




Evaluation & Eligibility in the IEP Process

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What Will You Learn Today?

- Special Education Timeline
- Evaluation Process
 - Review of Existing Data
 - Parent Consent
 - Tests & Assessments
- Determination of Eligibility
- Next Steps
- Resources



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Special Education in Plain Language



*User-Friendly Handbook on
Special Education Laws, Policies
and Practices in Wisconsin*


2009 • Third Edition • Including a 2019 Supplement

Available:
<https://www.wsems.us/special-education-in-plain-language/introduction/>

pdf version:
 Webinar handout

Hard copy:

- Your school district
- WI FACETS



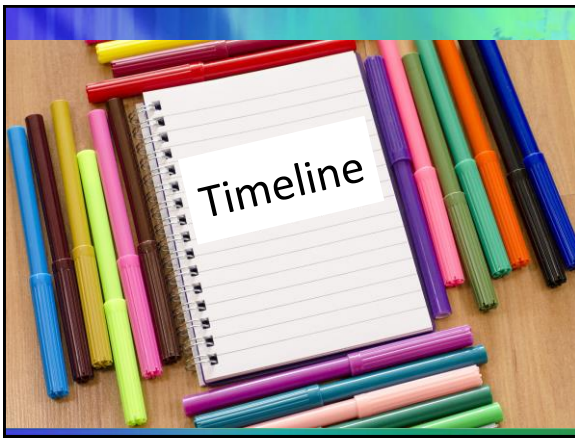
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Where Is Evaluation Information?

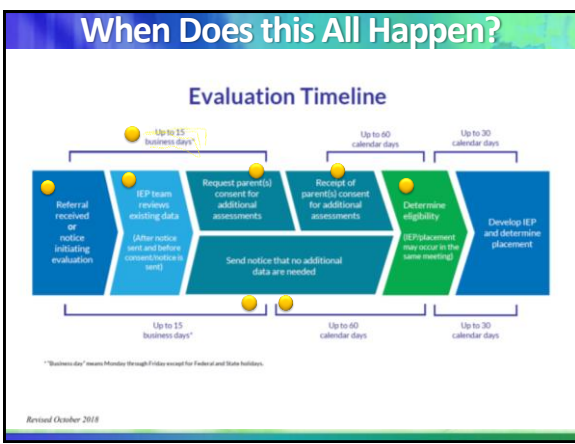
Steps	What We Know Does	What We Know Doesn't	What Needs To Be Done	What Parents Need To Know or Do
Evaluation notice	The IEP team must provide notice to parents of the date of the evaluation and the location of the evaluation. The notice must be written in the parent's native language and must be written in plain language. The notice must also include information about the parent's right to refuse the evaluation. (20 U.S.C. 1414(d)(1)(B)(i))	Parents may not understand the notice or may not know where to go for more information. The IEP team must provide additional information and support to help parents understand the notice and the evaluation process.	The IEP team must ensure that the notice is written in plain language and is understandable to the parent. The notice must also include information about the parent's right to refuse the evaluation.	Parents should read the notice carefully and understand the information it contains. Parents should also contact the IEP team if they have any questions or need more information.
Consent for evaluation	The IEP team must obtain written consent from the parent before the evaluation. The consent must be written in the parent's native language and must be written in plain language. The consent must also include information about the parent's right to refuse the evaluation. (20 U.S.C. 1414(d)(1)(B)(ii))	Parents may not understand the consent form or may not know where to go for more information. The IEP team must provide additional information and support to help parents understand the consent form and the evaluation process.	The IEP team must ensure that the consent form is written in plain language and is understandable to the parent. The consent form must also include information about the parent's right to refuse the evaluation.	Parents should read the consent form carefully and understand the information it contains. Parents should also contact the IEP team if they have any questions or need more information.
More than one evaluation	The IEP team may conduct more than one evaluation if the parent agrees. The IEP team must obtain written consent from the parent for each evaluation. The consent must be written in the parent's native language and must be written in plain language. The consent must also include information about the parent's right to refuse the evaluation. (20 U.S.C. 1414(d)(1)(B)(ii))	Parents may not understand the consent form or may not know where to go for more information. The IEP team must provide additional information and support to help parents understand the consent form and the evaluation process.	The IEP team must ensure that the consent form is written in plain language and is understandable to the parent. The consent form must also include information about the parent's right to refuse the evaluation.	Parents should read the consent form carefully and understand the information it contains. Parents should also contact the IEP team if they have any questions or need more information.
Information from more than one source	The IEP team may use information from more than one source to evaluate the child. The IEP team must obtain written consent from the parent for each source of information. The consent must be written in the parent's native language and must be written in plain language. The consent must also include information about the parent's right to refuse the evaluation. (20 U.S.C. 1414(d)(1)(B)(ii))	Parents may not understand the consent form or may not know where to go for more information. The IEP team must provide additional information and support to help parents understand the consent form and the evaluation process.	The IEP team must ensure that the consent form is written in plain language and is understandable to the parent. The consent form must also include information about the parent's right to refuse the evaluation.	Parents should read the consent form carefully and understand the information it contains. Parents should also contact the IEP team if they have any questions or need more information.
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Special Education in Plain Language: <https://www.wsems.us/special-education-in-plain-language/>

