

EVALUATION AND ELIGIBILITY DETERMINATION

Policy assures that:

- A. A full individual initial evaluation shall be conducted for each child before the initial provision of special education and related services to a child or youth with a disability 34 CFR §300.531.
 1. To determine if the child is a “child with a disability” under (34 CFR 34 CFR §300.7-34 CFR §300.531 and ARS-15-761).
 2. To determine the educational needs of the child.
- B. Procedures shall be established for conducting evaluations in accordance with the requirements described in (34 CFR 34 CFR §34 CFR §300.532-300.536, ARS-15-766).
- C. The child’s MET/IEP team and other qualified professionals shall review existing evaluation data, and collect additional data, if necessary and use the results of the evaluation to determine category of eligibility and the need for special education and related services (34 CFR 34 CFR §34 CFR §34 CFR §300.7-300.534-300-535-ARS 15-761 and ARS 15-766).
- D. The MET/IEP team shall use the results of the evaluation to develop the initial IEP or to review and revise an existing IEP (34 CFR 34 CFR §34 CFR §300.340-300.350 and ARS 15-761).
- E. A re-evaluation of each child shall be conducted every three years in accordance with 34 CFR §34 CFR §300.532-300.534 and 300.536

PROCEDURES FOR INITIAL EVALUATION AND REEVALUATION AND ELIGIBILITY DETERMINATION

Procedures include, but are not limited to:

Procedures for initial evaluation (34 CFR 34 CFR §34 CFR § 300.531 AND 300.532)

1. Tests and other evaluation materials used to assess a child are
 - a. Selected and administered so as not to be discriminatory on a racial or cultural basis; and
 - b. Provided and administered in the child’ s native language or other mode of communication, unless it is clearly not feasible to do so.
2. Materials and procedures used to assess a child with limited English proficiency will be selected and administered to measure the extent to which the child has a disability and needs special education, rather than measuring the child’ s English language skills.
3. A variety of assessment tools and strategies will be used to gather relevant functional and developmental information about the child, including information provided by the parent.
4. Information related to enabling the child to be involved in and progress in the general curriculum.
5. The information gathered will assist in determining: whether the child is a child with a disability and the development of the child’s IEP.
6. Any standardized tests that are given to a child will be
 - a. Validated for the specific purpose for which they are used; and
 - b. Administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the tests.
7. If an assessment is not conducted under standard conditions, a description of the extent to

which it varied from standard conditions will be included in the evaluation report.

8. Tests and other evaluation materials will be selected to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
9. Tests will be selected and administered to a child with impaired sensory, manual, or speaking skills to accurately reflect the test results of the child' s aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child' s impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).
10. No single procedure will be used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.
11. The child will be assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities and the need for assistive technology.
12. The evaluation will be sufficiently comprehensive to identify all of the child' s special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.
13. Technically sound instruments will be used that may assess the cognitive and behavioral factors, in addition to physical or developmental factors.
14. Assessment tools and strategies will be used to provide relevant information that directly assists persons in determining the educational needs of the child.

Re-evaluation (34 CFR 34 CFR §34 CFR §300.334, 300.536 and 300.543)

15. A re-evaluation will be conducted every three years **or** if conditions warrant a re-evaluation, if the child's parent or teacher requests a re-evaluation, or before determining that the child is no longer a child with a disability.
16. A re-evaluation will be not required before the termination of a student's eligibility due to graduation with a regular high school diploma, or when a student exceeds the age eligibility for FAPE under the State law

Determination of needed evaluation data for initial evaluation and reevaluation (34 CFR 34 CFR §34 CFR §300.533 AND ARS15-766)

17. The MET/IEP team and other qualified professionals, as appropriate, will review existing data on the child, including
 - a. Evaluations and information provided by the parents of the child;
 - b. Current classroom-based assessments and observations; and
 - c. Observations by teachers and related services providers.
18. On the basis of that review, and input from the child' s parents, the MET/IEP team and other qualified professionals will identify what additional data, if any, are needed to determine eligibility.

