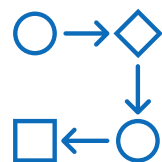


Special Education Evaluations for Students

Agenda



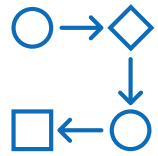
Overview of the Special Education Evaluation Process



Special Education Evaluation Process Through a Fictional Case Study




Frequently Asked Questions



Special Education Evaluation Process

Overview of Special Education for Parents – Form

Overview of Special Education for Parents	Overview of Special Education for Parents	Overview of Special Education for Parents	Overview of Special Education for Parents	Overview of Special Education for Parents
<p>WHAT IS SPECIAL EDUCATION?</p> <p>When a child receives special education, it means that a public school provides custom services and instruction specific to the needs of that student. Special education is available because of a federal law called the Individuals with Disabilities Education Act (IDEA), which provides students with disabilities and their parents special legal rights to receive these individualized learning opportunities.</p> <p>How can special education services help your child?</p> <ul style="list-style-type: none">▶ If your child is eligible for special education services, your child will have access to services and supports that are specially designed to meet your child's unique needs.▶ Special education services provide individualized programming at NO cost to you and may include special education teachers and service providers such as occupational therapists, physical therapists, speech-language pathologists, and providers of dyslexia instruction. <p>SPECIAL EDUCATION PROCESS:</p> <p>Parents have a right to request a special education evaluation at any time. Schools are required to refer a student for an evaluation when a disability is suspected that might require special education services. It's important to understand the steps of the special education process.</p> <p>Steps to Begin Special Education:</p> <ol style="list-style-type: none">1 Referral2 Consent to Evaluate3 Evaluation4 Determine Eligibility (ARD)5 Develop the IEP <p>Receiving Special Education Services:</p> <p>Implement the IEP</p> <p>More information about your rights as a parent can be found below:</p> <p> SPEDTEX Special Education Information Center 1-855-773-3839 Special Education Help for Parents</p> <p>Parents Guide to the ARD Process bit.ly/ParentsARD</p> <p>Notice of Procedural Safeguards bit.ly/ParentsSPS</p> <p>While there are other federal laws that also offer certain protections for students with disabilities - such as Section 504 of the Rehabilitation Act of 1973 - IDEA has specific rights only available under that law. This document summarizes those rights.</p> <p>Page 1 TEA.TEXAS.GOV/TEXASSPED August 2023</p>	<p>1 REFERRAL FOR SPECIAL EDUCATION EVALUATION IS MADE.</p> <p>A referral is:</p> <ul style="list-style-type: none">▶ Required by law when a public school feels that your child may have a disability that requires special education services to be successful.▶ Called a request for a special education evaluation when a parent makes it. A request should be made in writing to the proper staff member. The school will respond with information on whether it will proceed with an evaluation. <p>The school must respond in writing within 15 school days.</p> <p>2 YOU WILL BE ASKED WHETHER YOU CONSENT FOR THE SCHOOL TO EVALUATE YOUR CHILD.</p> <p>Consent to evaluate is:</p> <ul style="list-style-type: none">▶ Permission you choose to give for specially trained personnel to evaluate and assess your child in specific areas.▶ Used by the school to start the timeline by which the school must complete your child's evaluation. <p>With some exceptions, an evaluation must be completed within 45 school days.</p> <p>3 EVALUATION IS DONE BY A GROUP OF TRAINED PROFESSIONALS.</p> <p>An evaluation is:</p> <ul style="list-style-type: none">▶ Called a <i>Full Individual and Initial Evaluation (FIE)</i>, which includes a written report of education recommendations and information about your child's strengths, interests, and challenges. Professionals with training in the suspected disability must participate, e.g., someone like a licensed dyslexia therapist if dyslexia is suspected.▶ Done at no cost to you. If you do not agree with the school's evaluation, you may ask for an <i>Independent Educational Evaluation (IEE)</i>. This would be done by someone who is not employed by the school. <p>4 ADMISSION, REVIEW AND DISMISSAL (ARD) COMMITTEE MEETS TO DETERMINE IF YOUR CHILD IS ELIGIBLE FOR SPECIAL EDUCATION SERVICES.</p> <p>The ARD committee is:</p> <ul style="list-style-type: none">▶ A team, including you, teachers, school administrators, those with special expertise about your child, and professionals with special training about the suspected disability.▶ In this meeting, discussing your child's evaluation report, identifying your child's strengths and areas of need, and then determining whether your child has a disability and the need for special education services. <p>Once the evaluation report is done, an ARD committee typically has 30 calendar days to determine eligibility and develop the IEP.</p> <p>Page 2 TEA.TEXAS.GOV/TEXASSPED August 2023</p>	<p>5 IF YOUR CHILD IS ELIGIBLE FOR SPECIAL EDUCATION SERVICES, THEN THE ARD COMMITTEE WILL ALSO DEVELOP AN INDIVIDUALIZED EDUCATION PROGRAM (IEP).