

## **A. REFERRAL FOR AN EVALUATION**

A referral for a student evaluation is one of the outcomes of the screening team process. When the building level screening team feels they have exhausted all possible remedies, they may reach the decision to refer the student for an evaluation.

If appropriate, any student up to 21 years of age and enrolled in the district for which a referral for an evaluation has been accepted shall receive an appropriate evaluation as promptly as possible, but in no case longer than sixty (60) school days after the date of referral or the date of the parent's application for admittance of the student to the public school. The procedures below do not address home/hospital evaluations. Please refer to the section in this manual on home/hospital services.

All evaluations will be conducted so as to assure they are linguistically, culturally, racially, and sexually nondiscriminatory. Materials or assessment instruments will be periodically reviewed to assure appropriateness for continued use with the existing student population.

The type, degree, and intensity of the evaluation process selected will be determined by the nature of the problems which caused the referral, the complexity of a student's problems, and the amount of information necessary to make sound professional judgments. All evaluations will be multidisciplinary in nature. An evaluation shall cover all domains that are relevant to the individual child under consideration. Any independent evaluation conducted by an outside agency and provided to the school must be included in the evaluation and considered with all evaluation information. It is not the responsibility of the IEP team to concur with the results of an independent evaluation nor to accept recommendations offered resulting from an independent evaluation. Rather, the team must consider this information. The IEP should reflect their consideration of such evaluations.

If, at any time, an independent evaluation is used to comply with any or all components of the school's case study evaluation, we must offer to pay for the evaluation(s).

Below is a list of components to consider in conducting a comprehensive evaluation:

- Vision and Hearing Screening
- Interview with the Child
- Consultation with the Parent/Guardian
- Social Developmental Study
- Medical History and Current Health Status
- Review of Child's Academic History and Current Educational Functioning
- Assessment of the Learning Environment
- Specialized Evaluations - Psychological  
Speech and Language  
Others, such as OT, PT, Neurological, etc.

The information necessary to address all domains is gathered throughout the screening and evaluation process. The domain is defined as follows: An aspect of a child's functioning or performance that must be considered in the course of designing an evaluation. The domains are health, vision, hearing, social emotional status, general intelligence, academic performance, communication status, and motor abilities.

- If a child has limited English proficiency, the evaluation must measure the extent of the child's disability and not the child's language skills; and
- The evaluation report must include a description of the extent that the assessment varied from standard conditions.

Parents should play an integral role in the decision making process. If the consensus of the team is to proceed with an evaluation, Parent/Guardian Consent for Evaluation ISBE 34-571 B (Form 101-B1) must be signed by the parent/guardian or surrogate parent after Parent/Guardian Consent for Evaluation ISBE 34-57B (Form 101-B2) has been reviewed by the IEP team. At this time, the Parent/Guardian is provided the Explanation of Procedural Safeguard ISBE 34-57J (Form 914) and Description of Case Study Evaluation/Reevaluation Components ISBE 34-57B2 (Form 915). Parents have the right to ten (10) days' notification prior to the initiation of the evaluation. Parents may waive this right by signing the waiver, which is separate from the consent form (Form 916).

If the decision of the team is to not conduct a case study evaluation at this time, then the Parent/Guardian Notification of Decision Not to Conduct a Case Study Evaluation ISBE 34-57A (Form 101-O) must be completed with a copy of this form and the Parent/Guardian Explanation of Procedural Safeguards ISBE 34-57J (Form 914) going to the parent/guardian or surrogate. If parent consent cannot be obtained, the screening team will review its recommendation for evaluation and determine whether or not a recommendation to consider pursuing consent via due process will be made to the District Superintendent or Director of Special Education. If the team decides not to pursue the previously recommended evaluation(s) then the Parent/Guardian Notification of Decision Not to Conduct a Case Study Evaluation/Reevaluation ISBE 34-57A (Form 101-O) should be completed. If due process is to be initiated, it must be done through the district.

A referral for an evaluation can be made by the parent, guardian or surrogate parent, student, school personnel, through community agencies, or an employee of the State Board of Education. In order to insure that all parties involved with any student can participate in the decision making process, it is recommended that a screening team meeting be held to discuss each request. It is however not mandatory to go through a screening team in order to refer, only best practice. It is still necessary to complete all the screening forms as part of the referral since some of the information contained in the screening process constitutes components of the evaluation. For each referral, a Case Manager is named. It is the responsibility of the Case Manager to see that all domains of the case study are reviewed to consider in designing an evaluation. (See Case Manager part E in Screening section for details.)

All referral requests, written or oral, should be made to the local public school building Principal. Within five (5) school days the building Principal should either send the referral packet to the referring party and/or schedule a meeting to assist in the completion of the paperwork.

The necessary forms for a Referral for an Evaluation include 101-A, 101-B1 and 101-B2 and should always be accompanied by the results of the screening team, 101-D through 101-H with 101-I and/or 101-J and 101-T.

Once received at PAEC, the referral is checked for completeness, processed, and assigned to appropriate staff. If the referral forms and screening team packets have not been properly completed, they will be returned to the Principal with an explanation of what is missing.

The evaluation and IEP meeting must, by law, occur within sixty (60) school days of the date of referral or the date of the parent's application for admittance of the child to the public school.

It is not required that diagnostic staff have their reports written and ready to disseminate at the staffing. However, they must be prepared to share their findings orally and record a summary of their findings on pages 159-5 and 159-5a of the evaluation paperwork.

