IEP whether or not those needs are typically linked to the disability category identified.

If data appears to represent inconsistencies but the MET agrees that the preponderance of the data supports the presence of a disability and the need for special education and related services, the inconsistencies must be documented and explained in the evaluation report.

To be eligible for special education and related services, the MET must document an adverse educational impact (i.e., performance in academic, developmental, functional, social, behavioral, and vocational areas) due to the child's disability. To do so, the MET must ensure the determinant factor for the adverse educational impact is not a result of:

- A lack of appropriate instruction in math or reading, including the essential components of reading instruction as defined in the *Elementary and Secondary Education Act* (ESEA), i.e., phonemic awareness, phonics, vocabulary development, reading fluency, including oral reading skills, and reading comprehension strategies;
- Limited proficiency in understanding and/or speaking English; or
- Social or cultural differences of the child.

Timelines. After securing informed written parental consent to conduct an evaluation, the MET has a maximum of sixty (60) calendar days in which to complete the evaluation, except for the following specific situations:

- The parent repeatedly fails or refuses to produce the child for evaluation.
- The child transfers to another public agency after the timeline has begun but before eligibility could be determined.
- The MET is using ongoing progress monitoring data collected to determine the child's Response to Intervention (RtI) as a method for identifying a Specific Learning Disability (SLD), the data do not clearly indicate the presence or absence of a disability at the end of the sixty (60) day time period, and the public agency and the parent mutually agree in writing to extend the time period.

Existing Records. Existing current data may be used as part of the evaluation process to determine the presence of a disability, a need for special education and

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08**
05-15-17

related services, and the educational needs of a child. Data that falls outside of the following time frames are of historical value but are no longer valid for making decisions about eligibility or educational programming:

Definition of Current	Types of Existing Records
No more than one (1) year old at the time the parent signs consent	<ul style="list-style-type: none">• Intelligence measures• Hearing screening and follow-up evaluations• Vision screening and follow-up evaluations• Physical examinations
No more than six (6) months old at the time the parent signs consent	<ul style="list-style-type: none">• Teacher Narrative• Achievement measures• Social, behavioral, adaptive, and emotional measures• Language/speech assessments• Motor assessments• Curriculum-based assessments
No more than three (3) months old at the time the parent signs consent	<ul style="list-style-type: none">• Developmental History• Developmental instruments

Data Collection. Unless otherwise indicated, the MDE does not dictate which assessment methods or instruments to use. It is the responsibility of the MET to determine the appropriate methods and instruments necessary to obtain sufficient information to determine the presence of a disability, a need for special education and related services, and the educational needs of a child. The MET should carefully consider the administration of each assessment instrument and use what is necessary, as under-assessment may result in inconclusive data resulting in the MET's inability to make decisions and over-assessment can lead to fatigue in the child resulting in inconsistent or uninterpretable data.

To complete the evaluation, the MET must gather information about the child using a variety of assessment tools and strategies, which must include, but are not limited to:

- *The Teacher Narrative and/or Developmental History (Ages 3 to 9) or Developmental History (Ages 10 to 21)*

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08**
05-15-17

- Documentation of the child's functioning in the home, classroom and/or in an early childhood setting through interview, observation, assessment, or other means;
- Information contained in the child's cumulative record, including results of Statewide assessments;
- Information about the child's physical condition, including fine and gross motor skills, general physical condition, hearing, vision, and if necessary, orofacial examination;
- Information about the child's social, behavioral, emotional, and adaptive functioning;
- Information about pre-academic and/or academic performance;
- Information about how the child communicates;
- Indicators of cognitive abilities;
- Evaluations and other information provided by the parent;
- Evidence that the child has received appropriate instruction in reading and math (for preschool/kindergarten children, information regarding early education experiences);
- Information about the impact of social and cultural background and limited English proficiency on educational performance;
- For children age fourteen (14) and above, appropriate and ongoing assessment of the student's needs, preferences, and interests related to the demands of current and future working, educational, living, personal and social environments; and
- For re-evaluations, information from IEPs.

When significant emotional and/or behavioral issues have been identified as adversely impacting the educational process, a qualified professional must be a member of the MET when determining eligibility. This applies regardless of the eligibility category being considered for the child.

Medical and Mental Health Diagnoses. Some children may have a medical or mental health diagnosis available in their existing records. In most cases, a diagnosis from a psychologist, psychiatrist, nurse practitioner, physician or other health care professional using criteria from the *Diagnostic and Statistical Manual of Mental Disorders (DSM)* and/or *International Statistical Classification of Diseases and Related Health Problems (ICD-9 or ICD-10 Codes)* is neither required to determine special education eligibility nor is it sufficient, in the absence of other data, to determine eligibility for special education. When diagnostic or prescriptive

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

information from a health care professional or psychologist is available to the public agency, the MET must consider the information when making an eligibility determination for special education. When a diagnosis, evaluation, or statement by qualified professionals is required to determine eligibility under a particular special education disability category, this requirement is listed as part of the eligibility criteria for that disability.

General Evaluation Procedures. The MET should conduct evaluations using the best professional and research-based practices. In addition, the MET must follow these procedures:

- Assessment measures must be administered by qualified personnel as specified in the instructions and guidelines provided by the assessment author or publisher.
- No single assessment measure shall be used as the sole criterion for determining a disability and for determining an appropriate educational program for a child.
- Assessment measures must be administered in the child's native language, or other mode of communication, unless it is clearly not feasible to do so.
- Nonstandard administrations of standardized assessments must be noted with descriptions of the extent to which they vary from standard conditions in the evaluation report. Caution must be used in interpreting these results.
- Descriptions of and data from all assessments, including observations, used as a part of the comprehensive evaluation must be included in the written evaluation report.

