

Chapter 3:

Referral and Evaluation

In this chapter you will -

- learn what “date of referral” means
- learn the timelines for the school to make a decision about conducting an evaluation
- understand what areas or “domains” are assessed when an evaluation is conducted
- learn how often the district must conduct a reevaluation
- get information on independent educational evaluations

Definitions

A “*referral*” in the context of special education services is a process asking the school district to evaluate a student to decide if the student qualifies to receive special education services. A referral can be made either by the school district (through a teacher or other school personnel involved in the student’s education), by a parent or guardian, a state agency, or a community service agency. The referral is a required first step before an evaluation can take place.

Parents need to submit a request for evaluation to have their child considered eligible for special education services. It is best if the parent puts the request in writing.

Not all referrals result in an evaluation being conducted.

Within 14 school days after receiving the written request, the district will decide whether to evaluate the child or not. If the district determines an evaluation is warranted, then the district must provide the parents with the paperwork to provide formal written consent.

If the district determines that the evaluation is not necessary, it must notify the parent in writing of the decision not to evaluate and the reasons for the decision.

The district must advise the parents of their right to request a due process hearing to challenge its decision.

To be eligible to receive special education services, the child must have a disability that impacts educational performance. Please see Chapter 4, “Eligibility Categories,” for further information.

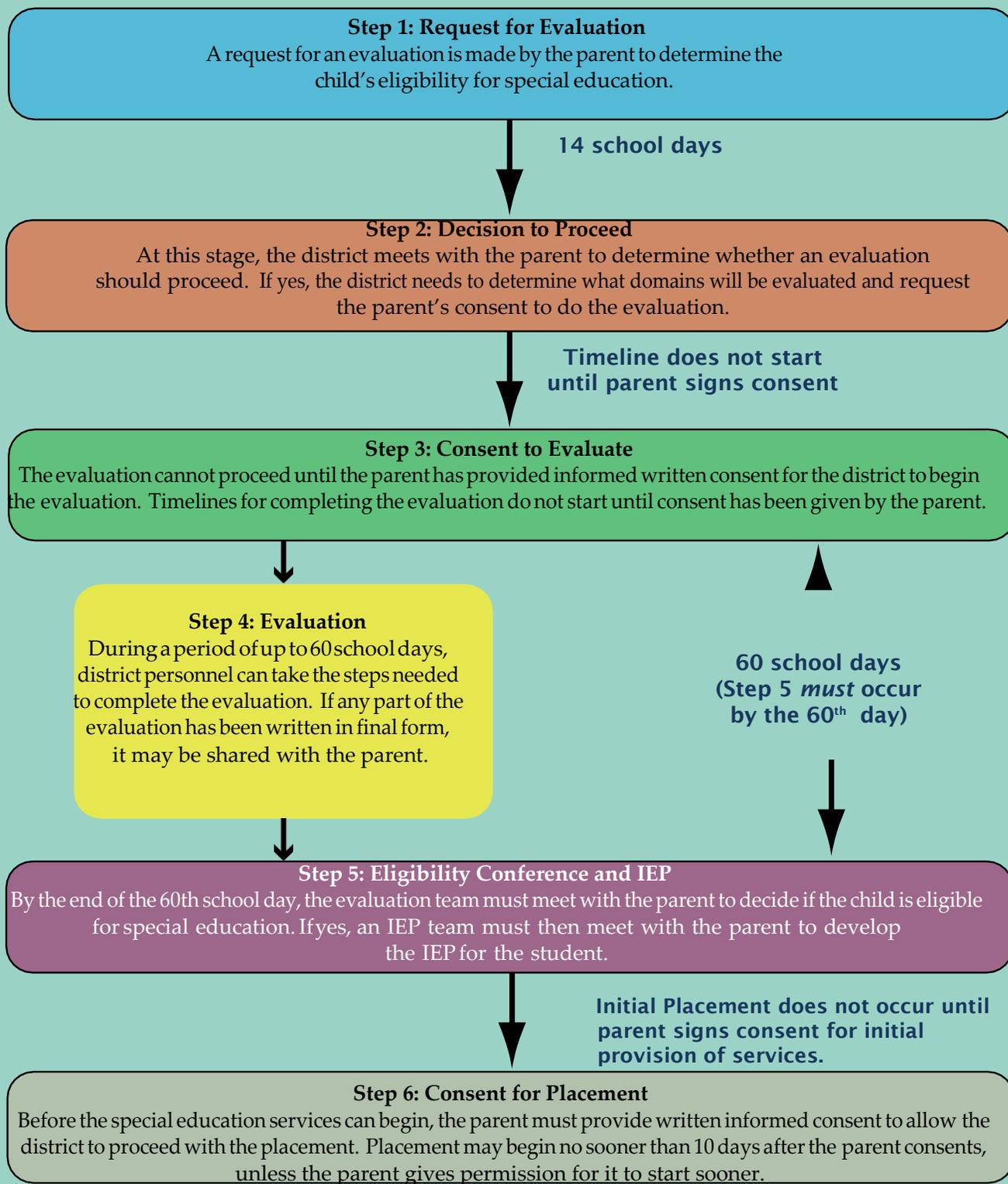
The evaluation may commence following the receipt of written parental consent to complete the needed evaluations. Screening procedures shall not be considered an evaluation.

