



CLAIBORNE COUNTY SCHOOL DISTRICT

Child Find Procedures Manual

SPECIAL EDUCATION

Part I:

Child Find and Evaluation Procedures (Pages 10-88)

Part II:

Evaluation, Eligibility Definitions & Determination Checklists, IEP, FAPE, LRE, & Educational Benefit Procedures (Pages 89-189)

Part III:

ESY, Discipline, Procedural Safeguards Procedures (Pages 190-232)

2023



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Special Education Calendar

AUGUST: If a due date is not indicated, the due date is the last working day of the month.

- ❑ Provide general education teachers with a copy and explanation of the Behavior Intervention Plan (BIP) for every applicable student no later than the **first student day of school.**
- ❑ ***General Education Teachers Notification of Accommodations & Modifications*** and signatures on documentation.
- ❑ Schedule and hold IEP meetings to **review/revise BIP** for ALL students with a BIP with teachers for new school year. Teams to sign BIP implementation form acknowledging review of students' plan of supports.
- ❑ All IEP revisions and/or amendments including state mandated testing accommodation in SEAS; teachers to ensure all students have a current year IEP and current eligibility report in students' IEP binder.
- ❑ Verification of Accommodation Receipt to all General Education Teachers –Submit copy to District Office by date requested.
- ❑ Review students' class schedule to ensure proper SPED classes are included as specified in students' IEPs
- ❑ Turn in August Roster and Teacher Schedule at the end of the second week of school to District Office of Special Services. If students are a 'No Show', indicate that by students' name on roster.

SEPTEMBER: If a due date is not indicated, the due date is the last working day of the month.

- ❑ Any reevaluations due through December that were not previously completed must be done. (These should be completed the Spring before they are due.)
- ❑ Begin reevaluation process on students with eligibility dates January – June of this school year.

OCTOBER: If a due date is not indicated, the due date is the last working day of the month.

- ❑ Update goal sheets (report of progress) in SEAS and send progress pages to parent within one week after report cards are issued. Send copies to central office. Review and revise as necessary any IEPs based on progress reports, attendance, and grades.
- ❑ Review and update Teacher Caseload Rosters for accuracy; be sure to include all new students.

NOVEMBER: If a due date is not indicated, the due date is the last working day of the month.

- ❑ ESY Regression-Recoupment- Administer pre-break and post-break assessments on all students' IEP Goals to students, before and after Thanksgiving Break
- ❑ Review and update Teacher Caseload Rosters for accuracy; be sure to include all new students.
- ❑ December 1 Count.

DECEMBER: If a due date is not indicated, the due date is the last working day of the month.

- ❑ ESY Regression-Recoupment before Winter Break. Administer pre-break assessment to students before Winter Break.

JANUARY: If a due date is not indicated, the due date is the last working day of the month.

- ❑ ESY Regression-Recoupment after Winter Break. Administer post-break assessments to students.
- ❑ Update goal sheets (report of progress) in SEAS and send progress pages to parent within one week after report cards are issued. Send copies to Central Office. Review and revise as necessary any IEPs based on progress reports, attendance, and grades.
- ❑ Begin working on next year's IEPs.
- ❑ Begin reevaluation process for students with eligibility dates July through December.



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MARCH: If a due date is not indicated, the due date is the last working day of the month.

- ☐ Update goal sheets (report of progress) in SEAS and send progress pages to parent within one week after report cards are issued. Send copies to central office. Review and revise as necessary any IEPs based on progress reports, attendance, and grades.
- ☐ All reevaluations due through **December** must be completed with a copy to central office by last working day in March. (Use paperclips, not staples.)
- ☐ Complete remaining reevaluations dates July through December.
- ☐ **IEP drafts due March 24 for review.**
- ☐ Begin annual IEP meetings.
- ☐ ESY: Complete *Regression-Recoupment Tracking Form* for ALL students ages 3-21 during the first week of month.

APRIL: If a due date is not indicated, the due date is the last working day of the month.

