



## **Part 3: Referral & Evaluation Process; Documentation Requirements**

Reminder: watch for a blue box in top right corner for page references from the Colorado *Guidelines for Identifying Students with Specific Learning Disabilities*.



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## Referral Process

- Referral when SLD is suspected made by...problem-solving team (should include parent), parent, other
- Inform parent of intent to refer (if not already involved in decision)
- Review existing data  
(against criteria & determinations/considerations)
- Develop evaluation plan with parent input
- Obtain informed parental consent & provide and explain procedural rights

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## Parent has right to request a special education evaluation at any time...

If AU/District agrees with parent that the child may be a child with a disability, AU/District must evaluate (may continue RtI; have 60 days to complete evaluation)

If AU/District does NOT believe an evaluation is warranted, a prior written notice must be given that explains justification as to why an evaluation is not indicated.

[Parent can challenge this position by requesting a due process hearing to resolve the dispute regarding the child's need for an evaluation.]

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## Multi-Disciplinary (Eligibility) Team

[Group members specific to determination of a SLD]

- Parent(s)
- Child's regular education teacher or regular classroom teacher qualified to teach a child of his or her age
- At least one person qualified to conduct individual diagnostic examinations of children, such as school psychologist, speech-language pathologist, or remedial reading teacher.

- 300.308

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## Full and Individual Evaluation

- More focused than when conducted a “comprehensive evaluation” (e.g., same battery of assessments for all referred)
- Student assessed in all areas related to suspected disability
- Must be “sufficiently comprehensive” to identify all child’s special education needs (whether or not commonly linked to primary disability)

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## Evaluation Plan Development

Review existing evaluation data on the child, including...

- Evaluations and information provided by the parents
- Relevant medical findings
- Current classroom-based, local, or State assessments, and
- Classroom-based observations

**On the basis of that review, and input from the child's parents, identify what additional data, if any, are needed.**

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Prior written notice of intent to evaluate must be provided and informed consent obtained from the parent.

Procedural rights (“parents’ rights”) must be provided.

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# Evaluation

In conducting an evaluation, the public agency must—

- Use a ***variety of assessment tools and strategies*** to gather ***relevant*** functional, developmental, and academic information...
- ***Not use any single measure or assessment 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...

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## Body of Evidence (Converging Data)

SLD identification should be based on a **convergence of data** gathered throughout the RtI/problem-solving process as well as any further assessment data gathered as part of the evaluation for special education.

Specifically, Colorado Rules require “a body of evidence demonstrating: academic skill deficit(s); and insufficient progress in response to scientific, research-based intervention” to determine that these two key criteria for SLD have been met.

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## Assessment

The preamble to the Federal Regulations expresses...

“Support for models that focus on assessments that are related to instruction and promote intervention for identified children...”

- Federal Register p.46647

Lack of need for intelligence testing and  
cognitive processing assessment

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Building a **Body of Evidence**: A “variety of assessment tools *and strategies*” (during Rtl & evaluation) may include...

- Results from state and district assessments
- Functional Behavior Assessment
- Behavior Rating Scales
- Vocational assessments
- ***\*Norm-referenced assessment (focused, not full battery for every child referred)***

***\*Required at some point for SLD determination***

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Building a **Body of Evidence**: A “**variety of assessment tools and strategies**” (during Rtl & evaluation) may include...

- Interviews (classroom, family)
- **\*Observations in relevant settings** (classroom)
- Analysis of work samples
- Performance of informal tasks
- **\*Curriculum Based Measurements and/or**
- **\*Other progress monitoring strategies**

**\*Required at some point for SLD determination**

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## Norm-Referenced Assessment as Part of a Focused (Full & Individual) Evaluation

“Firmly establishing low achievement should be part of most comprehensive assessments...At the same time, there is no point in assessing all eight domains <areas of SLD> if the nature of the achievement problem is easily established. Why complete extensive assessments of reading comprehension and written expression in children who have problems with word recognition and spelling?

...operationalized by using norm-referenced assessments of academic achievement, which should be brief and based on hypotheses about the nature of the academic impairment.”

- Fletcher, *Identifying Learning Disabilities in the Context of Response to Intervention: A Hybrid Model* <Article provided with Unit 1 materials.>

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## Required Observation (300.310)

- Student must be observed in his/her learning environment (including the regular classroom setting)
- May use information from an observation in routine classroom instruction (done before referral for an evaluation) or
- Have at least one member of the group conduct an observation (after the student has been referred)

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## Review the CDE model form, *Determination of Eligibility: Specific Learning Disability*

PLEASE REFER TO THE REVISED FORM ATTACHED WITHIN THE UNIT 3 MATERIALS & POSTED ON THE CDE WEBSITE – UNDER “State Recommended IEP Forms and Instructions” at...

