

Evaluation Team Report (ETR) Part 1 – Referral and Planning

Opening Slide:

The school age Essential ETR module is presented in three separate parts focusing on Referral and Planning, Summary and Eligibility and Determining Specific Learning Disability Eligibility. The module provides a detailed overview of the Evaluation Team Report – ETR process for school age children.

The ETR process is required by the Individuals with Disabilities Education Act (IDEA) and the Ohio Operating Standards for the Education of Children with Disabilities in order to establish the presence of a qualifying disability, or disabilities, of a child suspected to have a need for special education services and supports from ages 3 through 21 years old.

This is Part 1 of the module focusing on referral and planning.

Slide 2: Referral

The ETR process begins with a referral. The referral could come from the Intervention Assistance Team, the Teacher-Lead Team or other groups of professionals who provide interventions and supports for children who are struggling academically, functionally or behaviorally. A teacher and/or team would complete the Referral for Evaluation (PR-04). The parent may also initiate a request for an evaluation either in writing or verbally to the district. The district would provide the parent a copy of the Parent Notice, then complete the Referral for Evaluation (PR-04) form. And a PR-01 indicating whether the district refuses to conduct an evaluation or indicating that the district WILL conduct an evaluation.

The PR-04 form must be signed by both the person initiating and the person receiving the referral.

Please note that a referral for evaluation should not be submitted by school personnel without including data from interventions applied to address the deficit or difficulty, since interventions are a required part of the evaluation process. Federal and state laws require that *“each school district shall provide interventions to resolve concerns for any preschool or school-age child who is performing below grade-level standards.”* (OAC 3301-51-06 (A)(2)). This would also include behaviors that interfere with the child’s access to or progress in the general education curriculum. A school district may not use interventions to delay unnecessarily a child being evaluated to determine eligibility for special education services. If such interventions have not been implemented prior to referral for evaluation, appropriate interventions shall be implemented during the same sixty-day time frame during which the school district conducts a full and individual evaluation. OAC 3301-51-06 (A)(3)

The district must document the actual date the referral was received. This starts the 30-day timeline to inform the parents what the district intends to do and to obtain parental consent for an initial evaluation, if the district determines an evaluation is necessary.

Within the 30-day timeline, if the district believes there is no suspected disability and declines to conduct an evaluation, the district must send the parent a Prior Written Notice (PR-01) stating the actions and the reasons the district refuses to initiate an evaluation.

Slide 3: Evaluation Planning

Evaluation planning is a required component of the evaluation process. The evaluation planning does not require a face-to-face meeting. It can be held over the phone, through email or other correspondence. The parent must be included in the planning process or the district needs to document that the parent declined to participate or was not available after reasonable attempts were made to involve them. The results of the planning meeting must be documented on the planning form which is a component of the Evaluation Team Report (PR-06). You must indicate the appropriate planning form (school age or preschool) on the front page of the ETR.

Please note: If Specific Learning Disability (SLD) is one of the suspected disabilities and later decided it is not the eligibility determination, Section 3 still must be completed and attached to the ETR.

Slide 4: Parent Invitation

If the district suspects a disability and feels an evaluation is necessary, the district must invite the parent to participate in the evaluation planning meeting, by sending the Parent Invitation (PR-02) form to the parent.

The form also indicates other persons that have been invited to the planning meeting, such as the child, whenever appropriate, and outside agencies that would be involved in secondary transition.

Many parents need as much notice as possible to be able to attend meetings. Parents who have jobs where scheduling is not flexible or have childcare requirements need significant notice to schedule the time off in order to attend this meeting as well as other meetings within this process.

Slide 5: Parental Consent

Consent for the evaluation must be informed consent showing that the parent was involved in and understands the planning process. This must be documented by a signature and date or notification of opportunity to participate on the evaluation planning form.

It is important every effort is made to involve the parent in the evaluation process and to gather any relevant information about the child. Many districts treat this information as optional, yet the Operating Standards are clear that this information is to be part of any initial evaluation or reevaluation unless the parent does not respond or refuses to participate in the process. If the

parent refuses to participate, the district must document multiple attempts to engage the parent in the evaluation process.

Attempts to engage the parent may include phone calls, emails, parent invitations sent home with the child, registered letters, meeting the parent in the hallway, parent/teacher conferences, home visits, etc. Reasonable attempts to conduct meetings on additional dates – not simply attempts to include the parent in one single meeting date – must be demonstrated by the district. This can be done on the OP-9 Attempts to Obtain Parent Participation form or a district-created form.