Procedures for Special Assessments

Special Assessments for Communication

The MET must consider the communication needs of all children with a disability. If the MET suspects the child has special communication needs, the MET must assess the child's methods of communication, demands, and opportunities for communication using a variety of methods across a variety of settings, and the skills and strategies necessary to meet those communicative demands and take advantage of communicative opportunities across settings. The MET must also assess how appropriately and effectively the child can communicate and what types and amount of support, if any, the child may need to communicate using a variety of methods across a variety of settings.

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

Special Assessments for Assistive Technology

An *assistive technology device* is any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device.

An *assistive technology service* is any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- The evaluation of the assistive technology needs of the child, including a functional evaluation of the child in his/her customary environment;
- Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by the child;
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- Coordinating and using other therapies, interventions, or services with assistive technology devices such as those associated with existing education or rehabilitation plans and programs;
- Training and/or technical assistance for the child or his/her family, if appropriate; and
- Training and/or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are substantially involved in the major life functions of the child.

The MET must consider the assistive technology needs of all children with a disability. If the MET suspects the child has a disability due to sensory or motor deficits, including a Hearing Impairment (HI), Deaf-Blind (DB), Visually Impaired (VI), Orthopedic Impairment (OI), Other Health Impairment (OHI), or Traumatic Brain Injury (TBI), or has a disability which may indicate a need for an alternate means of communication, including Autism (AU), Language/Speech Impairment (L/S), Intellectual Disability (ID), or other disability impacting communication, the MET must assess the child's need for an assistive technology device or service to support mobility, communication, or other adaptive functioning in the child's environment. In addition to areas of assessment described under *Special Assessments for Communication*, *Special Assessments for Children who are Blind or Visually Impaired*, and *Special Assessments for Children who are Deaf or Hearing*

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

Impaired, the MET must assess the child's methods of locomotion, the physical demands on the child across a variety of settings, and how appropriately and effectively the child can navigate around and engage with equipment and materials in his/her environment. The MET must also assess the skills and strategies the child needs to meet the physical demands across a variety of settings, and what types and amount of support and in which settings and/or situations the child needs support, if any, to increase, maintain, or improve his/her functional capabilities.

Special Assessments for Children who are Blind or Visually Impaired

If the MET suspects the child may be Visually Impaired (VI) or Deaf-Blind (DB), the child must have her/his vision evaluated by a qualified examiner, including, if appropriate, a functional vision assessment and clinical low vision assessment to determine (a) how the child uses vision in various activities in the natural environment and (b) any recommendations for devices, tools, and/or strategies to enhance vision. The MET must also determine the child's (c) appropriate reading and writing media, including print, Braille, or both, and (d) any current or future need for instruction in Braille or the use of Braille or other reading and writing medium.

Special Assessments for Children who are Deaf or Hearing Impaired

If the MET suspects the child may have a Hearing Impairment (HI) or be Deaf-Blind (DB), the child must have his/her hearing evaluated by a qualified examiner and receive an assessment to determine his/her (a) language and communication mode, including oral and manual methods, and opportunities of direct communications with peers and professional personnel in the child's language and communication mode, (b) need for any devices, tools, and/or strategies to facilitate communication such as an amplification system, (c) any current or future need for instruction in communication modes including the need for speech, language, and auditory training and/or instruction in sign language, and (d) need for additional accommodations such as favorable setting or captioning, services and supports such as interpretive and/or note-taking assistance, or modifications such as changes to classroom acoustics.

Special Assessments for Behavior

If the MET suspects the child has significant behavioral concerns that impede his/her learning or the learning of others and requires an individualized Behavior Intervention Plan (BIP), a qualified examiner should conduct a Functional Behavioral Assessment (FBA) as a part of the comprehensive evaluation. An FBA is

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

an assessment process that involves collecting data from a variety of sources, including interviews and direct observations, to develop descriptions of the child's behavior in a variety of settings and conditions and to determine the function or purpose of the child's behavior. An FBA must include the following components:

- A clear description(s) of problematic behavior;
- Identification of the antecedent events, times, and situations that predict when the problematic behavior will and will not occur;
- Identification of the consequences of the problematic behavior; and
- Hypothesis and summary statements that describe the problem behavior and its functions.

If the child has previously had an FBA and BIP, the MET must review the FBA and BIP to ensure they are currently applicable and effective. If the child's behavior(s) and the function(s) of the behavior(s) have not changed, the MET may determine the existing FBA is sufficient. If either the behavior(s) or the function(s) has appeared to change, the MET should update the FBA. In addition, if a review of the progress monitoring data collected to evaluate the BIP indicates the BIP is currently effective, the MET may determine the existing BIP is sufficient. If a review of the progress monitoring data indicates the current BIP is ineffective, the MET may determine the FBA must be updated to determine how to modify the BIP and/or may conduct additional assessments to determine the need for additional services, accommodations, modifications, and support(s) for personnel.

Special Assessments for Children with Limited English Proficiency

If the child is an English Learner (EL), the MET must determine the dominant language(s) used in the child's home, the child's primary language of communication at home and in school, the cultural values and beliefs of the parents about education and language acquisition, and the child's level of acculturation. The MET must also assess the child's language needs, including the language demands and opportunities for skill development across various settings and/or situations and the types and amount of supports necessary to meet those demands and take advantage of those opportunities, to ensure that the child will be able to communicate and learn appropriately and effectively.

Special Assessments for Vocational, Occupational, and Secondary Transition Needs

State Board Policy 74.19 requires each child ages fourteen (14) years or older, or earlier if determined appropriate by the MET or IEP Committee, to have measurable

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

postsecondary goals related to education, employment, and, where appropriate, independent living skills as part of the child's secondary transition plan. As these postsecondary goals must be based upon assessments, the MET must assess a child with a secondary transition plan using formal and informal age-appropriate assessments of the child's needs, preferences, and interests in current and future employment, educational or training programs that support employment, and living in personal and social environments.