</p> <p>An IEP is:</p> <ul style="list-style-type: none">▶ A collection of information that identifies your child's disability, shows your child's current strengths and areas of need, identifies goals to be worked on, and shows the special education and related services that are required for your child to be successful.▶ A document that a school must follow once the process for developing it is complete, and you consent to your child receiving services. Services would begin as soon as possible. <p>You have the right to participate in the development of the IEP and agree or disagree to your child getting special education services.</p> <p>MOVING FORWARD: RECEIVING SPECIAL EDUCATION SERVICES</p> <p>Once an IEP has been developed, it is the school's responsibility to implement the IEP. Schools must offer the services, accommodations, and supports described in the IEP, and school staff will monitor your child's progress toward the goals in the IEP.</p> <ul style="list-style-type: none">▶ You will receive progress reports on your child's IEP goals at least once each grading period.▶ The ARD committee will meet and review your child's IEP at least annually.▶ As a member of the ARD committee, you will discuss the need for an updated evaluation at least every three years.▶ You can ask for an ARD committee meeting at any time.▶ You can revoke your consent to special education services. In other words, you can tell the school in writing that you want your child's special education services to stop being provided.▶ Special rules are in place for school discipline. If your child's disability is found to be the reason why the misbehavior occurred, then the ARD committee may, in certain situations, change the disciplinary consequence. <p>IF DISAGREEMENT OCCURS:</p> <p>During each ARD committee meeting, you will be an active participant, discussing your child's specific needs with school staff as you work to come to a consensus on the best path forward. But from time to time, you may disagree with school decisions. Under the federal law IDEA, you have formal rights to disagree with special education decisions made by the school, both in the steps to begin special education and while receiving special education services. Dispute resolution options include filing state complaints, requesting mediation, and requesting a due process hearing. State facilitators are also available to help ARD committees reach consensus on IEPs.</p> <p>Page 3 TEA.TEXAS.GOV/TEXASSPED August 2023</p>	<p>WHAT IS IN AN IEP?:</p> <p>The IEP must address certain elements for your child, including:</p> <ul style="list-style-type: none">PLAAPF<ul style="list-style-type: none">▶ Present Levels of Academic Achievement and Functional Performance (PLAAPF): The ARD committee writes down your child's skills, abilities, and challenges based on the evaluation report and other data.Goals<ul style="list-style-type: none">▶ Measurable annual goals: Goals are developed to focus on your child's specific needs and to describe when your child is expected to make progress.▶ If your child has dyslexia, for example, a goal might focus on improvement in a specific area of reading development or fluency within a certain amount of time.Instruction & Services<ul style="list-style-type: none">▶ A description of the specially designed instruction, related services, and supplementary aids and services that will be provided. The instruction and services will vary based on the specific needs of your child. For example, if your child has been identified with dyslexia:<ul style="list-style-type: none">• The specially designed instruction would likely include a regularly scheduled time for instruction by a highly trained provider using a program that has been shown to help students with dyslexia and in accordance with the Dyslexia Handbook.• Related services might include support to improve your child's fine motor skills from an occupational therapist if he or she also struggles with handwriting; and• Supplementary aids and services might include documenting your child's need for speech to text options for writing assignments.Assessments<ul style="list-style-type: none">▶ Information on how your child will participate in state and districtwide assessments, including whether accommodations like extra time are necessary.Transition<ul style="list-style-type: none">▶ Transition services: When your child turns 14, the IEP must begin to document plans for your child after high school and how your child's special education services will be adjusted to work on those plans.Placement<ul style="list-style-type: none">▶ The IEP notes the educational placement of your child. Placement decisions are guided by a requirement to provide education in the least restrictive environment (LRE). The goal of LRE is to have your child included in classrooms and settings with children without disabilities as much as appropriate based on your child's unique needs. <p>Page 4 TEA.TEXAS.GOV/TEXASSPED August 2023</p>	<p>This form is a summary of rights, required to be given to parents after a referral has been made. Your signature serves only as acknowledgment that you received the form. For more information about your rights, review the Notice of Procedural Safeguards and the Parent's Guide to the ARD Process.</p> <p>Student Name: _____ Student ID Number: _____</p> <p>Parent Name: _____</p> <p>Parent Signature: _____ Date: _____</p> <p>Page 5 TEA.TEXAS.GOV/TEXASSPED August 2023</p>

