

Section 1 – Identification Process

Evaluations and Reevaluations State Board Rule 160-4-7-.04

Procedures for Special Education Evaluation Referral

If the RTI team determines that documented data does not reveal reasonable success with alternative strategies and interventions at Tiers 2 and 3, then a special education referral can be made at Tier 4. The referral may be made academically based or emotionally behaviorally based.

- If the RTI team has determined that a referral for special education evaluation is appropriate, the team should contact the building principal or assistant principal.
- The building principal or assistant principal should then contact the Director of Special Education to arrange a referral meeting.
- The contacting principal or assistant principal will either contact the parent to confirm the meeting date and time or designate one of the student's teachers and/or school counselor to do so.
- The Director of Special Education will invite the School Psychologist. If Speech/Language is an area of concern, the Director of Special Education will invite the Speech Language Pathologist. The Director of Special Education may invite other therapists if deemed appropriate.
- The RTI team representative will attend the referral meeting with the following documentation: RTI process documentation, meeting minutes including dates, clearly defined strategies and interventions, progress monitoring of those strategies and interventions (at least 12 weeks in duration for academic referrals with a minimum of 4 data points). A passed vision and hearing screening will be provided by the RTI team at the referral meeting as well as at least two classroom observations focusing on the area(s) of concern and annotated work samples focusing on the area(s) of concern. The team will review all existing evaluation data including evaluations and information provided by the parents, current classroom based assessments, local assessments, State assessments, present level of performance in all areas. On the basis of this review, the evaluation team will determine what additional data is needed to determine whether the child is a child with a disability.
- The RTI referral packet will be reviewed at the referral meeting. The team will make a decision as to the appropriateness of the referral. Parental consent for evaluation will be obtained at the referral meeting by the Director of Special Education. The Director of Special Education will ensure that Parents' Rights are given and reviewed at the referral meeting. The School Psychologist or Director of Special Education will discuss the list of evaluation instruments for initial evaluations. A copy of parent rights will be given to the parent with an explanation to ensure understanding of the rights by the parent. If the

parent's primary language is not English, the document will be provided in the parent's language.

- If the parent refuses to give consent for the evaluation:
 - Towns County Schools may pursue the evaluation through mediation or due process hearing. However, this is not required.
 - If the child is home-schooled or parentally placed in a private school at the parents' expense, Towns County Schools will not use mediation or a due process hearing to override the parents' refusal for evaluation.
- Parental consent is not needed for Towns County Schools to
 - Review existing evaluation information
 - Screen a child in order to determine appropriate instructional strategies for curriculum implementation
 - Administer a test or evaluation that is given to all children without consent for that test for evaluation
- The RTI file to include the above forms obtained at the referral meeting will be given to the School Psychologist at the referral meeting. The School Psychologist will log the date of consent for evaluation on the evaluation schedule.
- The team will arrange a meeting date and time for the eligibility determination while at the referral meeting.
- The evaluation process will be completed in no more than 60 calendar days. Days are not counted if children are not in school for 5 consecutive days or more. Examples of this scenario would include Spring Break, Week Long Thanksgiving Break, Christmas Break, and Natural Disasters. In these cases, days would stop being counted on the Friday before the break and resume on the Monday after school starts again. For consents received 29 or fewer days prior to the last day of school for teachers, stop counting the days at the beginning of summer break and resume counting on the day students return to school. One exception to this is if the district has a five day pre-planning prior to the first day of school. In that case, those days would be counted as well. Exception to the rule of summer days not counting: For those consents received 30 days or more prior to the end of the school year, the typical 60 calendar day rule applies. There is no summer pause in this case. Students referred by the Babies Can't Wait program who are turning three during the summer period or other holiday periods must have an eligibility determination and IEP, if appropriate, in place by the child's third birthday.
 - Exceptions to above timeframe:
 - The parent of a child repeatedly fails or refuses to produce the child for the evaluation.
 - A child enrolls in a school or another system after the timeline has begun, and prior to a determination by the child's previous school system as to whether the child is eligible for services. The parent and school system to which the student has moved may agree to a specific time when the evaluation will be completed.