In both written and oral comments, staff should share only results of their testing not offer recommendations for placement or related services that might be needed. Their comments should be restricted to a review of their findings and a statement of the student’s needs. Once eligibility has been determined and one or more of the disabilities identified, the team moves into the IEP meeting. An IEP must be completed for each student who is eligible to receive special education and related services under the Individuals with Disabilities Act (IDEA). The IEP is a management tool that is developed by school personnel and parent(s) to ensure that each student with a disability is provided special education and related services that are appropriate to her/his special needs as identified by the team.

This process holds true for annual reviews as well. Initial comments should be restricted to progress made toward goals. The team will determine the ongoing need for special education and related services and the amount of time required to meet the goals based on demonstrated continued need.

**CASE STUDY EVALUATION AND REEVALUATION PROCESS**

Procedures:

<u>ACTIVITY</u>	<u>TIMELINE</u>	<u>PERSON RESPONSIBLE</u>
1. Complete referral packet	Immediately following decision by screening team to conduct an evaluation.	Building Principal
2. Completion and written documentation of needed case components:	The evaluation and IEP meeting shall be completed within 60 school days after the date of referral.	Team Members
A. Mode of Communication/ Cultural Background.	When a child is referred for evaluation with fewer than 60 days of pupil attendance left in the school year, the eligibility determination shall be made and, if the child is eligible, an IEP shall be in effect prior to the first day of the next school year.	Screening Team Chairperson
B. Parent Consultation/ concerns		Classroom Teacher & Social Worker
C. Academic History/current educational functioning		Classroom Teacher & Social Worker
D. Learning Environment Assessment		Home School or Attending School Principal
E. Medical/Health History		School Nurse or Health Aide
F. Social Developmental Study		School Social Worker
G. Adaptive Behavior		School Social Worker & Classroom Teacher

<u>ACTIVITY</u>	<u>TIMELINE</u>	<u>PERSON RESPONSIBLE</u>
H. Psychological Testing/ Child Interview		School Psychologist
I. Speech/Language Evaluation		Speech/Language Therapist
J. Occupational Therapy and/or Physical Therapy Evaluation (if necessary)		O.T. Therapist P.T. Therapist
3. Arrange IEP conference to determine eligibility for special education services.	The IEP meeting shall be conducted within 30 days after the child is determined eligible.	Case Manager
4. Send Notification of Conference		PAEC Staffing Secretary or Classroom Teacher
5. For students recommended for special education placement; obtain Parent/Guardian or Surrogate Parent signature		Program Supervisor
6. As directed by the IEP team, notify parents of team decision regarding eligibility of special education services		Program Supervisor

## **B. MOVE-IN PROCEDURE**

When a child moves into a PAEC member district having received special education services at their previous school, the same level and type of services should be initiated as soon as possible based on information obtained from the previous school. The level and type of service should be provided in the least restrictive environment. Prior to starting a student, the district/PAEC should have a copy of the IEP from the previous school. Diagnostic reports are not required to initiate services. In order to establish a formal record with PAEC the child's parent/guardian must enroll with the home school district.

1. The designated district personnel should have the parent/guardian sign two copies of an Authorization to Exchange/Disclose Communications and Records (PAEC Form 408). One authorization for the district and the second to release records to PAEC. These forms should be attached to the referral when it is sent to PAEC. This process will ensure that both the district and the cooperative receive records.
2. District personnel should complete the Referral for a Case Study Evaluation page 101-A (first page containing identifying information and signatures) of the referral packet. Please indicate when the last case study evaluation (testing) was completed on the 101-A form.
3. If records are available from the previous school, copies should be forwarded to PAEC as soon as possible. If records are not available, the school psychologist or the Program Supervisor should contact the previous school to determine special education programming and services that the

student received in the previous placement. The district personnel should contact the Program Supervisor in order to inform her/him of the move in student and the special education program/services that the student will need. The school psychologist and Program Supervisor should consult on the student's placement and services and complete the Move in Special Education Placement Notice (Form 167) and submit it to the intake secretary at PAEC.

If student records from the previous school have not been received in one (1) month or the team deems it necessary to conduct additional testing, the team would convene a Prediagnostic meeting to consider additional testing. If testing is recommended, consent from the parent/guardian would be obtained using the ISBE 34-571 B (PAEC 101-B1).

### **C. REASSESSMENT**

Every student receiving special education services must have a review of existing evaluation data to determine the extent of formalized testing necessary at least every three years. The Case Manager for reassessments is the School Psychologist or the person assigned this task by the local Director of Special Education.

Each Fall the classroom teacher, Psychologist, Social Worker and other necessary diagnostic staff will be informed of those students who will receive reassessments during that school year. The Psychologist assigned to conduct the reassessment will serve as the Case Manager to insure that reevaluations are conducted within the 60 day timelines. The Psychologist will contact the Program Supervisor/Principal to schedule a prediagnostic meeting (see prediagnostic procedure) to review existing evaluation data and to determine the extent of formalized testing necessary to identify student needs. At the prediagnostic meeting the IEP team will review the eight domains using the Parent/Guardian Consent for Evaluation ISBE 34-57B (Form 101-B2). After the IEP team considers the eight domains, the Parent/Guardian Consent for Evaluation ISBE 34-571 B (Form 101-B1) will be completed and signed by the parent/guardian.

