

EVALUATION

The district must conduct an evaluation or reevaluation process before:

- Determining that a child is a child with a disability;
- Determining that a child continues to have a disability;
- Changing the child's eligibility, or
- Terminating the child's eligibility as a child with a disability, unless the termination is due to graduation from high school with a regular diploma or exceeding the age of eligibility for a free appropriate public education.

Initial Evaluation:

An initial evaluation must be conducted to determine if a child is eligible for special education services when the district suspects or has reason to suspect that:

- The child has a disability that has an adverse impact on the child's educational performance; and
- The child may need special education services as a result of the disability.

Reevaluation:

The district must ensure that a reevaluation of each child with a disability is conducted:

- If the district determines that the educational or related services needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or
- If the child's parents or teacher requests a reevaluation.

A reevaluation for each child with a disability:

- May occur not more than once a year, unless the parent and public agency agree otherwise; and
- Must occur at least every three years, unless the parent and public agency agree that a reevaluation is not necessary.

Summary of Achievement and Performance:

The district must provide the student with a summary of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting the student's postsecondary goals whenever a student's eligibility terminates due to:

- Graduation with a regular diploma; or
- Exceeding the age of eligibility.

Evaluation Timelines:

- **Initial.** An initial evaluation must be completed within **60 school contact days** from the date of written parent consent to the date of the meeting to consider eligibility.
- **Reevaluation.** A reevaluation must be completed within **60 school contact days** from the date of written parent consent to the date of the meeting to consider eligibility, continuing eligibility or the student's educational needs.

Exceptions:

An evaluation may be completed in more than 60 school days under the following circumstances documented in the child's educational record:

- The parents of a child repeatedly fail or refuse to produce the child for an evaluation, or for other circumstances outside the school district's control.
- The student is a transfer student in the process of reevaluation and the district and the parents agree in writing to a different length of time to complete the evaluation;
- The district and the parents agree in writing to extend the timeline for an evaluation to determine eligibility for specific learning disabilities.

Conducting an Evaluation.

In conducting the evaluation, the team must:

- Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent that may assist in determining:
 1. Whether the child is a child with a disability; and
 2. The content of the child's IEP, including information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities);
- Not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and
- Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

The team must ensure that:

- Assessments and other evaluation materials used to assess a child are:
 1. Selected and administered so as not to be discriminatory on a racial or cultural basis;
 2. Provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so;
 3. Used for the purposes for which the assessments or measures are valid and reliable;
 4. Administered by trained and knowledgeable personnel; and
 5. Administered in accordance with any instructions provided by the producer of the assessments.
- Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
- Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

- The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified; and
- The evaluation includes assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child.

Evaluation Report

The team must prepare an evaluation report that describes and explains the results of the evaluation conducted. In interpreting evaluation data for the purpose of determining if a child is a child with a disability and the educational needs of the child, each team must:

- Draw upon information from a variety of sources, including but not limited to, aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background and adaptive behavior; and
- Ensure that information obtained from all these sources is documented and carefully considered.

Reports should include, but are not necessarily limited to:

- A statement describing the purpose of the evaluation.
- Background information, including a review of cumulative records.
- Behavior during testing and a statement of the examiner's impressions of validity of results.
- A description of any non-standard test administration procedures.
- A description of each evaluation procedure or instrument.
- The student's scores (standard scores, percentiles, etc.) from each assessment.
- A statement of the relationship of assessment results and suspected disability.
- Recommendations to assist teacher(s) or parents to help the child benefit educationally from instruction.

The parents must be given a copy of the evaluation reports at the eligibility meeting.

Transfer Students

When a child with disabilities transfers from one school district to another school district in the same school year, the previous and current school district must coordinate any pending assessments as necessary and as expeditiously as possible to ensure prompt completion of the evaluation. This exception only applies if the current school district is making sufficient progress to ensure a prompt completion of the evaluation and the parent and current school district agree to a specific time for completion of the evaluation.

Guidelines for Evaluation of Children With Limited English Proficiency

Examiners should use caution when evaluating children with limited English skills. Use of an interpreter when administering test normed in English will compromise the validity of the assessments. Verbal scores may be influenced by cultural bias. Therefore, additional procedures and tests should be used.

1. Referral to special education should occur only after ELD interventions in the classroom have been unsuccessful for an extended time period. Children with documented physical disabilities or medical conditions (Downs Syndrome, Fetal Alcohol Syndrome, Fragile X, Spina Bifida, Cerebral Palsy, etc.) that are likely to result in disability would not require these interventions.
2. Before referral for Special Education evaluation, any child from a non-English speaking family should first be evaluated by specialists from the ELD Program. This evaluation would include measures of the child's skill level in English and in the native language.
3. When evaluating for learning disabilities or Intellectually Disabled, the evaluation should include a number of measures to determine ability (intelligence) levels. These would include nonverbal measures, verbal scores in the native language, if available, adaptive behavior ratings from classroom and from parents and information to determine whether the child had a normal or delayed development (developmental history).
4. Achievement testing will also vary. For students who have been taught to read and write their native language, testing must be done in the native language. Those who have been taught only in English should have their achievement levels tested in English; and those who have had instruction in both languages must be tested in both languages.
5. When evaluating for language disability, the evaluation should include measures in both languages. When tests normed on an English speaking population are administered in Spanish, the validity will be questionable. For this reason, scores need to be supported by language samples taken in both languages. The team must be sure that any delays are from a disability and not as a result of normal syntactic errors in English Language Development (ELD) speakers. Pragmatic errors are considered to be more suggestive of a language disability than errors in syntax or morphology.