If the determination is that no additional data are needed

19. The Southgate Academy will notify the child' s parents
 - a. Of that determination and the reasons for it; and
 - b. Of the right of the parents to request an assessment to determine whether the child

continues to be a child with a disability.

20. No assessment will be **required** unless requested by the child' s parents to determine eligibility.
21. The MET/IEP team will provide a copy of the evaluation report and documentation of eligibility to the parents.

If additional data are needed

22. The MET/IEP team will provide procedural safeguards notice, prior written notice, and obtain informed parent consent.
 - (1) Informed parental consent need not be obtained for reevaluation if the Southgate Academy can demonstrate that it has taken reasonable measures to obtain that consent, and the child's parent has failed to respond. (34 CFR 34 CFR §300.505 (c))
 - (2) To meet the reasonable measures requirement in paragraph ©(1) of this section, The Southgate Academy must use procedures consistent with those in 34 CFR §300.345 (d)
23. The Southgate Academy will administer tests and other evaluation materials as may be needed to determine if the child is a child with a disability under 34 CFR §300.7.and ARS 15-761.

Determination of eligibility (34 CFR 34 CFR §34 CFR §34 CFR §300.533 – 300.536 – 300.540 and ARS 15-761)

24. The MET/IEP team and other qualified professionals and the parents of the child will determine whether the child has a disability, or continues to be a child with a disability, as defined in 34 CFR §300.7, ARS 15-761.
25. Based on the review of data, and input from the child' s parents and the MET/IEP team determines
 - a. If the child has a category of disability, or in the case of reevaluation, if the child continues to have a disability;
 - b. If the child needs special education and related services, or in the case of a reevaluation, if the child continues to need special education and related services; and
 - c. The present levels of performance and other educational needs of the child;
 - d. If any additions or modifications to the special education and related services will be needed to enable the child to meet the measurable annual goals established in the IEP and to participate in the general curriculum, as appropriate.
26. In interpreting evaluation data for the purpose of determining if, a child is a child with a disability the MET/IEP will draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and consider and document all information obtained from all of these sources.
27. A child may not be determined to be eligible
 - a. If the determinant factor for the eligibility determination is
 - i. Lack of instruction in reading or math; or
 - ii. Limited English proficiency; an
 - b. Child does not otherwise meet the eligibility criteria under 34 CFR §34 CFR §300.7-

300.543 and ARS 15-761.

28. For a child suspected of having a specific learning disability, the documentation of the team's determination of eligibility will include:
- a. Whether the child has a specific learning disability;
 - b. The basis for making the determination;
 - c. The relevant behavior noted during the observation of the child;
 - d. The relationship of that behavior to the child's academic functioning;
 - e. The educationally relevant medical findings, if any;
 - f. Whether there is severe discrepancy between achievement and ability that is not correctable without special education and related services; and
 - g. The determination of the team concerning the effects of environment, cultural or economic disadvantage.
 - h. Each team member will certify in writing whether the report reflects his/her conclusion, if it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her conclusions.

Evaluation Report

29. The MET/IEP team and other qualified professionals including the parents of the child will determine whether the child is a child with a category of disability or, in the case of a reevaluation, if the child continues to be a child with a disability, as defined in 34 CFR §300.7 and ARS 15-761.
30. The evaluation report will include:
- a. A review of current evaluations, including types of tests and results of those test
 - b. Educational history including the reason for referral, current classroom-based assessments, and observations by teachers and related service providers
 - c. Information provided by the parents, including medical and developmental history
 - d. Determination of whether the child's educational problems are related to or resulting from reason of educational disadvantage.
31. The MET/IEP team will provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.
32. The evaluation report will also include general information pertaining to:
- a. Whether the child has a category of disability or, in the case of reevaluation if the child continues to be a child with a category of disability.
 - b. The present levels of performance and educational needs;
 - c. Whether the child needs special education and related services or continues to need special education and related services.
 - d. Whether any additions and modifications to special education and related services needed to meet the measurable annual goals established in the IEP and to participate, as appropriate, in the general curriculum.