If consent was not obtained at the prediagnostic meeting, a cover letter will be mailed (Form 184) along with the Parent/Guardian Consent for Evaluation ISBE 34-571 B (Form 101-B1) and ISBE 34-57B (Form 101-B2) providing the parent/guardian an opportunity for input in consideration of additional evaluation data. Parents/guardians will be asked to sign and return all but one (1) copy (to retain for their records) of the consent form in a self-addressed, stamped envelope. Staff should not proceed with any testing until they receive notice that consent has been obtained. It is necessary to conduct an IEP meeting following the prediagnostic meeting even when no additional evaluation is needed. The team would review existing data that is sufficient to determine eligibility and develop the IEP.

In order to be in compliance, the anniversary date for the reassessment is the date of the last staffing to review results of assessment information.

The Social Worker, who may be providing direct or consultative services, will conduct the SDS reassessment. His/her reassessment will address issues of relevance that have occurred since the last reassessment. Any other support staff such as Speech/Language, Occupational Therapist, Physical Therapist, and Hearing/Vision Itinerants or Adaptive Physical Education Teachers who have been providing services to the student must conduct a reassessment. Only those areas in which a student is receiving services need to be considered for reassessment. For example, if a student is seeing the Speech/Language Therapist for an articulation problem, a language evaluation need not be done. In the case of all support staff, their reassessments should not reflect progress toward goals. This information should be shared at a different time within the IEP meeting.

The goal is to have the three-year reevaluation done to share at the time of the annual review. There are instances where this will not be possible and a second meeting must be scheduled to review the assessment information. Any questions on the status of a reevaluation should be discussed with the Program Supervisor.

The results of the three-year reassessment will be shared at the time of the annual review whenever possible. The annual review schedule is established by the Supervisor in consultation with other staff members. Once notified, staff should plan to conduct the evaluation so that testing occurs within sixty (60) school days of receipt of consent. The teacher is responsible for sending the staffing notice (Form 438A). It is important that this form reflect that the annual review is for the purposes of addressing progress over the past year as well as discussing the results of the three-year reassessment. If it is not possible to hold the reassessment at the same time, then the Program Supervisor will schedule another staffing. It will be the responsibility of the Case Manager to see that the staffing request form is completed and submitted to the Staffing Secretary.

There are instances where a student will be seen for a reassessment not conducted as part of the routine triennial evaluation but rather to reconsider eligibility (i.e., LD student recommended for an O.T. evaluation). When a reassessment is recommended under such conditions, it is necessary to obtain consent to conduct such an assessment(s) using Consent for Evaluation ISBE 34-571 B (Form 101-B1) and ISBE 34-57B (Form 101-B2). Dependent upon the reason for conducting the reassessment, it may not be necessary for formal testing to be done for any or all components. The need to conduct formal testing will be determined by the diagnostician and the nature of the reevaluation.

Parents/guardians must receive notification of the staffing, Parent/Guardian Notification of Conference ISBE 34-57E (Form 438), at least ten (10) days prior to the meeting. The notification form will be completed by the classroom teacher. A copy of the notification will be attached to the Central File copy of the IEP by the Program Supervisor/Staffing Chairperson.

If it is necessary to conduct the IEP where results of the three (3) year reevaluation will be shared, at a time separate from the annual review, notification using ISBE 34-57E (Form 438) will be mailed by the Staffing Secretary in the PAEC Central Office.

#### **D. REACTIVATION OF EVALUATION**

There are circumstances when a student has been deactivated that it is necessary to reactivate his/her file and reconsider the need for special education services. Typically, such situations will fall into one of the following instances:

- 1) the student was evaluated less than one (1) year ago and found ineligible for special education services,
- 2) the student received special education services less than one (1) year ago within one of the six (6) school districts served by PAEC.

When this occurs, the Program Supervisor should complete the Request for Reactivation (Form 179).

In the event the student moves from the PAEC area before the initial testing/staffing has been completed, but returns within the sixty (60) day timeframe, the Program Supervisor need only complete the reactivation notice. If however it is beyond the sixty (60) days, it is necessary to get the reactivation and the Consent for Evaluation signed ISBE 34-571 B (Form 101-B1) and 34-57 B (Form 101-B2).

Once received by the Intake Secretary, a copy will be shared with the appropriate Psychologist and Social Worker. The Psychologist or Principal (in the case of a PAEC operated program) should schedule a staffing immediately.

- 3) the student was previously referred or who received services over a year ago.

Such a student must be referred to the screening team within the building where the student is in attendance. Procedures for screening team meetings apply to these cases.

If the student is ultimately referred again, the knowledge of a prior referral to PAEC should be noted across the top of the referral to assist the Intake Secretary in processing the referral.

**E. SPEECH AND LANGUAGE**

**1. SPEECH AND LANGUAGE SCREENING**

All students newly enrolled in the district (Kindergartners and transfer students) will receive a speech and language screening from a Speech and Language Therapist during the first school year of enrollment unless the district has been granted a waiver from the ISBE. The process for applying for a waiver is available through PAEC.

Speech and language screening will include a review of the child’s communicative abilities and will address language use, articulation, fluency and rhythm. Requests for a speech and language screening can come from individual teachers or may be a result of a deliberation of the screening team. It is advisable to pursue screening and possible evaluation through the building screening team process. Direct referrals for evaluation are always appropriate as well.

