

Child Find and Special Education Evaluations

Vermont Family Network



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What is Child Find?

- Federal law
- Public schools must look for, find, and evaluate children who need special education
- Covers children from birth through age 21
- Applies to all children, including those who are homeschooled or in private schools, homeless, migrant, or in nursing or correctional facilities

McKinney-Vento Act

- Defines homelessness
- Ensures all children with disabilities who experience homelessness have the same access to a free appropriate public education (FAPE)
- Recognizes the unique barriers of this population
- Homeless Liaisons in each school district

Child Find Activities

- Public notification and awareness campaigns (flyers, virtual neighborhood forums, local papers/shows)
- Targets a wide audience including community, medical, non-profit and state organizations where children are served
- Universal screenings may be offered by a school district
- Referral to the school Individualized Education Program (IEP) team

Child Find

- For children who attend independent schools outside their family's district of residence, the public school district in which the independent school is located has the responsibility of Child Find. Otherwise, the responsibility of Child Find is the school district in which the family lives.

Evaluation Process

- Evaluation plan is developed
- Child is evaluated
- Meeting is held to review the evaluation results to determine eligibility for Special Education
- Parents are involved in all steps of the process

Individuals with Disabilities Education Act (IDEA)

6 principles of IDEA:

- Free Appropriate Public Education (FAPE)
- Least Restrictive Environment (LRE)
- Evaluation at public expense
- Parent and student participation in decision making
- Individualized Education Program (IEP)
- Procedural Safeguards (Parents' Rights)

Referral for Evaluation

- When there are concerns about a child's educational, functional or developmental skills
- When there is a diagnosis of a disability
- When a child has been disciplined or suspended repeatedly for behavior issues
- Send a written request for a Special Education evaluation

Notification from School

- You should receive written notification of school's agreement or refusal to evaluate your child within 15 calendar days from receipt of request
- Notification may be on the state Special Education Form 7
- A parent can formally challenge a school's decision

Purposes of Evaluation

- Identification
- Eligibility
- IEP planning
- Identify instructional strategies
- Measure progress

Evaluation Planning

- Evaluation planning begins with a meeting of the Evaluation Planning Team (EPT)
- The EPT consists of the parent/guardian, school team members and other individuals with expertise on your child/disability

Evaluation Planning

- Think of all the areas where you have concerns or questions in educational, functional, and developmental areas
- Prepare a list of concerns and questions you would like answered through the evaluation testing
- Bring written list to Evaluation Planning Team (EPT) meeting

Evaluation Planning

- EPT develops the written evaluation plan
- Parent signs consent form agreeing to the evaluation plan before testing starts
- Make sure your concerns are part of the evaluation plan
- The 60-day timeline starts when the school receives the parent's signed consent

Comprehensive Evaluation

- Comprehensive evaluation must include a variety of assessment tools and strategies to gather relevant information about your child in three areas:
 - Academics
 - Functional
 - Developmental

Evaluations

Individually selected and administered to determine:

- Existence of disability
- The effects the disability has on your child's educational (academic and functional) performance

Tests:

- Formal/informal tests, observations, parent input and other information
- Formal test types: group, individual, curriculum-based assessments or measurements, standardized, norm-referenced, criterion-referenced

Evaluation Requirements

Assess all areas related to the suspected disability including:

- Health
- Hearing and vision
- Social, emotional, behavioral
- General intelligence
- Communication status
- Motor skills
- Developmental performance
- Also consider, if appropriate:
- Daily living skills
- Vocational needs
- Need for assistive technology

Assistive Technology (AT)

- Device: any item, piece of equipment, or product system used to increase, maintain, or improve the functional capabilities of a child
- Service: any service that directly assists a child with selecting, acquiring or using an assistive technology device
- Other: evaluation, providing equipment, maintaining, customizing, replacing, coordinating other therapies with AT, training and technical assistance for children, families, staff

Behavior

- When your child's behavior impedes learning, the team must consider, when appropriate, strategies and supports to address behavior
- A Functional Behavioral Assessment (FBA) is an evaluation for behavior and can provide the data for developing a positive Behavioral Intervention Plan (BIP)

