

# **Iosco RESA**

## **Special Education Child Find and Evaluation Procedures**

### **(Ages 2 years 6 months through 25)**

#### **What forms are necessary to implement this procedure?**

- Prior Written Notice
- Review of Existing Evaluation Data (REED)
- Request for Consent
- Evaluation Report
- Individualized Education Program (IEP)
- Procedural Safeguards

#### **Responsibility for Public Awareness**

As part of a child find responsibility, districts must inform the public about available special education programs and services and how to access those programs and services. (Enter information found in the ISD plan , which outlines the activities and outreach methods used to ensure that all citizens are aware of the availability of special education programs and services.)

#### **Procedure for Responding to a Request for an Evaluation (ages 2 years 6 months through 25)**

All requests for an evaluation must be in writing. If a parent request is made verbally, the person to whom the request is made informs the parent that the request needs to be in writing.

A request for a special education evaluation can come from a parent or guardian, or other appropriate educational service agency staff whose training and relationship to the student provides knowledge to reasonably suspect that the student has a disability.

When a written request is received by any person in the district, that person must submit the request to {person} who will then date stamp the request with the date

of receipt and the request will be sent immediately to {person} for processing. {Person} will provide a copy of the procedural safeguards to the parent or guardian.

{Person} must decide whether or not to initiate the evaluation to determine if the student is a student with a disability and is in need of special education and related services. When making this decision, Response to Intervention (RTI) does not diminish a district's obligation under the IDEA to obtain parental consent and evaluate a student in a timely manner. When there is reason to suspect that a student might have a disability and needs special education and related services as a result, the IDEA's initial evaluation provisions begin, regardless of whether the district plans to or is currently utilizing RTI strategies with the student. (Memorandum to State Directors of Special Education [OSEP 2011])

## **Procedure for REED (if the district conducts REEDS for initial evaluations)**

**Note:** A REED is not required for an initial. If it is determined that a REED is not necessary, proceed to notice and consent.

{Person} coordinates the members of the IEP team and other appropriate members to review:

- Evaluations and information provided by the parents of the child,
- Current classroom-based, local, or state assessments, and classroom-based observations,
- Observations by teachers and related service providers, and
- Areas of suspected disability.

On the basis of that review and input from the child's parents, the team will identify what, if any, additional data are needed to determine whether the student is a student with a disability and if the student needs special education and related services.

{Person} documents the review of the existing evaluation data as well as the need for any additional information on {form}.

If additional information is needed {person} will develop an evaluation plan.

## **Procedure for Providing Notice and Obtaining Consent for Initial Evaluation**

When a request for an initial evaluation is received, {person} must provide notice within 10 school days. The notice must include:

- A description of the action proposed or refused by the district.
- An explanation of why the district proposes or refuses to take the action.
- A description of each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action.
- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part.
- Sources for parents to contact to obtain assistance in understanding the provisions of the Individuals with Disabilities Education Act (e.g., Michigan Alliance for Families Services, intermediate school district representative, and local supervisor or director).
- A description of other options that the IEP team considered and the reasons why those options were rejected.
- A description of other factors that are relevant to the district's proposal or refusal.

In addition to the notice, {person} sends {electronic system/form} to the parent requesting consent to evaluate (if an evaluation is needed).

If written consent is not provided after the first attempt, {person} will make and document multiple attempts on {electronic system/form}. Attempts to obtain consent should be made using different methods. "Multiple" attempts means at least three times.

If the parent provides no response to multiple attempts to obtain written consent for evaluation or denies consent, {person} will provide notice that the district will not conduct an evaluation due to lack of parental consent.

### **Conduct an Evaluation and Schedule an IEP Meeting**

If parental consent to evaluate is obtained, {person} coordinates the evaluation and schedules the appropriate evaluators to begin the evaluation. See chart 1 for required evaluators. If {person} determines the district is unable to provide the required evaluators in the timeline, {person} will contact ISD for support in securing evaluators. Evaluators will schedule and conduct evaluations.

{Person} will ensure that within 30 school days from the receipt of consent, the evaluators will conduct the evaluations and develop the multidisciplinary evaluation team report. {Person} will schedule an IEP team meeting to be held within the 30 school-day timeline. The timeline may be extended if agreed upon by the district and the parent. If necessary, {person} will complete {electronic system/form} to document the extension which shall be in writing and measured in school days.