Slide 6: Planning Form

On the top of the school-age ETR planning form, there is a space to enter the suspected disability. There may be multiple suspected disabilities and they all should be listed here. The planning form consists of three columns, two that need to be completed by the team. The first column lists Assessment Areas Related to Suspected Disabilities. The second column will indicate all data and documentation that the team currently has OR needs to address the items in the first column. The team will decide if there is “Sufficient Data Available,” if “Additional Testing/Data Needed,” or if it is “Not Applicable” for each listed assessment area. If additional testing or data is needed, the third column documents the title of the person responsible for gathering the data and documentation.

The signatures and dates at the bottom of the planning form are the district’s documentation that the parent and the appropriate team members were part of the planning process. If the parent does not sign the planning form, the district will need to have additional documentation such as documentation of attempts to participate in the planning process (OP-09) showing reasonable efforts were made to obtain the parent’s input regarding the evaluation. If the parent was unable or declined to be involved, documentation must be kept by the district as well as explained on a PR-01 sent to the parent.

Slide 7: Consent for Evaluation Form (PR-05)

Parent consent must be obtained before an evaluation is conducted using the Consent for Evaluation, PR-05. Parent consent means informed consent, that the parent has been involved in the evaluation planning process, has had their rights explained to them, and understands what granting their permission to conduct an evaluation by the district means.

At the end of the evaluation planning meeting, the district presents the parent with the Consent for Evaluation (PR-05). This form documents *informed, written consent* given by the parent or guardian, allowing the district to proceed with the proposed evaluation, assessments and data collection. Remember informed, written consent cannot be obtained through a phone conference.

The Consent for Evaluation PR-05 should be date stamped by the district to document the date the district received the signed parental consent. The 60-calendar day timeline to complete an initial evaluation starts on the date the district receives parental consent. If the district does not date stamp the PR-05, the date the parent signed is the start date for the 60-day timeline.

Slide 8: Consent for Reevaluation

Under 34 CFR §300.300(c)(2), the public agency does not need to obtain informed parental consent for the reevaluation if the public agency can demonstrate that it made reasonable efforts to obtain consent for the reevaluation, **AND** the child's parent has failed to respond to the request for consent. This means that a public agency may conduct a reevaluation of a child with a disability without using the consent override procedures if the public agency can demonstrate that it made reasonable efforts to obtain parental consent for the reevaluation, and the child's parent has failed to respond to the request for consent. Section 300.300(d)(5) of the regulations provides that in order to meet the reasonable efforts requirement, the public agency must document its attempts to obtain parental consent using the procedures in 34 CFR §300.322(d). These procedures include detailed records of telephone calls made or attempted and the results of those calls, copies of correspondence sent to the parents and any responses received, and detailed records of visits made to the parent's home or place of employment and the results of those visits and/or other means of attempts made.

Slide 9: Prior Written Notice (PR-01)

The Prior Written Notice (PR-01) must be sent to the parent after the planning meeting, explaining all the assessments and evaluations proposed in the meeting.

Slide 10: Required Forms for Evaluation

Summary of Required Forms for Evaluation (Referral and Planning)

- The PR-01 Prior Written Notice must be sent to the parents if the district decides not to initiate the evaluation process. The notice needs to state the action and the reason the district refuses to initiate an evaluation.
- The PR-04 Referral for Evaluation begins the evaluation process and is completed by the district team.
- The PR-02 Parent Invitation must be sent to the parent to invite them to the evaluation planning meeting.
- Evaluation Planning Form (component of PR-06) documents the results of the evaluation team planning meeting.
- The PR-05 Consent for Evaluation must be signed by the parent after the evaluation planning meeting. This form may be presented to the parents at the planning meeting to obtain their signature.
- The PR-01 Prior Written Notice must be sent to the parent after the planning meeting explaining all assessments and evaluations proposed.

Slide 11: Areas of Assessments

Under Federal and State requirements, school districts must assess children “in all areas related to the suspected disability.”

The evaluation shall be comprehensive and identify all the child’s special education and related service needs.

For instance, if a suspected disability of speech and language is addressed in the planning process, a speech and language evaluation alone is not sufficient for a complete evaluation. All areas of possible issues must be assessed – vision, hearing and any other areas that may affect the child’s learning and functional speech.