Procedures:

<u>ACTIVITY</u>	<u>TIMELINE</u>	<u>PERSON RESPONSIBLE</u>
a. All students needing speech and language screening will be identified.	During the first year of school	Speech/Language Therapist
1) Class lists of kindergarten students will be obtained from the school office.		Speech/Language Therapist
2) Names of transfer students will be obtained from the school office.		Speech/Language Therapist
3) Determination of screening sequence will be based on consultation with classroom teachers.		Speech/Language Therapist
4) Schedule of screening is developed to include locations and dates.		Speech/Language Therapist

<u>ACTIVITY</u>	<u>TIMELINE</u>	<u>PERSON RESPONSIBLE</u>
5) Schedule confirmed with Building Principal.		Speech/Language Therapist
b. Dissemination of schedule.	Within one week of the screening date	Speech/Language Therapist
c. Conduct screening.	Based on schedule	Speech/Language Therapist
d. Summarize results for each student on PAEC 107	Immediately following	Speech/Language Therapist
e. Disseminate results to teacher and cumulative files. White copy remains with the speech/language packet; canary goes to the Principal for placement in the cumulative file and the pink is sent to the parents accompanied by a copy of the rights in brief.	Following screening	Speech/Language Therapist
f. Maintain file of screening results annually.	Following completion of screening.	Speech/Language Therapist
g. When a student is singled out for screening, parental/guardian/surrogate permission must be obtained using PAEC Form 106.	Prior to screening occurring	Speech/Language Therapist

## 2. SPEECH AND LANGUAGE EVALUATION

Speech/language evaluations must be completed for any student who fails a speech/language screening. In addition, requests for a speech/language case study may be made by a parent, teacher, or member of screening team or the multidisciplinary team. Dependent upon district procedure, such requests can be made directly to the Speech/Language Therapist or will go to the Principal and be scheduled for discussion at the next screening team meeting. If the latter procedure is used, the requesting person should complete the Request for Screening and submit it to the Principal.

The speech/language case study may include the following:

- Interview with the Student
- Medical History and Current Health Status
- Hearing Screening
- Review of Academic History and Current Educational Functioning
- Specialized Speech/Language Evaluation

The evaluation may be conducted by the multidisciplinary team, therefore it is suggested that the Speech/Language Therapist involve the School Nurse/Health Aide in reviewing the Medical History, Current Health Status, the Hearing Screening and the teacher to provide the Review of Academic History and Current Educational Functioning.

## Procedures:

<u>ACTIVITY</u>	<u>TIMELINE</u>	<u>PERSON RESPONSIBLE</u>
a. Obtain parent permission using Form 101-B1 (ISBE 34-571 B) and 101-B2 (ISBE 34-57B), include Parents' Rights Form 914 (ISBE 34-57J) and Components of Case Study Form 915 (ISBE 34-57B2)	Immediately after screening	Speech/Language Therapist
b. Submit consent, front page of the referral (101-A) and medical health history	After screening	Speech/Language Therapist
c. Conduct evaluation	Immediately after obtaining consent	Speech/Language Therapist & other staff as appropriate
d. Coordination, completion of case study components	After obtaining consent	Speech/Language Therapist, School Nurse/Aide & Teacher
e. Schedule staffing, using Form 438A (ISBE 34-57E)	After completion of evaluation	Speech/Language Therapist
f. Conduct an IEP meeting to determine eligibility. IEP Forms: 159-1, 159-3, 159-4 and/or 159-4a. MDC Forms: 159-5, 159-5a and 159-5b 159-10, 11, 12	Within 60 school days of initial referral	Speech/Language Therapist & at least two addit'l. disciplines (typically the Principal and Classroom Teacher & School Nurse/Aide as needed)
g. If speech/language services are recommended, obtain consent for initial placement (Form 159-6) (ISBE 34-57G) and give them a copy of Parents' Rights (914) (ISBE 34-57J)	At the conclusion of the IEP meeting	Speech/Language Therapist
h. Following staffing, send Notification of Conference Recommendations (Form 917) (ISBE 34-57F)	Following staffing	Speech/Language Therapist
i. Submit a copy of all paperwork to PAEC: <ul style="list-style-type: none"> <li>• Evaluation</li> <li>• IEP (159-1 – 159-5b, 159-10, 11, 12)</li> <li>• Consent for Placement (159-6) (ISBE 34-57G)</li> <li>• Notification of Conference Recommendations (917) (ISBE 34-57F)</li> </ul>	Following staffing	Speech/Language Therapist

## **F. EVALUATIONS FOR HEARING, VISION AND ORTHOPEDIC DISABILITIES**

DuPage/West Cook (DWC) provides evaluations for students suspected of having hearing, vision, or orthopedic problems which may be interfering with their ability to function in the academic environment. In order to refer a child to DWC, the DWC referral form and appropriate educational screening forms should be completed. Any available medical information on the suspected or known disability should accompany the referral as well. This might include such things as reports from Ophthalmologists, Audiologists, Ear, Nose & Throat Physicians, Orthopedists or failed vision/hearing reports. If the student currently receives special education within the Cooperative, the referral should be submitted to the Program Supervisor at PAEC. For students not currently receiving special education services through PAEC or its member districts, a referral to PAEC must be initiated. This requires the completion of Forms 101-A, 101-B, and 101-C. The PAEC referral should be submitted in conjunction with the DWC referral material to the Intake Secretary at PAEC who will be responsible for processing the referral. Questions regarding the completion of referrals to DWC or status of a referral should be directed to the Program Supervisor. Samples of the forms are in the FORM REVIEW.

Following completion of the evaluation(s), DWC staff may recommend a case study evaluation to further assess the impact of the hearing, vision, or orthopedic impairment on the student's educational functioning. The case study will be completed by DWC staff or local district/cooperative staff. If no further evaluation(s) is necessary, a staffing should be held to review the findings of the evaluations conducted by DWC.