Tips for Parents

Don’t forget to put the request for evaluation in writing, either via a letter or email. Asking for one is not enough!

Keep a copy of the letter. If possible, it is best to have someone at the school sign and date it to indicate they the school received the letter or send it certified mail with a return receipt requested. If the request for evaluation is made via email, request an acknowledgement of receipt from the school.

Initial Eligibility: Step by Step



Parent Involvement in the Referral Process

Both state and federal laws and regulations governing the administration of educational programs for students with disabilities have recognized the important role of parents in the special education process. Parents and school personnel should establish a positive relationship with shared goals and a common understanding of the child's needs at home, at school, and in the community. It is essential that parents and schools work cooperatively together to improve student performance. Below you will find some tips to help you with parent involvement.

Be an active participant in your child's education:

- » Inform yourself about what help is available in or through your child's school.
- » Talk to other parents, teachers, doctors, and community providers.
- » Find resources like the Parent Training and Information Centers (PTIs), Parent Mentors, ISBE, and Parent Advocacy Groups.
- » Be prepared and able to talk about your child's strengths and needs.
- » Learn about your child's legal rights.
- » Request to participate in the meetings where information is reviewed to decide if your child is eligible to receive special education services.
- » Attend and be prepared to participate in IEP meetings. Parents are key decision makers and equal members of IEP teams.
- » Ask questions if you do not understand terms, language, or other things that happen during meetings about your child.
- » Call, email, or write a letter to request a meeting if you are worried about how your child is doing at school.

In addition:

- » Share letters, reports, or other materials that can help the school understand your child and provide appropriate services to your child. This information could be from teachers, doctors, or community service agencies. Be sure to keep a copy of these items for your records.
- » Start a file or log in which you write important dates and milestones of your child's learning. This will also be a good place to record the results of important conversations and meetings you have had with teachers and others regarding your child's progress. A binder works great! You may also use the [ISBE Student Record Keeper](#) which is available on the ISBE website.

Parent Involvement in the Referral Process

- » Send emails or letters confirming important conversations regarding your child and/or promises made with respect to what the school will or will not do.
- » Always put in writing any important requests to the school, including requests for an evaluation (as well as requests for IEP meetings and records).
- » Keep a copy of all letters that you send.
- » Whenever possible, send your correspondence by certified mail, return receipt requested, to assure delivery of the letter, or hand carry the letter and request a receipt.
- » Keep printed copies of important email messages to or from the school.
- » Keep all papers and letters from the school that you feel are important such as IEPs, samples of your child's work, and notices regarding the dates of meetings. Keep these documents in your file.
- » Develop an ongoing working relationship with those persons who are responsible for providing services to your child. Get to know the names and responsibilities of all those working with your child.
- » Communicate positive information as well as concerns.

Evaluation and Reevaluation

Evaluation is defined as the procedures used to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs.

The school district must assess the child in all areas of suspected disability including:

- » academic performance
- » health
- » vision
- » hearing
- » social and emotional status
- » communication
- » motor abilities
- » general intelligence
- » functional performance
- » other areas as needed.