- Extenuating circumstances as described above to include parent's revocation of consent for evaluation will be documented by Towns County Schools.
- The School Psychologist will conduct and arrange appropriate components for a comprehensive evaluation that provides sufficient data to determine whether the student is a student with a disability; document how the disability affects the student's academic / behavioral performance at school; and provide appropriate information for the development of an IEP, if eligible. In order to determine if the student has a disability, the child will be assessed in all areas related to the suspected disability. The eligibility team will evaluate either formally or informally in all areas related to the suspected disability.
- The school psychologist will use a variety of evaluation tools appropriate for each student's individual evaluation. The school psychologist will identify additional data needed, if any, and obtain this data. Comprehensive evaluations are redr trained and knowledgeable staff to include the school psychologist, teachers, parents, Speech Language Pathologist as appropriate, Occupational Therapist as appropriate, Physical Therapist as appropriate, Teacher of the Visually Impaired as appropriate, Orientation and Mobility service provider as appropriate, Teacher of the Deaf and Hard of Hearing as appropriate, school counselor as appropriate and any other member needed to address the student's individual needs of evaluation.
 - An eligibility determination must use data from multiple sources to document each of the following:
 - Achievement tests
 - Aptitude/cognitive functioning
 - Parent input
 - Teacher recommendations
 - Physical condition (medical, motor, vision, hearing)
 - Social/cultural background
 - Adaptive behavior
 - Communication/language
 - Observations by teachers and related service providers
- Towns County Schools will conduct a comprehensive evaluation that
 - Provides a documentation of evaluation results
 - Provides sufficient data to determine whether a child has a disability
 - Documents how the disability affects the child's academic, developmental, social/emotional, and/or behavioral performance in school
 - Provides appropriate information for the development of an Individualized Education Plan (IEP), if eligible
- Upon completion of the evaluation, the eligibility team will meet at the specified time and date to determine eligibility. The meeting time and date was decided upon at the referral meeting.
 - Towns County Schools has 60 calendar days after receiving parental consent to complete the initial evaluation.

- Completion of the initial evaluation is defined as completion of the evaluation report.
 - An eligibility determination is not required to be made within this 60-day initial evaluation timeline.
 - Towns County Schools will conduct the meeting to determine eligibility within 10 calendar days of the completion of the evaluation report(s).
 - The eligibility team will make a determination of the disability and the need for special education (dismissal) as determined by the results of the evaluation.
- If eligible, an IEP meeting will be scheduled at the eligibility meeting to be within 30 calendar days of the eligibility determination.
 - **Eligibility Report & Initial Placement:** The eligibility report is the documentation that verifies if the student is or is not eligible for special education services. The School Psychologist, along with a special education teacher, general education teacher(s), parent(s) or guardian(s), and school administration take part in evaluating, interviewing, and observing the student and documenting the results in the eligibility report. The final eligibility report is compiled by the school psychologist based on information and reports from the previously stated list. An eligibility team meeting to determine eligibility is required for all disability areas and convenes before an Individual Education Plan (IEP) is developed. The School Psychologist works with all members of the evaluation team to make sure that all evaluations are scheduled and completed in a timely manner in order to meet state and federally mandated timelines. A copy of the psychological report and eligibility report will be given to the parents or guardians of the student. These reports shall be provided regardless of whether the child is eligible for ineligible.

Procedures for Parental Request for Special Education Evaluation

If a parental request for special education evaluation is received in writing by an employee of Towns County Schools, the request should be given to the building administrator. The building administrator should provide the request to the Special Education Director. The Special Education Direction will work with the building administrator to provide possible dates and times for a meeting to be set up. The building administrator or designee will set up a meeting to discuss the request for special education evaluation. If the student is not already in RTI, the team will discuss RTI with the parent. The parent will make a decision about whether or not to proceed with the evaluation based on all the information presented at the meeting. If the parent chooses to proceed with the evaluation and the student has not been through the RTI process, the student will begin RTI immediately. RTI will be in effect and to be assumed completed by the date of the eligibility meeting within 60 calendar days. If the parent chooses to proceed with the evaluation, and the student has already been in RTI, a review of that information will take place as detailed in the above procedures for initial referrals. If the parent does not choose to give consent for evaluation, a decision will be made as to whether or not the student should be placed into RTI.

Procedures for Private Psychological Evaluation Presented

These procedures apply to private evaluations present by parents or guardians to employees of the school system. This section does not refer to IEEs or to evaluations brought by parents to referral for special education evaluation meetings. This section refers to all other cases in which a private psychological is brought to the school and given to an employee such as the teacher, school counselor, school administrator, etc.