Procedures for Assessing Specific Areas of Development

An evaluation is an individualized discovery process. A comprehensive evaluation requires the examination of all areas of development using a variety of assessment methods and instruments including the assessment of the child's:

- Physical functioning and development, including general physical condition, hearing and vision, orofacial examination (if necessary), and gross/fine motor development and skills;
- Communication skills and development;
- Adaptive skills and development;
- Social/Emotional/Behavioral skills and development; and
- Academic/Cognitive skills and development, including visual and auditory perception, achievement, and cognitive abilities.

During the comprehensive evaluation, special emphasis should be given to areas related to the initial referral question(s) and to any areas of concern or deficit identified during the evaluation process; however, the MET must not attempt to predetermine the disability category or limit assessments to those used to substantiate eligibility for one specific disability category. The types of assessment approaches used and the order in which assessments are conducted should be determined by best professional practices. In general, direct assessments of a child should occur in the following order: (1) physical assessments, including sensory assessments of hearing and vision; (2) communication assessments to determine how the child receives and conveys information; and (3) all remaining adaptive, behavioral, social-emotional, academic, and cognitive assessments. Sensory and communication assessments must be conducted before academic and cognitive assessments as the child's sensory and communication abilities should be considered in the selection of appropriate academic and cognitive measures. The review and comparison of evaluations may result in members of the MET identifying discrepancies in sensory and communication abilities. In those instances, it is

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD
ISSUE DATE: **9-15-08**
05-15-17

acceptable to revisit and if necessary, administer additional evaluations to explain/further explore these noted discrepancies. In these cases, a statement **must** be included to explain why evaluations were conducted or further explored out of the sequence noted above in this section.

Physical Assessments

As part of the comprehensive evaluation, the MET must assess the child's general physical condition, sensory abilities (i.e., hearing and vision), and fine and gross motor skills and development to determine the presence or absence of any concerns. Physical assessments examine the child's general health, strength, vitality, alertness, and sensory processing needed to function in a learning environment and perceptual motor function, object control, locomotor skills, and physical fitness needed to navigate a variety of school and community environments and to use equipment and materials effectively. The MET must also determine if there are any physical or sensory issues that will impact the selection or administration of assessments for other areas of development.

General Physical Condition. Existing medical records of physical examinations conducted by a licensed physician or nurse practitioner may be available. If any are provided by the parent, the MET must consider them; however, only current medical records or reports may be considered valid for making decisions about eligibility or educational programming.

If a child is suspected of having a disability affecting the child's general physical condition, a qualified examiner, such as a licensed physician or nurse practitioner, must conduct a physical examination and submit a report that contains the information necessary to determine the child's disability in accordance with the procedures outlined for each specific disability. The *Report of Physical Observation*, or similar report or statement completed by a physician or nurse practitioner, may be used as documentation.

Examinations are necessary for determining eligibility for a Developmental Delay (DD) - Diagnosed Disorder, Language/Speech Impairment – Voice (LS - Voice), Orthopedic Impairment (OI), Other Health Impairment (OHI)*, Traumatic Brain Injury (TBI), or other disability that may be primarily the result of a congenital physical problem, an acquired physical disability, or a diagnosed disorder of known etiology.

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD
ISSUE DATE: **9-15-08**
05-15-17

A physician's report is not required to determine the presence of ADHD for eligibility under OHI unless the MET determines an examination is necessary.

Hearing and Vision. A hearing and vision screening and, if necessary, follow-up examinations must be conducted in accordance with state *Hearing and Vision Guidelines*. The results must be documented on the *Hearing and Vision Screening Report* or on a similar form that contains all the required components. If the child fails the school-based hearing screenings, an audiologist holding MDE licensure, State Board licensure, or American Speech and Hearing Association (ASHA) CCC audiological certification or a physician with expertise in conducting audiological evaluations with appropriate audiological equipment must conduct a follow-up examination. If the child fails the school-based vision screenings, a licensed ophthalmologist or optometrist must conduct a follow-up examination. The assessment must be discontinued until the follow-up results are obtained. Existing hearing and vision screenings or examination reports conducted by a qualified examiner provided by the parent may be used if they provide the required information and are current. Additional information about hearing and vision screenings and examinations is included in the *Handbook for Speech-Language Pathologists in Mississippi Schools*.

If the MET suspects the child may have a Hearing Impairment (HI) or be Deaf-Blind (DB), the child must have his/her hearing evaluated by a qualified examiner and receive an assessment to determine his/her language and communication needs, including the need for instruction in alternative modes of communication. If the MET suspects the child may be Visually Impaired (VI) or Deaf-Blind (DB), the child must have her/his vision evaluated by a qualified examiner and receive an assessment to determine appropriate reading and writing media, including the current or future need for instruction in Braille or the use of Braille.

Orofacial Examination. If the MET suspects the child may have an articulation Language/ Speech Impairment, the child must have an orofacial examination conducted by a qualified examiner to determine if the orofacial mechanism is functioning appropriately. The examination must evaluate the following structures: facial symmetry, dentition, hard and soft palate, uvula, fauces, pharynx and tongue. Additional information about orofacial examinations is included in the *Handbook for Speech-Language Pathologists in Mississippi Schools*.

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

If the MET determines a follow-up medical examination is necessary, a licensed physician or dentist must conduct an examination to determine the cause of the child's impairment and to provide a statement of adverse educational impact and recommendations, if any. The MET may use an existing medical report from a licensed physician or dentist provided by the parent in lieu of obtaining a new orofacial examination if the report includes the required information about the functioning of the orofacial mechanism and is considered current data according to procedures for *Existing Records*.

Gross and Fine Motor. The MET must assess the child's gross and fine motor skills and development as part of the comprehensive evaluation. Assessment methods include conducting record reviews, observations, interviews, and/or criterion-referenced and norm-referenced assessments, as needed.