English Form: bit.ly/OverviewParents

Spanish Form: bit.ly/OverviewParentsSpan

What is Special Education?

When a child receives special education, it means that a public school provides custom services and instruction specific to the needs of that student. Special education is available because of a federal law called the Individuals with Disabilities Education Act (IDEA), which provides students with disabilities and their parents special legal rights to receive these individualized learning opportunities.

Special education is a service, not a place.



How can special education services help your child?

- If your child is eligible for special education services, your child will have access to services and supports that are specially designed to meet your child's unique needs.
- Special education services provide individualized programming at NO cost to you and may include special education teachers and service providers such as occupational therapists, physical therapists, speech-language pathologists, and providers of dyslexia instruction.

While there are other federal laws that also offer certain protections for students with disabilities - such as Section 504 of the Rehabilitation Act of 1973 - IDEA has specific rights only available under that law. This document summarizes those rights.

Special Education Process

Parents have a right to request a special education evaluation at any time. Schools are required to refer a student for an evaluation when a disability is suspected that might require special education services. It's important to understand the steps of the **special education process**.

Steps to Begin Special Education:

- 1**
Referral
- 2**
Consent to Evaluate
- 3**
Evaluation
- 4**
Determine Eligibility (ARD)
- 5**
Develop the IEP

Receiving Special Education Services:



Implement the IEP

1

REFERRAL FOR SPECIAL EDUCATION EVALUATION IS MADE.

A referral is:

- Required by law when a public school feels that your child may have a disability that requires special education services to be successful.
- Called a *request* for a special education evaluation when a parent makes it. A request should be made in writing to the proper staff member. The school will respond with information on whether it will proceed with an evaluation.



The school must respond in writing within 15 school days.

YOU WILL BE ASKED WHETHER YOU **CONSENT** FOR THE SCHOOL TO EVALUATE YOUR CHILD.

Consent to evaluate is:

- Permission you choose to give for specially trained personnel to evaluate and assess your child in specific areas.
- Used by the school to start the timeline by which the school must complete your child's evaluation.



With some exceptions, an evaluation must be completed within 45 school days.

An evaluation is:

- Called a Full Individual and Initial Evaluation (FIIE), which includes a written report of education recommendations and information about your child's strengths, interests, and challenges. Professionals with training in the suspected disability must participate, e.g., someone like a licensed dyslexia therapist if dyslexia is suspected.
- Done at no cost to you. If you do not agree with the school's evaluation, you may ask for an Independent Educational Evaluation (IEE). This would be done by someone who is not employed by the school.



ADMISSION, REVIEW AND DISMISSAL (ARD) COMMITTEE MEETS TO DETERMINE IF YOUR CHILD IS ELIGIBLE FOR SPECIAL EDUCATION SERVICES.

The ARD committee is:

- A team, including you, teachers, school administrators, those with special expertise about your child, and professionals with special training about the suspected disability.
- In this meeting, discussing your child's evaluation report, identifying your child's strengths and areas of need, and then determining whether your child has a disability and the need for special education services.