## **Procedure for Convening the IEP Team**

By {district determined timeline (i.e. day 20 of the 30-day timeline)}, {person} contacts parent to determine mutually agreed-upon time and place for the IEP team meeting. {Person} will document the attempts to contact the parent in {electronic system/form}.

{Person} will send an IEP invitation to all required IEP team members. Required members include parent, not less than one general education teacher, not less than one special education teacher or provider, district designee, and a person who can interpret the instructional implications of evaluation results. Additional members may include related service providers and, whenever appropriate, the student with a disability.

1. {Person} will secure a meeting room following district procedures.
2. Convene meeting on mutually agreed-upon date and time.
3. Develop IEP.

Within 7 school days from the date of the IEP meeting, {person} will provide notice of an offer of a free appropriate public education (FAPE) or determination of ineligibility. {Person} will document the mode and date of delivery on {form}.

## **Procedure for providing Notice of a Free Appropriate Public Education**

The notice of a free appropriate public education must include:

- A description of the action proposed or refused by the agency.
- An explanation of why the agency proposes or refuses to take the action.
- A statement that the parents of a child with a disability have protection under the procedural safeguards of the *Individuals with Disabilities Education Act* and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained.

- Sources for parents to contact to obtain assistance in understanding the provisions of this part (e.g., Michigan Alliance for Families, ISD representative, and local supervisor or director).
- A description of other options that the IEP team considered and the reasons why those options were rejected.
- A description of other factors that are relevant to the agency's proposal or refusal.
- Where the programs and services are to be provided.
- When the IEP will begin.

## **Procedure for Requesting and Obtaining Consent for the Initial Provision of Special Education Programs and Services**

In addition to the notice including the provision of FAPE, {person} sends {electronic system/form} to the parent requesting consent for the provision of services.

## **Procedure for When Consent is Not Obtained**

If after 10 school days from the parent's receipt of the notice and initial offer of FAPE, the parent provides no response to multiple attempts to obtain written consent for provision of services or denies consent, {person} will provide notice that the district will not implement the IEP.

**Note:** If the parent of a child fails to respond to a request for consent, or refuses to consent to the initial provision of special education and related services, the district will not be considered to be in violation of the requirement to make FAPE available.

## **Procedure for Implementing the IEP**

Once consent for the provision of services is received by the district, {person} date stamps the consent and places it {where}.

{Person} ensures the IEP is implemented as soon as possible, and not more than 15 school days after receipt of parent's consent to the initial provision of services. The parties may agree to a later initiation date if the later date is clearly identified in the IEP.

{Person} distributes copies of IEP to all district employees who will be working with the student.

## Chart 1—Required Evaluators

Eligibility Category Being Considered	Required Evaluators
Cognitive Impairment R 340.1705	Psychologist
Emotional Impairment R 340.1706	Psychologist or psychiatrist and school social worker
Hearing Impairment R 340.1707	Audiologist and an otolaryngologist or otologist
Visual Impairment R 340.1708	Ophthalmologist or optometrist
Physical Impairment R 340.1709	Orthopedic surgeon, internist, neurologist, pediatrician, family physician, or any approved physician
Other Health Impairment R 340.1709a	Orthopedic surgeon, internist, neurologist, pediatrician, family physician, or any approved physician
Speech and Language Impairment R 340.1710	Teacher of students with a speech and language impairment or a speech and language pathologist
Early Childhood Developmental Delay R 340.1711	Evaluators are determined by a team
Specific Learning Disability R 340.1713	Student's general education teacher (or a teacher qualified to teach student's age) plus a person qualified to conduct individual diagnostic exams, such as a school psychologist, authorized provider of speech and language, or a teacher consultant
Severe Multiple Impairments R 340.1714	Psychologist and, depending upon the disabilities in the physical domain, evaluations required in: R 340.1707, R 340.1708, R 340.1709, R 340.1709a, or R 340.1716
Autism Spectrum Disorder R 340.1715	Psychologist or psychiatrist, authorized provider of speech and language, and a school social worker
Traumatic Brain Injury R 340.1716	Assessment from family physician or any approved physician
Deaf-blindness R 340.1717	Ophthalmologist, optometrist, audiologist, otolaryngologist, otologist, family physician or other approved physician; teacher of students with visual impairment; and a teacher of students with hearing impairment