## **G. OCCUPATIONAL THERAPY/PHYSICAL THERAPY – SCREENING/EVALUATION**

Occupational Therapy (OT) and/or Physical Therapy (PT) screenings and/or evaluations are conducted by certified Occupational and Physical Therapists employed by PAEC. Requests for an OT or PT screening are to be made at an IEP, annual review or screening team meeting. It is the responsibility of the team to determine the need for such screenings. The IEP report will serve as the referral. Please mark at the bottom of the first page of the IEP report "OT and/or PT screening" in order for a copy to be forwarded to the appropriate staff. Evaluations will be conducted on those students who fail the screenings. Consent for the screening evaluation must be obtained prior to conducting the screening evaluation. Refer to the OT/PT manual for specific directions.

## **H. REFERRAL FOR PSYCHIATRIC/NEUROLOGICAL EVALUATIONS – Administrative Procedures**

1. Through building level or IEP meetings, a recommendation may be made for either a psychiatric or neurological evaluation. The initiation for such an evaluation must be for educational reasons. If a referral is initiated, the Program Supervisor must obtain parent/guardian consent ISBE 34-571 B (Form 101-B1) and ISBE 34-57B (Form 101-B2) as well as complete the parental request for Release of Information (PAEC Form 408).
2. A designated team member is responsible for assuring that a copy of all documents (most recent IEP, Social Developmental Study, Psychological, Forms 101-B1, 101-B2, and 408 and any other pertinent information) are sent to the Program Supervisor for psychiatric and/or neurological evaluations.

3. An appointment will be scheduled by the designated secretary after receiving all information from the Program Supervisor. Paperwork should include the IEP, current Psychological and SDS, Release of Information (PAEC Form 408), Signed Parental Consent (PAEC Form 101-B1 and Form 101-B2).
4. The designated secretary mails all information with a cover letter to the doctor and a letter to parents with a copy to the designated team member (usually a Social Worker or Psychologist).
5. A staff member from the team, or other school staff, **must** accompany the parent and student to the appointment.
6. Following a neurological or psychiatric evaluation, a multidisciplinary staff conference must be scheduled in order for the results to be shared.

## **I. SURROGATE PARENTS**

### **PURPOSE:**

Parent involvement is an essential component of the educational process for children with disabilities. However, not all children have a parent available to advocate for them. In those situations where a parent is not available, Federal and State law requires that a surrogate parent be appointed.

Section 14-8.02(1) of the School Code and 226.550 of 23 Illinois Administrative Code states:

Whenever the parents or guardian of a child who is or may be eligible for services is not known or unavailable, or when the child is a ward of the state living in a residential facility, a person shall be assigned to serve as surrogate parent for the child in matters relating to the identification, evaluation, and educational placement of the child and the provision of a free, appropriate public education to the child. A foster parent is considered a parent for these purposes, so a child residing with a foster parent or in a relative caretaker setting (subject to district residency requirements) does not require a surrogate parent to represent him or her in educational matters. The district must continue to request the appointment of an educational surrogate parent for all wards of the state placed in residential facilities or for students with disabilities if the district cannot identify or locate the parent.

The State Board of Education shall appoint a surrogate parent for each child who requires one, in keeping with the following requirements:

1. All reasonable efforts shall be made to secure a surrogate parent whose racial, linguistic, and cultural background is similar to the child's.
2. The surrogate parent shall have been trained by the State Board.
3. The surrogate parent shall have no interest that conflicts with the interests of the child he or she will represent.
4. The surrogate parent shall have the knowledge and skills needed to ensure adequate representation of the child.

5. An individual may not be appointed as a surrogate parent for a child if he or she is:
  - A. employed by the State Board of Education;
  - B. employed by the school district in which the child is enrolled; or
  - C. employed by any other agency involved in the child's education.

When a surrogate parent is appointed, the State Board of Education shall provide written notification to the local school district, the individual appointed, and, if applicable, the residential facility of the name and address of the surrogate parent, the specific responsibilities to be fulfilled, and the length of time for which the appointment is valid.

Any person participating in good faith as a surrogate parent on behalf of a child before school officials or a hearing officer shall have immunity from civil or criminal liability that otherwise might result by reason of such participation, except in cases of willful and wanton misconduct. The services of any person assigned as a surrogate parent shall be terminated if the child's parent or guardian becomes available. When a child living in a residential facility no longer requires a surrogate parent, a representative of the facility shall notify the State Board of Education in writing to that effect. This notification shall include the reason for withdrawal of the request. When a surrogate parent's appointment is terminated, the State Board of Education shall so notify the surrogate parent, the local school district, and, if applicable, the residential facility.

**J. IEP TO DOCUMENT EVALUATION RESULTS & ELIGIBILITY DETERMINATION STAFF CONFERENCE**

An IEP conference is conducted when one of the following occur:

1. Following the completion of initial case study evaluation.
2. Following the completion of a three-year reevaluation.
3. Following a request for a reevaluation of a student currently in special education.
4. To terminate services.

The purpose of the IEP conference is to determine if a disability exists which adversely affects educational performance. Determination of the disability should be based on information gathered from a variety of sources including observation, formal and informal assessment, academic performance, the presence of any physical condition, social and cultural background, adaptive behavior, and teacher and parent input. Once a disability is identified it is the responsibility of the team to determine if the presence of the disability is having an adverse affect on their school performance. If there appears to be no adverse affect, there is no need to proceed to the development of an IEP. The team must then consider if the student **may** be eligible for services under Section 504 of the Rehabilitation Act. These students should be referred to the District 504 Coordinator.