Failure to assess in all areas of suspected disability can result in the failure to provide services to meet each of the child’s needs. If the need is never identified, it cannot be addressed through the IEP.

To address all areas of a suspected disability, a thorough collection of data will need to take place (observations, interventions and assessments) and from a variety of sources (parents, teachers and specialists).

Slide 12: Required Components for Specific Disability Categories

Five disability categories have required assessment components as part of the evaluation process. They are:

- Specific Learning Disability (SLD): OAC 3301-51-06(H)
- Intellectual Disability (ID): OAC 3301-51-01(B)(10)(d)(ii)
- Multiple Disabilities (MD): OAC 3301-51-06(I); and
3301-51-01(B)(10)(d)(vii)
- Visual Impairments (VI): OAC 3301-51-01(B)(10)(d)(xiii)
- Hearing Impairments (HI): OAC 3301-51-01(B)(10)(d)(vi)

As part of the planning process, the team will need to ensure it has documented the inclusion of all components on both the evaluation planning form and within the ETR. Please review the cited portions of the Operating Standards for more information regarding the required assessment components.

For reevaluation of students who are in the category of Specific Learning Disability (SLD), it is NOT necessary to redo the intervention process. However, there should be documentation that current observations and assessments in the specific areas of weakness were completed. Updated classroom observations must also be completed.

Slide 13: New Suspected Disability

If another area of disability is considered during the assessment that was not originally addressed on the Evaluation Planning form, the planning team must do the following:

1. Reconvene the team to include the new suspected disability on the planning form; and
2. Revise the planning form and have all team members date and initial the form indicating that they agreed to the need for further assessments.

Once this has been completed, the district will send the Prior Written Notice (PR-01) to the parent explaining the changes proposed and enacted by the district. Please note: This does **not** extend the 60-day timeline.

Slide 14: Reason for Evaluation

The reason for an evaluation should be directly linked to the child's performance in the general education curriculum and be clearly communicated to the planning team. This is documented on the PR-01 and in Part 2 of the ETR.

Stating that the reevaluation must be done every three years does not justify why the district proposes a reevaluation or why the child continues to qualify as a child with a disability.

Slide 15: Academic and Functional Assessments

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.

Slide 16: Assessments

Assessments and tests used in the evaluation process must:

- Be technically sound;
- Not discriminate based on race or culture;
- Be provided and administered in the child's native language or other mode of communication;
- Be validated for the specific purpose for which they are being used; and
- Be administered by knowledgeable persons in accordance with the instructions provided by the test publisher.

Slide 17: Individual Evaluator's Assessment Form

The Individual Evaluator's Assessment form must be filled out for each entry of data and testing results from individuals identified on the planning form as responsible for part of the evaluation process.

The form includes the evaluator's name, title or position, areas of assessment or data collected as listed on the planning form and the evaluation or data collection methods and strategies.

There must be information collected and reported in Part 1 to match all areas as stated on the planning form as either data available or further testing needed.

The assessment information must include *"a summary of the information obtained from the assessment results [or information-gathering process] per the evaluation plan including the child's strengths, areas of need and baseline data."* All Part 1s are summarized in Part 2 and can be revisited during the ETR meeting for more clarification if necessary.

Slide 18: Summary of Assessment Results

The summary of assessment results must be clearly stated in terms all team members, including the parent, will understand. It should include the source of the assessment, testing or information collection protocols involved, the date the assessment was conducted or the date of previously available information and the interpretation of the assessment results where applicable.

There must be a complete description of educational needs based upon the assessment results that include relative strengths, areas of need and baseline data where appropriate.

The evaluator must clearly describe implications for instruction and progress monitoring based upon the results of the assessments and description of educational needs. The implications for instruction should include more than a list of accommodations recommended for that student. It should suggest instructional strategies and proposed progress monitoring that would help the child access and make progress in the general education curriculum.

Finally, the Individual Evaluator's Assessment page must be signed by the evaluator who provided the input and be dated to reflect the date of the signature.

Slide 19: Closing Slides

For more information, visit:

<https://education.ohio.gov/Topics/Special-Education/Federal-and-State-Requirements/Operational-Standards-and-Guidance>

<https://education.ohio.gov/Topics/Special-Education>

For further support, contact your State Support Team (SST). To find your SST, please visit: <http://education.ohio.gov/Topics/District-and-School-Continuous-Improvement/State-Support-Teams>