- Private evaluations include confidential information and should only be shared with the individuals identified in this section.
- Diagnoses provided by private psychologists may or may not align with Georgia state requirements for special education eligibility. The conclusions provided by the private psychologist must be analyzed to determine whether or not they are valid for the school setting.
- It is the responsibility of school personnel to review and consider the information provided by the private source as appropriate interventions are determined and potential areas of eligibility.
- All private psychological reports received by Towns County School employees should be sent to the building administrator.
- A copy of the private psychological report should then be provided to the Special Education Director.
- The Special Education Director will provide a copy of the private evaluation to the School Psychologist for review.
- The Special Education Director will work with the building administrator to provide possible times and dates to schedule a meeting with the parents. The building administrator or designee will schedule a meeting to discuss the results of the private psychological report and to determine if any additional steps need to take place. Depending upon the individual report and individual needs of the student, additional screening or evaluation measures may be requested.
- The building administrator and/or school counselor will consider appropriateness of a Section 504 based upon the private psychological report. This may be done at a separate meeting.

Parent Request for Independent Educational Evaluation

If a parent requests an Independent Educational Evaluation (IEE), this request should be given immediately to the Director of Special Education in order to ensure timeliness of completion.

When a parent of a student with a disability disagrees with an evaluation conducted by Towns County Schools, the parent has the right to request that Towns County Schools fund an IEE. An IEE is an evaluation conducted by a qualified examiner who is not an employee of the school system. The qualifications of the evaluator must be the same as those required of the district evaluators. The school system must agree to pay for the independent evaluation or begin due process procedures to show that the district's evaluation is adequate. The school system may set a reasonable limit on the cost of the evaluation. If there is a due process hearing and the school system's evaluation is judged to be sufficient, then it will not have to pay for an IEE (See 34 C.F.R. 300.502 of the Federal Rules and Regulations for a complete explanations of IEEs). Any results obtained through an IEE must be considered by the school system in any eligibility or placement decision.

Parents are not entitled to an independent educational evaluation at public expense before they allow the district to conduct its own evaluation. Once the district evaluation occurs, and the parents disagree with the results of the evaluation, they can request one at public expense. If granted, the district will provide the parents with a list of qualified examiners from which to choose for the IEE. Towns County Schools will work with the parent to find a mutually agreeable evaluator. The parent will make arrangements and provide transportation. If the parent obtains an IEE at his or her own expense, the results of the evaluation that meet state and district criteria shall be considered by Towns County Schools in any decision made with respect to provision of FAPE for the child.

Referral Process for Preschool-Aged Students

Preschool-aged children (aged 3-5) may be referred for special education evaluation by a parent, school personnel, local pediatricians, and other medical staff, audiologists, staff from private preschools or daycares, Head Start, Pre-K, Towns County Health Department, Department of Family and Children's Services and Early Intervention, Children 1st, and Babies Can't Wait.

Individuals making referrals for preschool aged special education evaluation should contact the Special Education Director.

Student With Eligibility Transfer From Another State

If a student transfers to the Towns County School System from another state, the IEP/Eligibility team will meet to review the out-of-state eligibility and data. The team will determine whether or not the eligibility meets Georgia Rules for eligibility. If the eligibility does meet Georgia Rules, the team will accept the out-of-state eligibility. If the team determines that the eligibility information needs additional data, the team will refer the student for evaluation and meet to

make an eligibility determination within 60 days. FAPE will be provided to the student during the time in which the evaluation is being completed.

If a student with disability transfers to the Towns County School System without special education paperwork to include an IEP or eligibility report, the IEP/Eligibility team will make every effort to obtain the paperwork from the previous system(s). The team will consult with the parents/guardians of the student to provide FAPE to the student to include services that are comparable to those described in the previous system. Services will be provided even if the annual review and/or triennial review are overdue. Upon receipt of the IEP, the team will meet to decide whether or not to accept the IEP in its entirety including the annual review date or to write a new IEP with a new annual review date. If Towns County is unable to obtain any special education records, the team will meet to determine if there is reason to suspect that the student has a disability. If so, the team would recommend an evaluation within the 60 day timeline. The team would meet to determine what services and supports to provide while the evaluation is being completed.

Reevaluation Process

Towns County Schools will conduct the reevaluation process for children with disabilities at least once every three years. This reevaluation process may consist of the following:

- Waiver
 - Parent and Towns County Schools agree that both the reevaluation and the review of data are not needed
 - May take place without formal meeting
 - May happen prior to the reevaluation process
 - Decision will be documented in writing and placed in eligibility section of Towns County Schools' IEP notebook
- Reevaluation Data Review Resulting In Continuation of Current Eligibility of Student
 - With a formal meeting of the full committee
 - Current data to be reviewed and documented by the team
 - Written documentation of the decision to be placed in the Towns County Schools' student IEP notebook in the eligibility section
 - This constitutes a reevaluation
- Reevaluation Data Review Resulting in Recommendation of Reevaluation Assessments
 - With a formal meeting of the full committee
 - For eligibility purposes
 - May not be for educational planning purposes only
 - May not be for purposes other than eligibility
 - Written informed parental consent to be obtained
 - Comprehensive reevaluation to include assessments either formally or informally to collect data in all areas