Section 504 of the Rehabilitation Act of 1973 protects the rights of persons with disabilities in programs and activities that receive Federal financial assistance. It protects those with visible disabilities as well as those disabilities that may not be apparent.

Section 504 defines an "individual with handicaps" as any person who has a physical or mental impairment which substantially limits one or more major life activities. Major life activities are: caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing and learning, as

these activities pertain to education and the school setting. The student is also eligible if he/she has a record of having an impairment limiting one of the aforementioned life activities, has a record of such an impairment, or is regarded as having such an impairment.

Children covered under Section 504 are those children who do not have a disability under IDEA but do under Section 504 such as Tourette Syndrome, severe allergies, Hepatitis B and other temporary physical and/or mental abilities, or those children who have been identified as disabled under IDEA but do not require special education such as a child with juvenile diabetes or a mild hearing impairment. As is evident, the concept of disabilities under Section 504 is broader or more general than IDEA.

Districts are responsible for providing “reasonable accommodations” to address student needs which do not result in undue financial or administrative burden. There are no Federal or State funds available to offset the cost of services provided under Section 504. Questions regarding eligibility and the procedures to implement the requirements of Section 504 should be directed to the 504 Coordinator in each school district.

Per ISBE Rules & Regulations, the parent must be notified of the IEP conference utilizing the PAEC Form 438 (ISBE 34-57E). This form is used for parent notification for the initial conference following an evaluation, annual review or any other meeting held to review and/or modify the existing Individualized Education Program (IEP).

Conference participants may include:

- 1) Director of special education or designee
- 2) Local district representative or designee
- 3) All members of the assessment team
- 4) Parents
- 5) Others having significant information about the child
- 6) Persons who may become responsible for providing special education
- 7) Special education teacher
- 8) Regular education teacher, if the child is participating or may participate in the regular education environment
- 9) A qualified bilingual specialist
- 10) A person knowledgeable of positive behavior strategies
- 11) Representatives of other agencies responsible for providing or paying for transition services
- 12) The student, when appropriate

In addition, other individuals may be invited as deemed necessary by the parent(s) or school. **Parent involvement and support is a priority** and every attempt should be made to assure their attendance. Written Notification (Form 438) and Explanation of Procedural Safeguards Available to Parents of Children with Disabilities (ISBE 34-57J) (Form 914) will be sent at least ten (10) days prior to the meeting. Parents will always be provided with a copy of the Multidisciplinary/Individual Education Program report at the conclusion of the meeting. If parents are unable to attend the meeting, arrangements will be made by the Supervisor to meet with the parents, go over the results and obtain consent for the placement.

Procedure:

<u>ACTIVITY</u>	<u>PERSON RESPONSIBLE</u>
Send Confirmation of IEP Conference utilizing state approved staffing notification (Form 438/438A)	Classroom Teacher (Annual Review) Staffing Secretary (Eligibility Staffing)

The conference will follow the listed steps:

- |    |   |                                |
|----|---|--------------------------------|
| 1. | Introduce all participants.   | Program Supervisor/Chairperson |
| 2. | Participants sign in on 159-1.  | Program Supervisor/Chairperson |
| 3. | Review reason for referral.   | Program Supervisor/Chairperson |
| 4. | Summarize case study evaluation by components.<br>(159-5, 159-5a)   | Evaluators                     |
| 5. | Solicit parent input regarding concurrence with findings.   | Parent                         |
| 6. | Determine, by consensus of team members, presence of one or more of the recognized disabilities as per IDEA for special education. (159-5b) | Team Members                   |
| 7. | Determine adverse effects of identified disability.<br>(159-5b)   | Team Members                   |
| 8. | If the team cannot identify an adverse effect, the student is not in need of special education and the staffing is done.                    | Team Members                   |
| 9. | a. If not in need of special education, consider Section 504.   |                                |
|    | b. Refer student to district Section 504 Coordinator.   | Program Supervisor/Chairperson |

If the parent disagrees with any component of the case study evaluation, the meeting is stopped and the Supervisor notifies the parents of their rights. Parents may request an independent evaluation. Parents must complete Independent Evaluation Request form (PAEC 169) delineating the specific evaluation(s) they feel are not accurate assessments. This request will be reviewed by the district and a decision made whether or not to agree to an independent evaluation at the expense of the district. Should the district approve the independent evaluation, names of prospective evaluators are available through the Administrative Assistant at PAEC.

Once the presence of a disability, which has an adverse effect on educational performance is determined, the staffing moves into the IEP meeting.

**K. INDIVIDUALIZED EDUCATION PLAN**

The IEP is a management tool that is developed by parents/guardians with school personnel to ensure that each student who has been identified as having a disability which is having an adverse effect on

school performance is provided special education and/or related services that are appropriate to his/her special learning needs as identified through appropriate assessment.

When completed, the IEP should be a description of specially designed instruction and services specific to the individual student. It should be a mechanism for communication and cooperative planning between the parents(s) and teacher(s), and student when appropriate. The preparation and implementation of the IEP should be viewed as a dynamic process.