Once the evaluation report is done, an ARD committee typically has 30 calendar days to determine eligibility and develop the IEP.

IF YOUR CHILD IS ELIGIBLE FOR SPECIAL EDUCATION SERVICES, THEN THE ARD COMMITTEE WILL ALSO DEVELOP AN **INDIVIDUALIZED EDUCATION PROGRAM (IEP)**.



An IEP is:

- A collection of information that identifies your child's disability, shows your child's current strengths and areas of need, identifies goals to be worked on, and shows the special education and related services that are required for your child to be successful.
- A document that a school must follow once the process for developing it is complete, and you consent to your child receiving services. Services would begin as soon as possible.

You have the right to participate in the development of the IEP and agree or disagree to your child getting special education services.

More Information About Parent Rights

More information about your rights as a parent can be found below:



spedtex.org
1-855-773-3839

SPEDTEX
Special Education Information Center

**Special Education
Help for Parents**



[Parents Guide to the ARD Process](#)

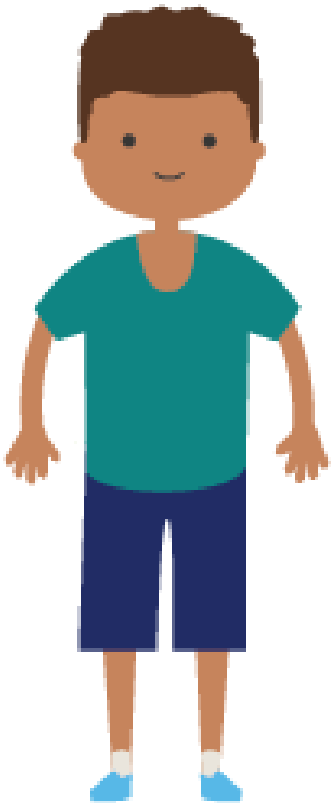


[Notice of Procedural Safeguards](#)



Special Education Evaluation Process Through a Fictional Case Study

Fictional Case Study: Meet Daniel a Third Grade Student



- Third grade student
- Struggles with writing and has difficulty with:
 - Using grammatically correct sentences
 - Using appropriate language and word choice
 - Recalling information and rules for proper punctuation, capitalization, word order, and spelling
 - Maintaining ideas, including sequence and organization while transcribing the words
 - Expanding on ideas
- Participates in classroom tasks
- Respectful with staff and peers
- Turns in assignments on time
- Continues to not make progress in writing even with supports from his teacher such as:
 - Graphic organizers
 - Reminders to use revising and editing strategies

Fictional Case Study: Request for Special Education Evaluation



1

Daniel's parents make a request for special education evaluation through an email to the principal of Daniel's school.

2

The email states that the parent is requesting a special education evaluation for her 3rd grade son. It outlines the parent's concerns about Daniel's progress and performance at school and ends with contact information.

3

After receiving the written request, the school must respond within 15 school days with:



- Notice of Procedural Safeguards
- Prior Written Notice for evaluation (or Prior Written Notice of refusal to evaluate)



- Overview of Special Education for Parents form
- Opportunity to provide consent to evaluate

Fictional Case Study – Daniel Special Education Evaluation: Timeline

Daniel's mother signs consent to evaluate on Friday, September 27, 2024, the **45 school-day timeline** starts on September 30, 2024. If school is not in session on October 14, 2024, and school is out not in session for one week from November 25-29, 2024, and Daniel is not absent during this evaluation time, his evaluation must be complete by December 9, 2024.

SEPTEMBER

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOVEMBER

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

DECEMBER

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				



Consent signed



School is not in session



Evaluation must be completed



First day of the 45 school-day special education evaluation timeline

Fictional Case Study – Daniel Special Education Evaluation



The school will conduct an evaluation of Daniel in all areas of suspected disability (in this case specific learning disability or SLD) to determine if he has a disability and to determine his educational needs. The evaluation process for the child must:

- Include information about the child's academic, developmental, and functional performance;
- Be administered by trained and knowledgeable personnel – this is called a multidisciplinary team or MDT
- Be administered in the child's native language or other mode of communication; and
- Be unbiased or given in such a way so as not to discriminate against the child, regardless of his or her cultural background, race, or disability.