At the end of each academic year, special education teachers turn in a spreadsheet with the due dates for the eligibilities of each student on their caseload. At the beginning of each school year, the school psychologist reviewed the special education records and determines which eligibilities are due for the upcoming school year. The school psychologist makes sure an appropriate colored sticker is placed on the outside spine of the three ring binder hard copy special education records kept in the special education director's office. Each special education teacher has a separate drawer for students on that particular caseload. The colored stickers are coordinated by the year in which the three year consideration of reevaluation is due. A chart on top of the hard copy special education records indicates the current color of sticker for the current year and for all other years. It serves as a guide. The actual due date is also written inside the sticker by the school psychologist as well.

The reevaluation process for each student will begin in Towns County Schools at least 60-90 days prior to the eligibility due date. In cases where a waiver of the review of data and reevaluation have not been obtained, the student's case manager will schedule a data review meeting. Members of the student's IEP team will be invited. The school psychologist and director of special education will attend. Prior to the scheduling of the meeting, the student's case manager will have submitted to the nurses' station a request for a vision and hearing screening after obtaining parental permission for the screening. The results of the vision and hearing screening will be reviewed at the data review meeting along with work samples, progress monitoring data in the area of concern, and progress toward mastery of IEP goals and objectives. Other items may be reviewed as well. At the meeting, documentation will be kept of the data review and decision as to whether the data review finds continuation of eligibility resulting in a data review reevaluation or documentation of the data review finds that additional assessments are needed in order to determine eligibility. Parent(s) / guardian(s) will sign off on the data review decision. If the decision was made to conduct a reevaluation, parental consent for evaluation will be obtained at the meeting. The parental consent form is found on Infinite Campus. Parent rights will be shared and reviewed at the meeting as well. If the team determines that a reevaluation is not necessary in order for the student to continue to meet eligibility requirements, the date of the data review reevaluation meeting becomes the new eligibility date. If the team decides that a reevaluation is needed in order to determine continued eligibility or to consider a new eligibility, a date will be set for the next meeting to occur.

At the next meeting, the team will review the reevaluation assessment results as completed by the school psychologist and any other appropriate members of the IEP team. If the eligibility changes, a new consent for placement will be signed. At this meeting, a date will be set on which to hold an IEP meeting so that the current IEP can be updated to reflect the more current information obtained in the reevaluation. This meeting will take place within 30 days.

For those re-evaluation cases where the student was originally placed for Speech services only, but now there is a suspected disability in other areas, the Tier III, Student Support Team will manage interventions and progress monitoring while the Speech Language Pathologist continues the speech language interventions. The Tier III, Student Support Team will coordinate with the Speech Language Pathologist when a reevaluation is needed to determine if a student meets eligibility requirements for other categories.

Additional Considerations Regarding Reevaluations

- If a child is being considered to be dismissed from special education, a comprehensive evaluation must be given to determine whether or not the student continues to meet eligibility requirements.
- If there are questions or concerns regarding the necessity of a reevaluation, the case manager should consult with the school psychologist.
- Review and discuss with parents at the consideration of reevaluation meeting all possible outcomes / choices. Discuss possible outcomes of a comprehensive reevaluation.
- Carefully examine the eligibility information of each transfer student at the transfer to system meeting. Eligibilities must be examined at this meeting to include the school psychologist to ensure that they meet Georgia eligibility requirements.
- For students recommended to have a reevaluation due to a suspected change in eligibility or additional eligibility, the student's eligibility and IEP will remain the same until the eligibility meeting in which a change in eligibility is made and/or a new eligibility established.
- Students with the eligibility of Significant Developmental Delay (SDD) must be re-evaluated every three years. These students must also be reevaluated in the year that they turn nine years old to determine eligibility.
- For reevaluation consideration of upper high school students, discuss the need for a reevaluation related to attendance of a post-secondary school in which accommodations may be needed.

Exclusionary Factors:

- The following exclusionary factors apply to all eligibility categories:
 - Lack of appropriate instruction in reading, including the essential components of reading instruction as defined in section 1208(3) of ESEA or
 - Lack of appropriate instruction in mathematics or
 - Limited English Proficiency
- The following exclusionary factors apply to the eligibility category of SLD
 - Minimum of 12 weeks and 4 data points of reviewed response to scientific, research-based interventions to determine if rate of learning is sufficient