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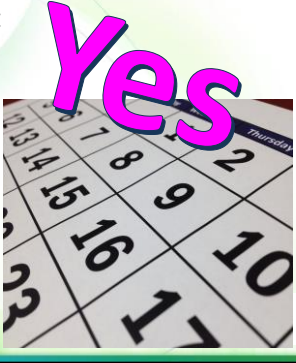
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Any Exceptions to 60-Days?

1. If parent does not make child available for testing
2. If evaluation is for SLD
3. If more time needed so parent can participate




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What Starts the Evaluation Process?

- Written Referral
- Notice of Receipt of Referral & Start of Initial Evaluation (IE-1)
 - DATE
 - IEP Team



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What is "Existing Data Review"?

- Enough data for a comprehensive evaluation?
- Existing data:
 - Things tried already to help the child learn
 - Current assessment info
 - Observations by teachers & other qualified persons
 - Other information
- Document the review (ED-1)



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What's Parent Role in Existing Data Review?

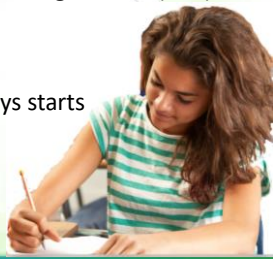
- **Parents** are part of IEP Team
- Read child's school record
- Share information:
 - Medical, therapy, etc.
 - Help needed
- School documents 3 efforts to involve



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Is Existing Data Enough?

- Enough → No more testing needed (IE-2)
Up to 60-calendar days starts
- Not enough → More testing needed (IE-3)
Parent consent
Up to 60-calendar days starts



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Is Consent Needed?

- 60-days starts when consent is received
- Consent is voluntary
- Consent is revocable
- Check "I give my consent" box & sign

Yes

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Can a Parent Refuse?

- Parent can refuse to give consent
- School district has 3 options:
 - Do nothing
 - Mediation
 - Due Process

PARENT CONSENT PERMISSION TO ADMINISTER ASSESSMENTS AND OTHER EVALUATION MATERIALS AS PART OF AN INITIAL EVALUATION

_____ understood the action proposed by the school district and _____ (please check appropriate line below, sign and date, and return one copy to the school district)

I give my consent for the school district to administer these assessments or other evaluation materials described in this notice to my child as part of an initial evaluation. I understand that my consent is voluntary and may be revoked at any time before the administration of assessments or other evaluation materials.