Fictional Case Study: Daniel's Multidisciplinary Team (MDT)

An MDT Includes:

- Parents
- Student's General Education Teacher
- Evaluation Personnel
- Other Individuals with Special Expertise

Daniel's MDT Includes:



Daniel's
Parents



Daniel's
Teacher



School
Psychologist



Occupational
Therapist

Fictional Case Study: Comprehensive Evaluation

When conducting a comprehensive evaluation, the IDEA requires the MDT to:

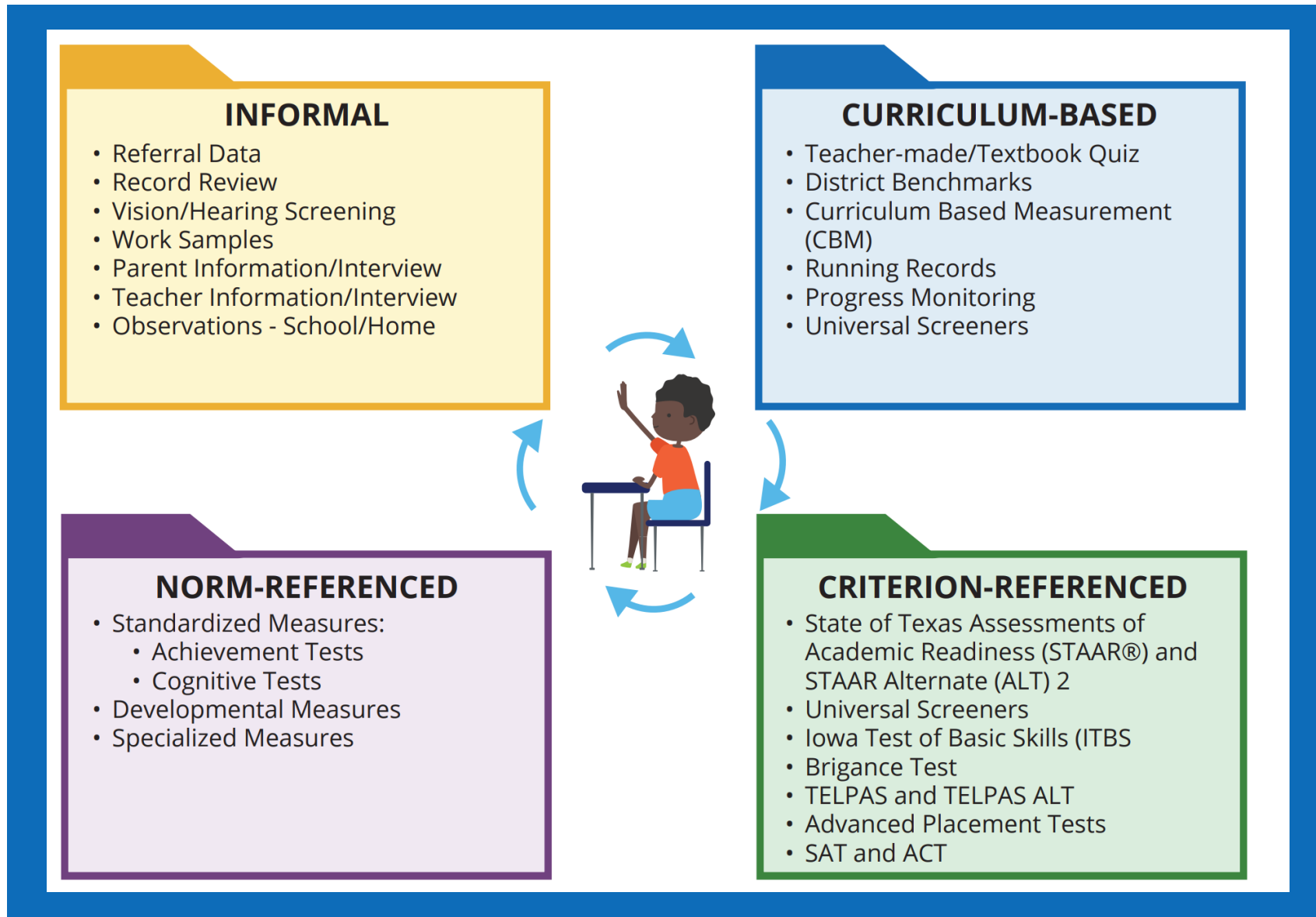
Use a **variety** of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent

Not use any **single measure or assessment** as the only part of the evaluation

Utilize **technically sound** instruments

Ensure the student is **assessed in all areas** related to the suspected disability


Fictional Case study: MDT Completes the Special Education Evaluation





Fictional Case Study: Daniel's Evaluation and ARD Meeting


- The school has up to **30 calendar days** to hold an ARD meeting to determine eligibility for Daniel. This means that the Admission Review and Dismissal (ARD) committee meeting must be scheduled by January 8th, 2025.
- Daniel's evaluation report must be provided to his parents in his native language no later than 5 **school days** prior to the initial ARD committee meeting.
- In Texas, the student must either demonstrate an insufficient response to scientific, research-based intervention or exhibit a pattern of strengths and weaknesses as one of the components considered to determine whether the child meets the eligibility criteria of SLD. Schools may use either method as part of evaluating and identifying an SLD.

DECEMBER							January						
Su	Mo	Tu	We	Th	Fr	Sa	S	M	T	W	T	F	S
1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30	31	

 School is not in session

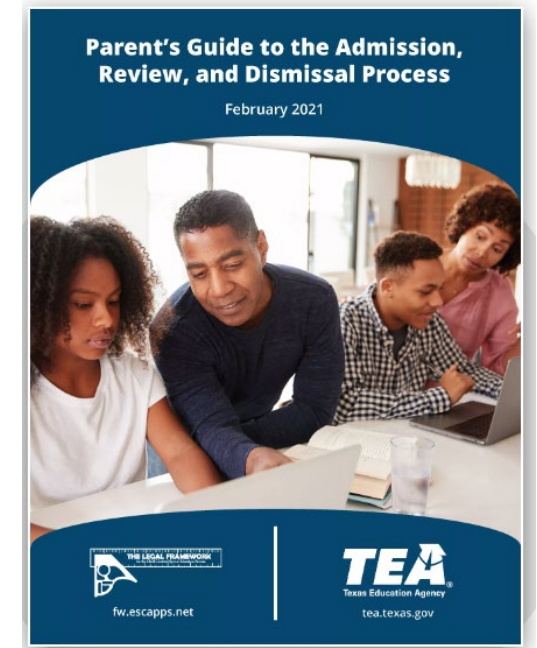
 Evaluation must be completed

 Parent is entitled to a copy of the evaluation report as soon as possible after its completion but no later than 5 school days prior to initial ARD committee meeting

 ARD committee meeting to determine eligibility

Fictional Case Study: Daniel's Eligibility Determination and Initial ARD Meeting

- In this case, the ARD committee determines Daniel is eligible because he has a Specific Learning Disability (SLD) in written expression and demonstrates a need for special education and related services to make progress.
- In Texas, the student must either demonstrate an insufficient response to scientific, research-based intervention or exhibit a pattern of strengths and weaknesses as one of the components considered to determine whether the child meets the eligibility criteria of SLD. This information is explained in the evaluation report. Schools may use either method as part of evaluating and identifying an SLD.
- The ARD committee develops an IEP and offers an opportunity for his parents to consent to the provision of special education and related services.
- For more information about the ARD process please see the Parent's Guide to the Admission Review, and Dismissal Process found at SpedTex.org/resources/parents-guide-ard-process





Frequently Asked Questions

Evaluation



When can I request an independent educational evaluation (IEE)?

Evaluation



If the school refuses to do an initial evaluation for my child, what are my options?