Important Reminder

Often these areas are called “*domains*” for purposes of the evaluation.

Public agencies are prohibited from using a measure or assessment for purposes different from the purpose for which the measure was designed.

Assessments are provided and administered in the child’s native language or mode of communication to get accurate information on what the child knows and can do.

The school district must use a variety of assessments, tools, and strategies to conduct the evaluation.

When conducting an initial evaluation, a child must be tested in all areas of suspected disability.

Data gathered from evaluations are used to assist in the development of the IEP.

Assessments should be valid and reliable for their designed purposes.

Assessments must be administered by personnel who are trained to do so.

Assessments and other evaluation materials used should be administered -

- in a manner that is not discriminatory on a racial or cultural basis and
- in the child's native language or other mode of communication.

The parent's informed written consent must be obtained before the evaluation can be conducted.

Information from parents should be included as part of the evaluation.

Information should be collected through a variety of approaches (observations, interviews, tests, curriculum-based assessments, and so on) and from a variety of sources (parents, teachers, specialists, peers, and the child).

Parents should be given a copy of the conference report and recommendations.

Parents should be informed of their right to obtain an independent educational evaluation (IEE) at district expense if they disagree with the evaluation findings.

The evaluation should yield information on what the child knows and can do academically, developmentally, and functionally.

This applies when evaluating all children including those -

- for whom English is not the native language.
- who communicate by signing.
- who use alternative augmentative communication.
- who use other means to communicate.

Please note the following:

- IDEA prohibits basing eligibility determination or special education programming upon the results of

Worth a Look

"Each district shall have a plan for the use of a process that determines how the child responds to scientific, research-based interventions as part of the evaluation procedure (for the determination of a specific learning disability) described in 34 CFR 300.304," [23 IAC 226.130(c)].

Important Reminder

The determination of eligibility shall be made and the IEP shall be completed in 60 school days (or less) following the date of written consent from the parent.

only one test, measure, or assessment procedure. A variety of tools must be used.

- As a parent, you will provide written consent before any evaluation occurs.
- Think about what the child knows and can do. Examine how the child learns and demonstrates knowledge.
- It is not enough to conduct a thorough examination of what a child cannot do when making decisions about educational programming.

Reevaluations must occur at least once every 3 years, unless the parent and the school district agree that a reevaluation is unnecessary based on the existing information on the student. If the district believes that a reevaluation is unnecessary, a parent still has the right to request that the reevaluation go forward. (20 U.S.C. 1414(a)(2)) (34 CFR 300.303).

Independent Educational Evaluation (IEE)

Sometimes parents may have a reason to believe that the evaluation does not provide an accurate picture of their child's abilities/areas of needs. In those cases, parents can request in writing that a new evaluation be completed by an outside person or agency (someone not employed by the district) at the district's expense. The district is free to agree to the evaluation or to deny the request. If the district denies the request, it is required to initiate a due process hearing within 5 days of the written parent request in order to allow a due process hearing officer to decide whether the independent evaluation should occur. (See Chapter 11 for more information on due process hearings.) If the final decision is that the evaluation was appropriate, parents still have a right to an independent educational evaluation, but not at public expense.

Referral and Evaluation of English Learners

If your child is an English learner suspected of having a disability, your child should be evaluated in his or her dominant language, in a way that is nondiscriminatory and respectful to your child's culture. Your child's status as an English learner and your child's proficiency in English must not delay evaluation for special education services.

Your child's evaluation should include the following:

- Documents from your child's country of origin (when applicable and available) translated into English
- Observations in different environments
- Extensive interview with you and possibly other family members to establish your child's health history, milestones in his or her dominant language, and functioning when compared to siblings, other relatives, and peers from the same culture and with a similar linguistic background.

If you and other family members involved with this process do not speak fluent English, all communication should be conducted with a qualified interpreter provided by the school district.

Furthermore, evaluators should -

- Use instruments appropriate for assessment of performance in your child's dominant language.
- Consider your child's progress in bilingual education and in classes with bilingual/ESL support.
- Determine other data needs.
- Avoid reporting scores if norms were not appropriate for English learners.
- Include representatives with expertise in bilingual education.