If the MET suspects the child has a disability that may impact the child's gross and fine motor skills or development, a qualified examiner, such as a licensed physician, Occupational Therapist, or Physical Therapist, should be added as a member of the MET (if not included). The examiner should conduct observations, interviews, and/or criterion-/norm-referenced assessments, as necessary, to determine the presence of any deficits in motor skills and development and, if so, the child's special educational needs. These assessments should examine the child's learning environments to determine her/his ability to be mobile and engage with equipment and materials and the child's physical ability to engage in self-care including feeding and hygiene, to use gross motor skills and visual-gross motor coordination functionally, and to use fine motor skills and visual-fine motor coordination functionally, as needed.

Communication Assessments

As part of the comprehensive evaluation, the MET must assess the child's speech and language skills and development and the child's communication needs to determine the presence or absence of any concerns. Communication assessments examine the child's ability to produce fluid and intelligible speech, to understand language, to use language to express thoughts, feelings, and needs, and to understand and use language in social and practical exchanges with other people. The MET must also determine if there are any communication issues that will impact the selection or administration of assessments for other areas of development.

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

Speech and Language. The MET must assess the child's speech and language skills and development as part of the comprehensive evaluation. Assessment methods include conducting record reviews, observations, interviews, and/or criterion-referenced and norm-referenced assessments, as needed.

If the MET suspects the child has a disability that may impact the child's articulation, a qualified examiner, such as a Speech-Language Therapist (216) or Speech-Language Pathologist (215), should be added as a member of the MET (if not included). The examiner should conduct observations, interviews, and/or criterion-/norm-referenced assessments, as necessary, to determine the presence of any deficits in speech skills and development and, if so, the child's special educational needs. If the MET suspects the child has a disability that may impact the child's voice or fluency of speech or language skills or development, a qualified examiner, such as a Speech-Language Pathologist (215), should be added as a member of the MET (if not included). The examiner should conduct observations, interviews, and/or criterion-/norm-referenced assessments, as necessary, to determine the presence of any deficits in speech and language skills and development and, if so, the child's special educational needs. The areas that must be assessed and the types of instruments that may be used for evaluations are listed in the *Handbook for Speech-Language Pathologists in Mississippi Schools*.

Other Communication Needs. If the MET suspects the child has a disability affecting her/his communication abilities including a Hearing Impairment (HI), Autism (AU), Traumatic Brain Injury (TBI), Specific Learning Disability (SLD) in oral expression or listening comprehension, or Developmental Delay (DD) with a delay in communication, a qualified examiner should be added as a member of the MET (if not already included). The examiner must conduct observations, interviews, and/or criterion-/norm-referenced assessments, as necessary, to determine the presence of any deficits in communication skills and development and, if so, the child's special educational needs including, if appropriate, the need of an alternate means of communication or assistive augmentative communication device, such as a speech generating device, communication board, or picture exchange communication system (PECS).

Adaptive Assessments

As part of the comprehensive evaluation, the MET must assess the child's adaptive skills and behavior to determine the presence or absence of any concerns. Adaptive assessments examine the child's practical, everyday skills needed to function in and

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

**9-15-08
05-15-17**

meet the demands of his/her environment, including the skills s/he needs to take care of himself/herself independently and to interact with other people.

If the MET suspects the child has a disability that may impact the child's adaptive functioning including an Intellectual Disability (ID), a qualified examiner must assess the child's adaptive skills and behaviors using observations, interviews, and criterion-referenced and/or norm-referenced assessments to determine the presence of any deficits in adaptive functioning and, if so, the child's special educational needs.

Social, Emotional, and Behavioral Assessments

As part of the comprehensive evaluation, the MET must assess the child's social and emotional skills and development and behavior management to determine the presence or absence of any concerns. Social and emotional assessments examine the child's ability to recognize and regulate his/her emotions to function in and meet the demands of his/her environment and the ability to develop and maintain social relationships with adults and peers. Behavioral assessments examine the child's behaviors and ability to recognize and regulate her/his behavior to function in the learning environment including the ability to engage in responsible decision-making.

If the MET suspects the child may have a disability that may impact the child's social or emotional skills or development, including Autism (AU), Traumatic Brain Injury (TBI), or Developmental Delay (DD) with a delay in social-emotional development, a qualified examiner, such as a School Psychologist, Board-Licensed Psychologist, Psychiatrist, or psychometrist (with specific training in the areas assessed) should be added as a member of the MET (if not already included). For a student with Emotional Disability (EmD), a School Psychologist, Board-Licensed Psychologist, or Psychiatrist must be a part of the MET. The examiner must determine the presence of any deficits in social or emotional skills and development and the child's special educational needs, if any, using observations in important settings, particularly those in which the child may be experiencing social and/or emotional difficulties, interviews with the parents, teachers, other important caregivers, and child, if appropriate, criterion-referenced and/or norm-referenced assessments including rating scales as necessary and appropriate. To determine eligibility determination for EmD, a School Psychologist, Board-Licensed Psychologist, or Psychiatrist must review all of the assessment data and make a statement supporting the MET's conclusion that the child has an Emotional

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

Disability. Any existing records of medical or psychological evaluations conducted by a qualified examiner provided by the parent must be considered by the MET; if these records contain data considered current according to procedures for *Existing Records*, they may be used by the MET for making decisions about eligibility or educational programming.

If the MET suspects the child has any behavioral concerns that impede his/her learning or the learning of others, a qualified examiner must assess the child's behavioral skills to determine the presence of any deficits in behavioral regulation and, if so, the child's special educational needs using observations, interviews, and criterion-referenced and/or norm-referenced assessments. If the MET suspects the child requires an individualized Behavior Intervention Plan (BIP) to address any significant behavioral concerns, a qualified examiner should conduct a Functional Behavioral Assessment (FBA) as a part of the comprehensive evaluation. The FBA must be completed within the 60 day timeline.

Cognitive, Academic, and Educational Assessments

As part of the comprehensive evaluation, the MET must assess the child's academic, educational, and cognitive skills and development to determine the presence or absence of any concerns. Academic and educational assessments examine the child's ability to learn, recall, and use information and skills that have been taught through formal instruction such as language, reading, writing, mathematics, and other content subjects such as science and social studies. Cognitive assessments examine the child's ability to perceive, recognize, recall, and use information to think, reason, and problem-solve using verbal and nonverbal contexts.