Evaluation

I moved to Texas from out of state. Does my child's new school have to reevaluate my child, or can they use the evaluation and IEP from their previous out-of-state school?

Evaluation



How do I request an evaluation for my pre-school age student (e.g., 3 – 5 years old) who is not yet enrolled in a public school?

Evaluation



How long does it take to get an evaluation completed after I make a request?

Evaluation



What happens if my child is not eligible for special education?

Evaluation



Can my homeschooled child get a special education evaluation?

Evaluation



I have an outside evaluation showing my child has autism. How can I ensure he receives special education services at school?

Evaluation



How long do I have to wait to hear back from the school after I ask them to evaluate my child?

Evaluation



Can I choose which areas my child will be evaluated in?

Evaluation



My child had an outside evaluation completed, and I gave it to the school. They said they have to do their own testing. Is this right?

Evaluation



I think my 2-year-old might need special education services. What should I do?

Evaluation



What is a developmental delay?

Evaluation

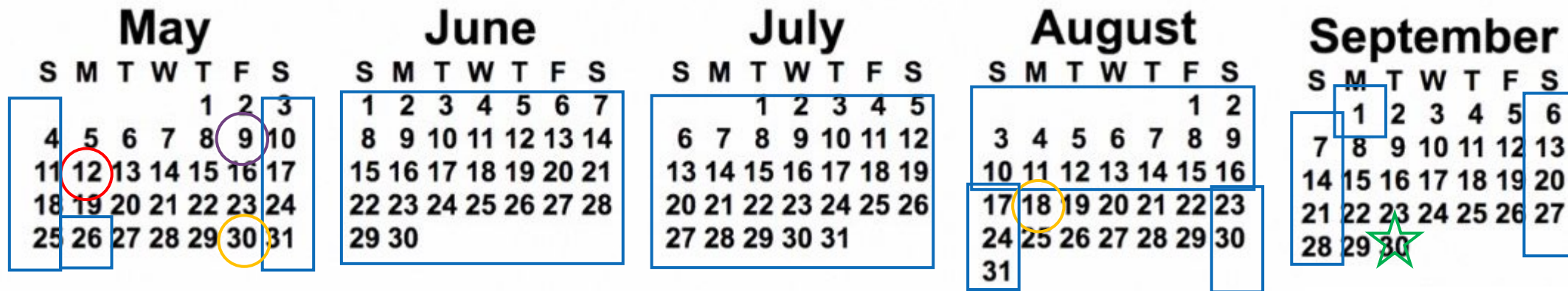


What happens if my school gets consent to evaluate my child, but it is almost summer?

Fictional Case Study – Daniel Special Education Evaluation: Timeline: Less than 35 School Days Before Last School Day

If the school district receives written consent for an FIE signed by the student's parent or legal guardian (including students under five years of age by September 1 not enrolled in a public or charter school and for students enrolled in a private or home school setting) **less than 35 school days before the last instructional day of the school year**. The written report of the FIE must be completed **not later than the 45th school day** following the date written consent was received (**into the following school year**).

If the consent was signed **at least 35 but less than 45 school days before the last day of instruction**, the written report of the FIE must be **completed and provided to the parent not later than June 30th**, of that year.



Consent signed



School is not in session



Evaluation must be completed



First day of the 45 school-day special education evaluation timeline



First and last instructional day of school

Evaluation



What is included in a special education evaluation?

Evaluation

How often does the school need to reevaluate my child?

Does that always need to be formal testing?

Evaluation



In my ARD meeting, we did something called a REED. What is that?

Evaluation



I signed consent for a special education evaluation but now I am moving. What happens?

Resources

- [Parent's Guide to the ARD Process](#) (in process of being revised because of commissioner rule updates)
- [Notice of Procedural Safeguards](#) (in process of being revised because of commissioner rule updates)
- [Overview of Special Education for Parents](#)
- [Texas Administrative Code, Title 19, Chapter 89, Subchapter AA. Commissioner's Rules Concerning Special Education Services](#)
- [Guidance for the Comprehensive Evaluation of Specific Learning Disabilities](#) (in process of being revised because of commissioner rule updates)



Thank you!