I do not give my consent for the school district to administer these assessments or other evaluation materials described in this notice to my child as part of an initial evaluation. I understand that if I do not consent for the school district to administer these assessments or other evaluation materials, the school district may request mediation or initiate a due process hearing regarding whether these assessments or other evaluation materials should be administered.

Signature of parent or legal guardian or adult resident _____ Date _____


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What to Know about Tests?



- Information from many sources
- IEP Team members do the testing
- Must do more than 1 test
- Tests must be technically sound & fair to children of all cultures



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What Can Parents Do?

<ul style="list-style-type: none"> • Parents can ask: <ul style="list-style-type: none"> • Explain the tests • See child's answer sheet • Use a particular test • Test a certain area 	<p>Parent input important:</p> <ul style="list-style-type: none"> • What the child does well • What the child likes to do • What is difficult • What they think their child's educational needs are.
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Does the Child Have a DISABILITY?

1. Autism
2. Deaf/Blind
3. Emotional Behavioral Disability
4. Hearing Impairment
5. Intellectual Disability
6. Orthopedic Impairment
7. Other Health Impairment
8. **Significant Developmental Delay**
9. Specific Learning Disability
10. Speech & Language Impairment
11. Traumatic Brain Injury
12. Visual Impairment

PI 11.36
Checklists

 A photograph showing a woman with dark hair, wearing a grey shirt, leaning over and talking to a young boy in a blue shirt. They are in a colorful classroom setting with toys and educational materials visible in the background.

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Does the Child NEED Special Education?

IEP Team identifies:

- Needs that **CAN** be met in regular education
- Needs that can **NOT** be met in regular education

 A photograph of three children sitting at a table in a classroom. They are looking at an open book or educational material. One child is pointing at something in the book. There are other educational materials and papers on the table.

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What is the Evaluation Report?

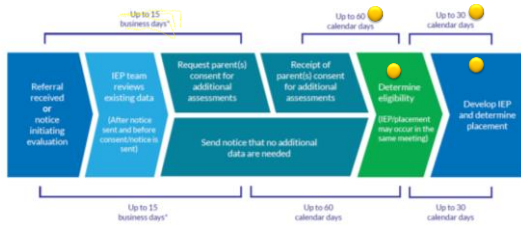
- IEP Team writes it
- Existing data & Additional assessments
- Eligibility determination
- Reasons
- Parents get a copy



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When Happens Next?

Evaluation Timeline



*Business day means Monday through Friday except for Federal and State holidays.

Revised October 2018


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Where Can I Get More Info?

- Special Education in Plain Language: <https://www.wsems.us/special-education-in-plain-language/>
- IDEA: <https://sites.ed.gov/idea/regs/b>
- WI PI 11.36: https://docs.legis.wisconsin.gov/code/admin_code/pi/11/36
- DPI Special Ed Policies, Procedures & Sample Forms: <https://dpi.wi.gov/sped/model-special-education-policies-and-procedures-and-special-education-forms>
- DPI Info Bulletins: <https://dpi.wi.gov/sped/laws-procedures-bulletins/bulletins>
- DPI Eligibility Criteria Worksheets: <https://dpi.wi.gov/sped/laws-procedures-bulletins/laws/eligibility>



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Are There More IEP Mini Modules?

1. Starting the IEP Process: Special Education Basics
2. Special Education Referral Process
3. Evaluation & Eligibility in the IEP Process
4. **Reevaluation & Independent Educational Evaluations**
5. Writing the IEP (Part 1)
6. Writing the IEP (Part 2)
7. Writing the IEP (Part 3)
8. IEP Revisions & Extended School Year
9. Parent rights in the IEP Process
10. Useful Resources in the IEP Process
11. IEP Checklist

Register – www.wifacets.org




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That's It for Today!

- Please complete your evaluation.
- Questions? WI FACETS 877-374-0511

THANK YOU!



Content addressed in this module is based on federal and state law and regulations. The information is not intended to be a replacement for careful study of IDEA and Chapter 115.
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