If the MET suspects the child has a disability that may impact the child's academic, educational, and cognitive skills and development, including a Specific Learning Disability (SLD) or Intellectual Disability (ID), a qualified examiner such as a Psychometrist or School Psychologist should be added as a member of the MET (if not already included). The examiner must assess the child's academic performance, general cognitive functioning, and the learning environment, as needed, using observations of the child and his/her learning environment, interviews with the parents, teachers, other important caregivers, and child, if appropriate, and criterion-referenced and/or norm-referenced assessments to determine the presence of any deficits in academic, educational, and cognitive skills and development and, if so, the child's special educational needs. Additional interviews and observations must be conducted to assess the learning environment, such as

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

teacher instructional strategies, curriculum demands, and environmental influences, to determine their impact on the child's academic performance. For preschool children, the examiner must determine the child's developmental or pre-academic readiness skills using observations, interviews, norm- and/or criterion-referenced developmental measures.

Although cognitive functioning must be considered as part of the comprehensive evaluation, an assessment of intelligence using a standardized measure is not required unless specified in the eligibility criteria (e.g., Intellectual Disability (ID)). If required, a qualified examiner such as a Psychometrist or School Psychologist must assess the child using a standardized norm-referenced measure of cognitive abilities selected and administered with consideration given to the child's sensory and communication abilities.

If the MET suspects the child has a neurological impairment that impacts the child's cognitive skills and/or development, a qualified examiner with specialized training and experience must assess the child's perception and processing skills (e.g., auditory/visual perception and language processing) using criterion- and/or norm-referenced measures of these skills.

Interpreting the Evaluation

To interpret the assessment data, the MET should consider information obtained from a variety of sources, including formal and informal assessments, parent input, teacher recommendations, medical and psychological reports, and observations of physical status, adaptive behavior, and social/emotional/behavioral skills, and considerations of social, cultural, linguistic, and economic background. The MET must ensure that all of the information obtained from these sources is documented and carefully considered in the decisions made for children.

Based on the review of information, the MET members must ensure the collected data are sufficient to determine the child's present level(s) of academic achievement and functional performance and the child's educational needs. The MET must also consider and explain any inconsistencies found in the data (e.g., different scores on rating scales administered with different informants). If these inconsistencies cannot be reasonably explained, additional assessment may be warranted for clarity. Inconsistencies and their resolution must also be explained in the evaluation report(s).

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

9-15-08

05-15-17

Furthermore, consideration should be given to the child's culture, environment, and socio-economic status when interpreting the information gathered since differences can affect children's learning in important ways.

First, culture provides the context for making sense of the world in which all new learning occurs and can affect the child's general level of comfort about his/her place in the school environment. The child's and the parents' levels of acculturation can be determined using acculturation measures collected through structured interviews with family members to gather information regarding cultural differences and adjustment to the new culture.

The MET must consider the impact of cultural differences in situations that include, but are not limited to:

- If the child's cultural background is different from the dominant/primary culture of the school, community, and/or larger society;
- If the child is a member of a minority group (i.e., cultural, linguistic, racial/ethnic, religious, or other);
- If the child (and/or the child's family) has recently emigrated to the United States;
- If the child has had limited experiences in academic culture; or
- If the child has had limited involvement in organizations and activities of any culture.

Second, the environmental and socioeconomic differences of families impact life experiences and exposure to language and enrichment activities. Families play a large role in their child's education by developing an awareness of importance of school and creating home conditions that impact school learning and the development of appropriate behavior. These environmental and socioeconomic differences also can affect the child's general level of comfort about his/her place in the school environment. The child's and the parents' experiences and expectations as well as the impact of environmental and socioeconomic differences can be determined through structured interviews with family members and developmental histories which gather information regarding opportunities to learn and other necessary information.

The MET must consider the impact of environmental or socioeconomic differences in situations that include, but are not limited to:

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

9-15-08

05-15-17

- Irregular attendance (i.e., absences of at least 25% of the time in a grading period or for extended periods at a time);
- High mobility (i.e., two or more moves in a single school year) that impact the exposure to curriculum and prevent adequate mastery of skills;
- Individual family histories that may impact school performance (e.g., divorce, death, imprisonment, unemployment, traumatic events, etc.);
- Family income at or below subsistence level with or without public assistance; or
- Family resides in a disadvantaged neighborhood/area that may experience concentrated poverty, violence, and/or a significant lack of resources.

If most of the children from a cultural, environmental, and/or socioeconomic group are struggling in a similar way as the child being evaluated, then these factors may, but do not necessarily, explain these difficulties. However, if the child being evaluated is receiving the same instruction in a similar learning environment but not achieving in similar ways as his/her cultural, environmental, and/or socioeconomic peers, then these factors would not appear to be the determinant for his/her learning difficulties.

Evaluation Reports

At the conclusion of the evaluation, the MET must document their findings in an evaluation report(s). The MET has the discretion to compile all evaluation information into a single comprehensive report or to allow evaluation team members to submit individual reports. The evaluation report(s) summarizes the child's current status in all relevant developmental areas, functional levels, and (pre-) academic performance. A description of areas of strengths, weaknesses, and significant deficit(s), if any, should be included in the evaluation summary.

A copy of all evaluation report(s) must be provided to the parent at least seven (7) calendar days prior to the meeting to determine eligibility unless the parent has waived this right in writing in advance of the meeting.

The evaluation report must not include any statements regarding the determination of eligibility or disability category. This is a MET decision made as a team at the eligibility determination meeting. Any written conclusions or recommendations from professionals based on evaluation results should be presented at this meeting.

Comprehensive Report

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

If the MET is using a comprehensive report, all of the information gathered from existing records and the formal and informal assessments for the evaluation must be integrated and interpreted in the report. This report must be submitted to the MET Chair.