Medication

- The school district may not require a child to be medicated as a condition of attending school, receiving an evaluation, or receiving services
- School personnel can continue to share observations about a child's academic achievement, functional performance, or behavior management with parents so that parents are aware of the child's performance during the school day

Caution

- Screening of a child by a teacher or specialist is not considered to be a complete evaluation for eligibility for special education and related services
- The implementation of Response to Intervention (RTI), Multi-tiered System of Supports (MTSS), or other strategies for academic and behavioral support cannot delay or deny the evaluation of a child suspected of having a disability

Timelines

- Distance between request for evaluation and school district response: *15 calendar days*
- Distance between parental consent for assessment received and completing the evaluation process, including sending all reports and documentation to the parents: *60 calendar days*
- Distance between eligibility meeting and development of an IEP: *30 calendar days*

Calendar Days, Defined

- Calendar days refer to every day on the calendar, i.e. all 365 days of the year (366 if it is a leap year)
- It is important to note that school breaks, school closures, holidays, snow days do not extend the timeline

Exceptions to 60-day Timeline

- Exceptions to the 60-day timeline are allowed only because of exceptional circumstances related to your family and/or child (with documentation)
- If the family and school have agreed to a different timeline (with appropriate documentation)

Not Allowable Reasons for Delay

- Delay due to insufficient staffing
- Delay due to lack of qualified staff
- Delay due to the school having scheduling conflicts
- Delay due to Multi-tiered Systems of Support (MTSS) or Response to Intervention (RTI)

Procedural Safeguards Notice

- You should receive a paper copy from the school at least once a year, but also at:
 - Initial Special Education referral
 - Parental request for an evaluation
 - First filing for a due process hearing or administrative complaint
 - Request of the parent
 - Notification to take disciplinary action

Dispute Resolution

- Procedural Safeguards (Parents' Rights) include three methods for resolving disputes:
 - Mediation
 - Administrative Complaint
 - Due Process
- The forms to initiate any of these actions are available on the Vermont Agency of Education website (included in the resources at the end of the presentation)

Mediation

- Free, voluntary process that can be used if you and the school district agree to participate
- The mediator's role is to help you and the school district come to an agreement, not to make decisions for you
- You or the school may end mediation at any time
- A successful mediation results in a written agreement

Administrative Complaint

- You have the right to file an administrative complaint with the Vermont Secretary of Education if you believe a school district has violated federal or state special education laws
- An administrative complaint is more appropriate for schools not following the special education rules than for a disagreement over services

Due Process

- A special education due process hearing is a formal review conducted by a trained, impartial hearing officer appointed by the Vermont Agency of Education
- A parent may file a due process regarding their child's identification (as a child with a disability), evaluation, educational placement, or provision of a Free Appropriate Public Education
- It is advisable to retain an attorney

Survey Link

- <https://lp.constantcontactpages.com/sv/oC24uYQ>

VFN Special Education Resources

- [Administrative Complaint Fact Sheet](#)
- [Due Process Fact Sheet](#)
- [Early Childhood Special Education Fact Sheet](#)
- [Eligibility for Special Education Fact Sheet](#)
- [Individualized Education Program \(IEP\) Fact Sheet](#)
- [Special Education Sample Letters](#)
- [Special Education Workshops](#)

VT Special Education Resources

- [Stern Center for Language and Learning](#)
- [University of VT Pediatric Professionals Collaborative of Vermont \(PedsProVT\)](#)
- [Vermont Agency of Education](#)
 - [Special Education: Rules, Forms, Adverse Effect, Dispute Resolution, FAPE Obligation Under IDEA, 15 Day Rule Guidance Memo \(Nov 2013\) Education for Homeless Children and Youth](#)
- [Vermont State I-Team](#)

Special Education Evaluation Resources

- [Assessments, Evaluations and Tests](#)
- [Communication Matrix Assessment](#)
- [Evaluation: What Does it Mean for Your Child](#)
- [Right to Obtain an Independent Special Education Evaluation](#)
- [Special Education: Evaluation](#)
- [Ten Basic Steps in Special Education](#)
- [Who is On My Child's IEP Team?](#)

Questions?

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