Necessary components of the IEP include:

1. Statements of the student's current performance levels, written to identify areas of need (deficits) as well as strengths.
2. Annual goals – The annual goal should be based on the current performance level in a given area and should enhance skill development that is age appropriate, meaningful/relevant to increasing the student's independence, and lead to increased opportunities for interaction with non-disabled peers. Transition goal statements which identify services needed for students aged 14+ years and older for transition from special education programs to employment, post-secondary education, and community living alternatives, must be written as well if appropriate.
3. Short-term objectives – Each goal must have short-term objectives which reflect the progressive steps necessary to move a student from his/her current performance level to the level of performance identified by the annual goal. Objectives must be measurable and follow a logical sequence. The objectives should describe the desired behavior and the conditions under which we anticipated the behavior to be performed. Similar to the goal, objectives should be attainable given the student's overall ability and relevant to his/her needs. They should be realistic and meaningful.
4. A statement of the student's ability to participate in state and district-wide assessments.
5. Appropriate (a) objective criteria, (b) evaluation procedures, and (c) schedules for determining (at least annually) the student's progress toward meeting goals and objectives must be identified.
6. A statement as to the language(s) or mode(s) of communication in which special education and related services will be provided.
7. An explanation of the extent, if any, to which the student will participate with nondisabled students.
8. Identification of the specific special education and related services required. The related services standard requires that the contemplated related service must be necessary in order for the student to benefit from his/her educational program.
9. Projected dates for initiation of services and anticipated duration of the services.
10. Other components to consider include: Extended School Year (ESY), assistive technology needs, potential harmful effects of placement, transition planning, modified or alternative testing.

11. Statements which identify the educational settings in which all educationally and related services will be provided including an explanation of the reason for the placement decision.

Although regulations allow thirty (30) days for the completion of the IEP following determination of eligibility, it is highly recommended that it be conducted immediately following determination of eligibility.

Information for the IEP can be prepared in advance, but it must be made clear to parents that these are merely recommendations for review and discussion and their input is desired and changes can be made as needed.

Procedure:

<u>ACTIVITY</u>	<u>PERSON RESPONSIBLE</u>
1. Review current education functioning.	Classroom Teacher(s)
2. Determine unique educational needs for student and prepare goals and objectives to meet these needs.	Team Members
3. After writing goals and objectives, discuss where services can best be provided.	Team Members
4. Consider least restrictive environment options and reasons for rejection, if placement other than regular education is recommended. Accommodations in the regular education classroom should be the first consideration.	Team Members
5. If anyone present at the IEP conference disagrees with the recommendations of the team, a written minority report must be submitted and shall include reasons for disagreeing. The minority report(s) will become part of the IEP document. The report should be sent to the Administrative Assistant in Charge of Instructional Services at PAEC.	Person Disagreeing
6. Provide parent(s) with a copy of the IEP report.	Program Supervisor/Department Chairperson/Conference Chairperson
7. Obtain parent signature on Consent for Initial Special Education Placement form (PAEC Form 159-6) (ISBE 34-57C).	Program Supervisor/Department Chairperson/Conference Chairperson
8. Should the parent(s) not be in attendance, arrangements will be made to meet with parent(s) to review information and obtain parent signature.	Program Supervisor/Department Chairperson/Conference Chairperson
9. Send disposition for placement notice (PAEC Form 917) (ISBE 34-57F)	Program Supervisor/Department Chairperson/Conference Chairperson

<u>ACTIVITY</u>	<u>PERSON RESPONSIBLE</u>
10. If eligibility for mental impairment is determined, a School Psychologist must concur.	School Psychologist
11. If student is found to not be eligible, the team may recommend, if necessary, accommodations within the standard education program.	Team Members

#### **L. SEQUENCE OF EVALUATION REVIEW/IEP MEETING**

1. Introduction of Staff
2. Purpose of Meeting
3. Review Evaluation Domains  
Example:
  - a. Social Developmental Study Report, including reason for referral,
  - b. Teacher(s) report, if available,
  - c. Related service staff reports,
  - d. Psychological report,
  - e. Include parent information,
  - f. Other necessary evaluations.
4. The Program Supervisor/Principal summarizes overall diagnostic information and asks the educational team and parent(s) if the summary accurately reflects the diagnostic information.

NOTE: If consensus cannot be reached, the team needs to determine what additional information or evaluations are necessary in order to make a determination if a disability exists. If additional information is needed, the additional components and staff to obtain the necessary information and/or complete evaluation component(s) should be obtained from the parent/guardian/surrogate parent. A time for another IEP meeting should be arranged at this time so as not to delay the process. In the interim, the placement based on the current information would be to continue in regular education. If all parties can agree to a temporary or preliminary eligibility then you may write it on the IEP and reconvene an IEP meeting when the remainder of the diagnostics are completed.

At the next evaluation review/IEP meeting, all diagnostic data will again be reviewed on new forms with the inclusion of the additional information and hopefully, given this additional information, a determination of the disability present under IDEA can be arrived at by the team.

When reconvening an evaluation review/IEP meeting after completing new diagnostic information because you came to no conclusion at the last evaluation review/IEP meeting, you add the information into the old form, add both dates, and both sets of signatures.

5. Determine Eligibility for Special Education

The eligibility criteria for a suspected disability(s) is presented and consensus from the educational team is obtained.

Determine a Disability Under IDEA (12 disability categories using criteria)

Learning Disability	Autism	Speech/Language Impairment
Emotional Disturbance	Orthopedic Impairment	Multiple Disabilities
Visual Impairment	Other Health Impaired	Hearing Impairment
Traumatic Brain Injury	Developmental Delay (0-5)	Deaf-Blindness
Mental Retardation (EMH, TMH, Sev./Prof.)		