The comprehensive report must include a summary of the following from all examiners:

- Dates of assessments;
- Name, title, and qualifications of examiners, informants, and/or observers;
- Testing conditions and behaviors noted during testing and observations;
- Results and interpretations of assessments;
- Explanations of any deviations from standardized testing procedures; and
- Justifications of use of instruments that are not age-appropriate.

The comprehensive report must also include the signatures of the examiners and individuals involved in writing the report and the date the report was completed. This date serves as the date that the evaluation is completed; therefore, it must be within sixty (60) calendar days of parental consent for the comprehensive evaluation.

Individual Reports

If the MET is using individual reports, information gathered from existing records and formal and informal assessments by each examiner must be described and interpreted in his/her report. Each report must be submitted to the MET Chair.

NOTE: The MET will integrate the information from individual reports at the eligibility determination meeting.

Each individual report must include a summary of the following:

- Date(s) of assessments;
- Name, title, and qualifications of examiner(s), informants, and/or observers;
- Testing conditions and behaviors noted during testing and observations;
- Results and interpretations of assessments;
- Explanations of any deviations from standardized testing procedures; and
- Justifications of use of instruments that are not age-appropriate.

Each individual report must also include the signature of the examiner and any individual involved in writing the report and the date the report was completed. The

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD
ISSUE DATE: **9-15-08**
05-15-17

date of the last report submitted serves as the date that the evaluation is completed; therefore, it must be within sixty (60) calendar days of parental consent for the comprehensive evaluation.

Eligibility Determination

Eligibility Determination Meeting

The MET, which includes the parent, must meet within fourteen (14) calendar days of the completion of the evaluation to determine if the child is eligible for special education services. The parent must be invited in writing to attend the eligibility determination meeting. The public agency may use the *Meeting Invitation* or a similar form that contains all of the required components.

The parent must also be provided a copy of the evaluation report(s) at least seven (7) calendar days prior to the eligibility determination meeting unless the parent waives this right in writing. For example, if the eligibility determination meeting is scheduled fourteen (14) calendar days after the completion of the evaluation, the MET has up to seven (7) calendar days to provide the parent the evaluation report(s). If the eligibility determination meeting is scheduled ten (10) calendar days after the completion of the evaluation, the MET has up to three (3) calendar days to provide the parent the evaluation report(s). If the parents waive their right to a copy of the evaluation report before the meeting, a copy should be provided at the eligibility determination meeting. In these cases, the eligibility determination meeting may be held in fewer than seven (7) calendar days after the evaluation is completed.

The MET **cannot pre-determine** a child's disability before the eligibility determination meeting. However, as specialized personnel are required to determine eligibility for some disability categories, the MET must ensure that any required examiners must be available to participate in the decision-making process. MET members may participate in person, by submitting a written statement, or by other technological means such as by phone. Assessment information may need to be explained to the parent at the beginning of the meeting to allow the parent to participate in the determination of the presence of a disability; therefore, one (1) or more members of the MET must be available at the eligibility determination meeting who can explain the evaluation data and report(s) to the parents.

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08**
05-15-17

In the event that the parent cannot participate in the eligibility determination meeting despite good faith efforts to accommodate the parent's schedule, the public agency must hold the meeting within the deadline to prevent a delay in determining the eligibility of the child. However, the public agency must provide the parent a copy of the *Eligibility Determination Report*, or other documentation of the MET's determination of eligibility or ineligibility, and, if eligible, a *Prior Written Notice* of the public agency's intention to develop and implement an Individualized Education Program (IEP) for the child. In addition, the parent retains the right to disagree with the MET decision and may request an Independent Educational Evaluation (IEE) at public expense.

Eligibility Determination Report

During the eligibility determination meeting, the MET, which consists of the parent, the child (if appropriate), a qualified examiner, and a regular education teacher with knowledge of the child, the general curriculum, and Tiered Intervention supports, must review the evaluation report(s) to create an eligibility determination report to document the decision of the MET about the determination of eligibility for the child and, if eligible, the child's disability category. A MET Chairperson (e.g., the individual who has the ability to allocate school resources **for the evaluation** and resolve disagreements in eligibility determination decisions or a designee) should also be in attendance. The MET may use the *Eligibility Determination Checklists* or other methods of documentation to identify the basis for the MET's decision (i.e., data supporting the presence or absence of one or more disability categories). The MET may then document the agreement or disagreement of each team member on the *Eligibility Determination Report* or a similar form that contains all the required information. All individuals who participate in the eligibility determination meeting must sign the eligibility determination report, and the report must be dated. Note: Signature stamps cannot be used on any evaluation or eligibility form. A copy of the eligibility determination report, along with checklists, documentation of supporting evidence, and/or dissenting statements, if any, must be kept in the child's file and also provided to the parents.

Determination of Eligibility. The MET may use the *Eligibility Determination Report* to document the team's decision as follows:

- **Data do not support eligibility.** If it is determined that the data do not support the presence of a disability or the need for special education and related services, the MET must record that the child is ineligible and consider other

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

methods of assisting the child in the general education setting. The public agency must ensure the parents receive a copy of the evaluation report(s), if not provided before the meeting, and the *Eligibility Determination Report*, or similar form, documenting the MET's determination of ineligibility.

- **Data support eligibility.** If it is determined that the data do support the presence of a disability and the need for special education and related services, the MET must record that the child is eligible and designate the disability category for which eligibility was established. The public agency must ensure the parents receive a copy of the evaluation report(s), if not provided before the meeting, the *Eligibility Determination Report*, or similar form, documenting the MET's determination of eligibility, and a *Prior Written Notice* of the public agency's intention to develop and implement an Individualized Education Program (IEP) for the child. Receipt of the Prior Written Notice must be verified and documented.