[http://www.cde.state.co.us/cdesped/IEP\\_Eng.asp](http://www.cde.state.co.us/cdesped/IEP_Eng.asp)

The form on pages 65-66 of the *SLD Guidelines, 2008* is NOT current.

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# Summary of Documentation Requirements -- Evaluation Report

- \*Body of evidence that demonstrates...
  - academic skill deficit(s) in one or more identified areas of SLD

and

- insufficient progress in response to scientific, research-based intervention in one or more identified areas of SLD

\* MULTIPLE SOURCES OF STUDENT-CENTERED DATA

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## Summary of Documentation Requirements -- Evaluation Report, cont.

- Observation of child's performance in area(s) of difficulty
- Educationally relevant medical findings, if any
- Documentation of...
  - Instructional strategies used
  - Student-centered data collected – repeated assessments of achievement at reasonable intervals

## Summary of Documentation Requirements -- Evaluation Report, cont.

- and documentation that the parents were notified about...
  - State's policies regarding amount and nature of data collected and general education services provided (See bottom p. 63 & boxed text p. 64)
  - Strategies for increasing the child's rate of learning
  - Results of repeated assessments of child's progress
  - Parent's right to request an evaluation

## Student Performance Data Collected & General Education Services Provided -- “State Policies” Requirement

Language in box at top of p. 64 in SLD Guidelines  
(see also explanation on bottom of p. 63)

Recommended for inclusion on general RtI document  
(pamphlet or brochure) that is distributed to all parents

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## Summary of Additional Documentation Requirements

- Documentation that the following factors were considered & were determined not to be the primary cause of the learning problems as identified: SLIC, SIED, vision impairment, hearing disability, motor disability, cultural factors, environmental or economic disadvantage
- Documentation that the team determined that the findings are not due to a lack of appropriate instruction in reading or math or to limited English proficiency
- Documentation of Team's final determinations: (1) child has a Specific Learning Disability and (2) child needs special education to receive reasonable benefit from general education

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## Timeline: 60 days from consent to completion of evaluation (90 days for IEP)

- Implement evaluation plan
- Summarize findings (evaluation report)
- Conduct eligibility determination meeting
- If eligible, develop IEP using assessment and intervention data to determine appropriate and measurable goals

\*When SLD is suspected, the 60-day timeline may be extended by mutual agreement of the local education agency and the parent. There is a model form for this agreement on the CDE website:

[http://www.cde.state.co.us/cdesped/IEP\\_Eng.asp](http://www.cde.state.co.us/cdesped/IEP_Eng.asp) .

## Reevaluation & Determination of Continued Eligibility

*“States that change their eligibility criteria for SLD may want to carefully consider the reevaluation of children found eligible for special education services using prior procedures. States should consider the effect of exiting a child from special education who has received special education and related services for many years and how the removal of such supports will affect the child’s educational progress...Obviously, the group should consider whether the child’s instructional and overall special education program have been appropriate as part of this process. If the special education instruction has been appropriate and the child has not been able to exit special education, this would be strong evidence that the child’s eligibility needs to be maintained.”*

*- Federal Register, p. 46648*

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## Reevaluation...

...is to determine whether the child continues to have a disability, and the educational needs of the child

- Planned in same manner as initial evals
- Parents included as team members
- Presumption of validity of initial eligibility unless data indicate otherwise
- Review evidence that child continues to have a SLD
- Determine if change in student's ability to benefit from gen. ed. without supplemental aids and services
- Focus on progress, targeted assessment, planning future instruction & interventions

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## Reevaluation...

Must occur at least once every 3 years, unless the parent and the public agency agree\* that a reevaluation is unnecessary. 303.(b)(2)

Caution: Reevaluation may not be important just for determining continued eligibility, but also for identifying all the child's special education needs and related services.

\*There is no CDE model form for documenting this agreement, but some kind of documentation should be generated.

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## Reevaluation...

As with initial evaluation, the Team may decide that ...

“Based on a review of existing information, no additional evaluation data are needed to determine if your child is or continues to be eligible for special education services or to determine your child’s educational needs.”

The parent may disagree and request assessment.

- See CDE model form *Prior Notice & Consent for Evaluation*  
[http://www.cde.state.co.us/cdesped/IEP\\_Eng.asp](http://www.cde.state.co.us/cdesped/IEP_Eng.asp)