The criteria for each suspected disability should be reviewed and documented. Use the LD criteria Form (159-7) or the BD criteria Form (159-13).

Include date of observation and person who conducted the observation.

\*If the student is not eligible for services, record it on the first page of the evaluation (MDC)/IEP conference report and go no further.

6. Document how disability adversely effects school performance on evaluation (MDC) page.

Both disability diagnosis and adverse effect is what determines eligibility for services.

7. Document deficit areas on the IEP page (159-5b).

8. Goals/Objectives Based on Need

Develop goals and objectives to address **only** those deficit areas which adversely affect school performance. Number goal sheets and match goals to correspond with deficits noted on IEP pages.

9. Support Services

Determine, based on goals and objectives, what support services are necessary. Indicate the amount of time per week and whether the services should be direct and/or consult.

10. Level of Programming

Determine the level of programming based on the goals and objectives and document rationale if the team excludes one or more options.

- a. Regular education,
- b. Regular education with modifications/accommodations,
- c. Regular education with Resource LD or BD (up to 49% of day),
- d. Self-contained programming (beyond 50% of special education),
- e. Public Day Facility – requires completion of 159-8, and Alternative BD/ED Placement Consent Form 212, is optional,
- f. Private Day Facility – requires completion of 159-8.

11. Other issues to discuss:

Extended School Year (ESY) (special education program only) - ESY is considered on a case-by-case basis. Need for services other than for 3 to 5 years old programming must be considered based on regression and recoument.

Assistive Technology needs must be addressed.

Discuss potential harmful effects of determined placement.

A statement of the student's ability to participate in assessments and what accommodations are necessary, if any. If a student is unable to participate even with accommodations, a description of the alternative assessment(s) to be used must also be included.

For students who may, after reaching age 18, become eligible to participate in the home-based support services program for mentally disabled adults authorized by the Developmental Disability and Mental Disability Services Act [405 ILCS 80/2-1]. See 226.562 of the 23 Illinois Administrative Code.

Consider need for Functional Behavior Assessment to determine need for a Behavior Intervention Plan. Refer to PAEC "Behavioral Intervention Procedure for Students with Disabilities" Plan.

Transition –

- a. For students 14.5 years or older complete Form 159-9,
- b. Transition issues should also be addressed when moving from birth to 3 to early childhood special education programming or services,
- c. Moving from one educational setting to another especially from public or private day placement to a less restrictive placement is not required, however, is best practice.

Graduation – must be addressed at least one year prior to graduation from 8<sup>th</sup> grade and high school.

Age of majority reference. (Form PAEC 183, ISBE 34-57I)

Transportation – determine if student requires transportation as a related service due to a disability and if special assistance is needed entering, exiting, or riding a vehicle. Be specific as to the adaptation requirements. Students who ride a school bus with the rest of the school is not considered a related service. If the student must take transportation due to the location of the special education classroom, please note as such and stipulate it is for distance only.

Date(s) services will begin. Anticipated duration cannot exceed one year from date of IEP.

12. Staff may be excused at this point.

13. Obtain parent/guardian or surrogate parent permission to initiate special education programming using Form 159-6 or consent for alternative BD/ED placement Form 212.

If the parent is in agreement with placement and if placement can begin immediately, the parent will need to sign a Waiver (Form #916) for services to begin.

Provide parent with parents' rights procedural handbook. If parent/guardian is not in attendance, determine who will meet with parent to obtain signature.

14. Complete form and give parent copy of evaluation/IEP including "Parent/Guardian Notification of Conference Recommendations" Form 917.

15. Thank parent for coming.

## **M. PARENTS RIGHTS/NOTIFICATION**

### New Forms and Processes

Throughout the screening and evaluation process there are times at which ISBE mandates we must give notice to parents of impending activity. These are:

1. Notify not to conduct a case study evaluation (101-O) (ISBE 34-57A).
2. Notify of intent to conduct an evaluation (101-B1 & 101-B2) (ISBE 34-571B & 34-57B).
3. Notify or invite to conference (438/438A) (ISBE 34-57E).
4. Notify parents of recommendations made at conferences (917) (ISBE 34-57F).

With the exception of #2, ISBE also mandates the forms we use to provide notice.

Additionally, there are times we must obtain signed consent. These are:

1. Obtain consent to conduct an initial evaluation.
2. Obtain consent for evaluation/reevaluation.
3. Obtain consent for initial special education placement.

ISBE mandates the forms used in all three instances where consent is required.

Any time any of the required forms are used, ISBE mandates that they receive a copy of Explanation of Procedural Safeguards (ISBE 34-57J). In addition, when consent is being requested to conduct any initial evaluation or reevaluation, parents must be provided with a copy of Description of Case Study Evaluation/Reevaluation Components.

Two final points of importance:

1. **ALL** forms must be dated and mailed at least ten (10) calendar days prior to the proposed or scheduled event. This holds true for evaluations, staffings, and notices. Parents may waive this ten (10) day requirement by signing a separate waiver. PAEC Form 916 must be signed in order to waive this time notice. It is not sufficient to write such a waiver on the bottom of any form and seek parental signature.

2. All required forms must be completed in their entirety and a copy placed in their central file. The only exception is copies of the Parental Rights and Case Study Component Description do not need to be placed in the file.

TS/lmt  
BLUE MANUALS/REFERRAL  
p21 (09/02)