Parents have the right to disagree with the MET decision. If a parent disagrees with the MET decision on eligibility status or disability category, the parent must indicate his/her disagreement on the *Eligibility Determination Report* and submit a written statement of his/her conclusions to the MET Chair. In addition, the parents have the right to request an Independent Educational Evaluation (IEE) at public expense.

If the members of the MET fail to reach a consensus in determining eligibility and/or the disability category, the MET Chairperson (e.g., the individual who has the ability to allocate school resources **for the evaluation** and resolve disagreements in eligibility determination decisions or a designee) must make a decision. If any member of the MET disagrees with this decision, he/she must indicate his/her disagreement of the Eligibility Determination Report and submit a written statement of his/her conclusions to the MET Chair.

Eligibility Category. There are twelve (12) categorical disabilities and one (1) noncategorical designation (i.e., Developmentally Delayed) under Mississippi policies. The MET may use the *Eligibility Determination Checklists* or other forms to document the supporting evidence for required, optional, alternate, and/or additional criteria, as applicable, for each of the specific disabilities considered. For each criterion listed for each disability category, the MET should record the data source(s) used as the basis for determining if the child meets or fails to meet the criterion. For example, when determining whether a child meets or fails to meet the

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

**9-15-08
05-15-17**

eligibility criteria for the disability category of Autism, results from a standardized communication measure, a parent version of a rating scales measure, and an unstructured observation may support or fail to support the presence of the “significant delays in verbal and nonverbal communication” criterion while parent reports on a developmental history and medical records may support or fail to support the “delays before the age of 3” criterion. Required and recommended supporting evidence for each disability category can be found in *Disability Categories*.

Individualized Education Program (IEP)

If the MET determines that a child is eligible for special education and related services, the public agency will form an IEP Committee, composed of an agency representative, the child’s educators, the parent, and, if appropriate, the child. The IEP Committee must meet to develop an IEP to provide the child with special education and related services, supplemental aids and services, program modifications and accommodations, and support for school personnel that ensure that the child receives a Free Appropriate Public Education (FAPE) in the child’s Least Restrictive Environment (LRE). The child’s IEP must be developed within thirty (30) calendar days of the date the child is determined to be eligible for special education by the MET. The MET, which includes the parent, may choose to develop the child’s IEP during a meeting held immediately following the eligibility determination meeting or during a separate meeting to be held within thirty (30) calendar days of the eligibility determination meeting. The IEP is developed jointly with the parents to ensure their input in goal development and service provision. Once developed, the IEP must be implemented immediately.

The child’s MET and IEP Committee may have largely the same or very different membership depending upon the needs determined for the child. Some roles are the same including the child’s general education teacher, the special education teacher (although a different special education teacher—namely the child’s new special education teacher—may serve on the IEP Committee), the parent, and an Agency Representative. In some cases, members of the MET may not be appropriate to serve on the IEP Committee (e.g., a Psychometrist who conducts academic/cognitive assessments but does not provide special education or related services, or a Speech-Language Pathologist who assessed the child but found no deficits in communication).

Maintaining Data on Eligibility

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

The district must maintain records for all children who have been evaluated for special education—whether the child was determined to be eligible or ineligible. The MET Chairperson must ensure the following information is forwarded to the Director of Special Education in accordance with any district or agency procedures:

- The child’s name, race, grade/academic placement, and school of attendance;
- The child’s eligibility status and the date of the eligibility determination;
- If eligible, the child’s disability category; and
- Whether the determination was based on an initial assessment or a reevaluation.

Each public agency must develop policies and procedures for recording and maintaining student special education records to ensure compliance with the provisions of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA), including confidentiality, access, and storage provisions.

Reevaluation

Public agencies will ensure that all children with disabilities are reevaluated periodically to determine whether the child continues to have a disability that requires special education and related services. Reevaluations must occur no less than once every three (3) years but may not occur more than once in a twelve (12) month period unless the parent and the public agency agree that a reevaluation is needed. A reevaluation may occur more frequently than once every three (3) years, such as cases where:

- The child’s parent or teacher has requested a reevaluation;
- The child’s educational or related service needs, including improved academic achievement and functional performance, warrant a reevaluation;
- The child’s disability category is no longer appropriate; or
- The child is to be exited from special education services for reasons other than graduation with a regular diploma, reaching the maximum age of eligibility for services, or parent revocation of services.

A reevaluation may consist of (a) a review of existing and ongoing progress monitoring data, with or without a limited collection of new data, or (b) a comprehensive reevaluation. In many cases, the more limited reevaluation is appropriate, such as when the IEP Committee establishes the child’s continuing

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

**9-15-08
05-15-17**

eligibility under the same disability category with changes only to some services and supports. However, when major changes are being considered, a child's parent or teacher has requested a comprehensive reevaluation, or when IEP Committee members disagree on a child's eligibility status or disability category, a comprehensive reevaluation is necessary. When considering a dismissal from any related service (i.e. speech, OT, PT), a reevaluation should be conducted.

The reevaluation process should be informed by records of services provided, ongoing progress monitoring data, and progress reports on measurable annual goals and short-term instructional objectives/benchmarks. These existing data sources should enable most reevaluations to occur within a relatively short period of time. In cases where a comprehensive reevaluation is required, the reevaluation may take more time.

Review of Existing Data for Reevaluation

The child's IEP Committee, of which the parent and other qualified professionals are members, must review existing information, including any evaluation data, on a child including:

- Evaluations and information provided by the parent;
- Current curriculum-based assessments, progress monitoring data, and other ongoing observations;
- Information from existing observations by teachers and related service providers; and/or
- Information contained in the current IEP, including progress reports on goals.

The review of data may be conducted by the IEP Committee with or without a meeting; however, each IEP Committee member, including the parent, must be given the opportunity to review all existing data and information to assist him/her in determining if additional data are necessary to establish continued eligibility and determine appropriate service provision. If the IEP Committee unanimously decides no additional data are necessary to determine (a) the child continues to be a child with a disability and (b) the child's special education or related service needs, the IEP Committee must document this decision in writing.

Determining if Additional Data are Necessary for Reevaluation

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

**9-15-08
05-15-17**

If the IEP Committee as a whole or if any IEP Committee members determine additional data are needed, the IEP Committee, including the parent, must identify the data needed to determine:

- Whether the child continues to have a disability;
- Whether the child continues to need special education and related services;
- The child's present levels of academic achievement and functional performance;
- The child's educational needs; and
- Any additions or modifications to the child's special education and related services necessary for the child to meet the measurable annual goals addressed in the IEP and/or to participate in the general curriculum or developmentally-appropriate activities, as appropriate for the child.

Even in situations where members of the IEP Committee disagree with the parent over the need for conducting additional assessments or conducting a comprehensive reevaluation, the parent has the right to request assessments or a comprehensive reevaluation to determine eligibility under IDEA and their child's current educational needs. The public agency must inform the parent of this right.

Parental Consent for Reevaluation

Parental consent is recommended but not required prior to conducting a reevaluation using existing data. When additional data are needed to substantiate continued eligibility and/or current educational needs, the IEP Committee must provide the parent *Prior Written Notice* of the public agency's intention to conduct a reevaluation and obtain *Informed Parental Consent* prior to conducting any new individual assessments (e.g., interviews, observations, and formal and informal tests). If the parent fails to respond to the request for consent, the public agency may proceed with new individual assessments for reevaluation without written parental consent, if it has made reasonable attempts to obtain consent from the parent. If the parent refuses to consent for additional data collection for reevaluation, the public agency may not conduct new individual assessments for the reevaluation. However, the public agency may continue to collect ongoing progress monitoring data used to determine sufficient progress on annual measurable goals and short-term instructional objectives or benchmarks, and the IEP Committee may use these data to determine if the child continues to be eligible for special education and the child's educational needs. In addition, the public agency may use procedures outlined under procedural safeguards to conduct a reevaluation.

Assessment for Reevaluation

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

The IEP Committee may conduct assessments as part of the reevaluation when they determine the need for additional information to answer any of the following questions:

- What is the child's present level of academic achievement and functional performance?
- What are the child's current educational needs?
- What special education and related services does the child need?
- What, if any, additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals addressed in the IEP and/or to participate, as appropriate, in the general curriculum or, for the preschool child, to participate in age-appropriate activities?

The IEP Committee can use a variety of assessment strategies described in *Procedures for Assessing Specific Areas of Development* and *Procedures for Special Assessments* to collect the necessary information.

Comprehensive Reevaluation

If the IEP Committee is considering a change in the child's disability category, a comprehensive evaluation of all areas of development that meets the requirements of the *Initial Comprehensive Evaluation*, *Procedures for Special Assessments*, and *Procedures for Assessing Specific Areas of Development* must be conducted. A comprehensive reevaluation process should be completed within a reasonable period of time. It is recommended that a comprehensive reevaluation be completed at least every six (6) years.

Reevaluation Report

At the conclusion of the reevaluation, the IEP Committee must document the results in a written reevaluation report(s). The IEP Committee may compile all reevaluation information into a single comprehensive report or may allow each examiner to submit an individual report. The reevaluation report(s) must meet the criteria described in *Evaluation Reports*. Public agencies are recommended to provide parents a copy of all reevaluation reports at least seven (7) calendar days prior to the meeting to determine or reestablish eligibility unless the parent has expressed their preference to receive the reevaluation report at the meeting.

The reevaluation report must not include any statements regarding the determination of eligibility or disability category. This is an IEP Committee decision

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE: **9-15-08
05-15-17**

made as a team at the meeting to determine or reestablish eligibility. Any written conclusions or recommendations from professionals based on reevaluation results should be presented at this meeting.

Eligibility Determination Meeting

The IEP Committee, which includes the parent, must meet to review the reevaluation report(s) and to draft an eligibility determination report. The parent must be invited in writing to attend the eligibility determination meeting. The public agency may use the *Notice of Invitation to Committee Meeting* or a similar form.

Eligibility Determination Report

During the eligibility determination meeting, the IEP Committee must document the decision in an eligibility determination report either to continue or to change the child's eligibility status and/or disability category:

- If the results of the reevaluation support the child's current eligibility status and disability category, the IEP Committee will document the continued eligibility status and disability category.
- If the results of the reevaluation support the child's eligibility status but no longer reflect the child's disability category, the IEP Committee will document the change in disability category as appropriate and provide the parent *Prior Written Notice* of this change. The public agency must document the parent's receipt of the Prior Written Notice.
- If the results of the reevaluation no longer support the child's eligibility status, the IEP Committee will document this decision and provide the parent *Prior Written Notice* of the intent to exit the child from special education services.

Individualized Education Program (IEP)

If the child continues to be eligible for special education services, the IEP Committee will revise the child's IEP to reflect any necessary changes in educational programming and provide the parent *Prior Written Notice* for any revisions in the IEP. The public agency must document the parent's receipt of this notice. If the parent is in attendance at the IEP Committee meeting, the public agency may provide any required Prior Written Notice to the parent at the meeting.

Removal of Students from Special Education Programs (reference 300.305 (a)(e))

If the child is determined to be ineligible for special education services based on the results of a comprehensive reevaluation, the IEP Committee must provide the parents *Prior Written Notice* explaining their intention to exit the child from special

Descriptor Term:

**CHILD FIND PROCEDURES, EVALUATIONS,
AND ELIGIBILITY AGES 6-21**

IDAD

ISSUE DATE:

**9-15-08
05-15-17**

education services at least seven (7) calendar days prior to terminating services. The Prior Written Notice must contain the basis for the decision, an explanation of the parent's right to obtain an Independent Educational Evaluation (IEE), and the parent's right to a due process hearing. The public agency must document the parent's receipt of this notice.

REGULATORY REFERENCE: §§300.8, 300.39, 300.300- 300.311