- ☐ All “new year” IEP meetings held and IEPs due to central office upon the request of the special education director.
- ☐ All IEPs due to central office by **April 28.** (Use paperclips, not staples)



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- *ESY Recommendation Forms* and ESY page of IEP for eligible students due to central office upon request of the special education director.
- MDE's online parent surveys due before IEPs are turned in to the special education director. Goal is 100% of your parents. Have parents complete Parent Surveys online after annual IEP meetings.
Make sure to have parents sign Parent Survey Documentation form when complete.

MAY: Each of these is due by May 20.

- Update goal sheets (report of progress) in SEAS and send progress pages to parent. Send copies to central office. Review and revise as necessary any IEPs based on progress reports, attendance, and grades.
- *Parent Survey Documentation Form* to central office.
- Submit Special Education Procedures Binder for updates. It will be returned on our Professional Development day in July/August.
- Update student folders with progress reports/notes/etc. of current year.
- Deliver students' IEP files to Central Office upon request of the special education director.
- Update students' data, IEPs, etc.... in SEAS.
- Archive and file current year's IEPs in each students' 2023-2024 IEP binder/folder.



Child Find and Evaluation Procedures – CCSD Office of Special Services

Timelines	
Initial MET meeting for referral for comprehensive evaluation	No more than 14 calendar days from date parent, teacher, TST or agency make the referral (see Child Find Referral)
Parent Consent or Refusal for Initial Evaluation	MET must make a decision within the 14 calendar days of referral
Written Prior Notice for Initial Evaluation or Refusal	Must be given to parent within 7 calendar days of the MET meeting
Eligibility	No more than 60 calendar days after parental consent is obtained
Determination of Eligibility	Within 14 calendar days, upon completion of the administration of assessments, must determine whether the child is a child with a disability and is in need of special education and related services.
Evaluation Report provided to the parent	Must be provided to parent at least 7 calendar days prior to Eligibility Determination meeting (unless parent waives)
IEP	Must be held within 30 calendar days after eligibility is determined
Reevaluations	Must be completed within 3 years of current eligibility date
**these timelines apply to reevaluations as well as initials	



Child Find and Evaluation Procedures – CCSD Office of Special Services

SPECIAL EDUCATION ACRONYMS

ADD	Attention Deficit Disorder
ADHD	Attention Deficit Hyperactive Disorder
AU	Autism
DB	Deaf- Blind
DD	Developmentally Delayed
EmD	Emotional Disability
ESY	Extended School Year
FAPE	Free Appropriate Public Education
FERPA	Family Education Rights and Privacy Act of 1974
HI	Hearing Impaired
ID	Intellectual Disability
IDEA	Individuals with Disabilities Education Act
IEE	Independent Educational Evaluation
IEP	Individualized Education Plan
LEA	Local Educational Agency
LRE	Least Restrictive Environment
LS	Language/Speech Impairment
MD	Multiple Disabilities
MDE	Mississippi Department of Education
MET	Multidisciplinary Evaluation Team
OHI	Other Health Impairment
OI	Orthopedic Impairment
PLAAFP	Present Level of Academic Achievement and Functional Performance
PWN	Prior Written Notice
SCD	Significantly Cognitive Disability
SLD	Specific Learning Disability
TBI	Traumatic Brain Injury
VI	Visual Impaired



Child Find and Evaluation Procedures – CCSD Office of Special Services

SPECIAL EDUCATION OVERVIEW

The CLAIBORNE COUNTY SCHOOL DISTRICT (CCSD) is responsible for identifying, locating and assessing all children within the district from birth through twenty-one (21) years of age who may have a disability in accordance with the district's evaluation procedures. The CCSD will make a Free Appropriate Public Education (FAPE) available to all children determined eligible for special education and related services who reside in the district. A FAPE means appropriate special education and related services provided at public expense, without cost to the parent, under public supervision and direction. CCSD provides a free and appropriate public education consistent with federal and state laws, to all eligible children between the ages of three (3) years and twenty (20) years; children from the third birthday; youth who are twenty (20) years of age on or before September 1st, suspended or expelled from school, and placed by the CCSD in a private school or preschool/early childhood program.

The *Individuals with Disabilities Education Act (IDEA)* and *State Board of Education (SBE) Policies* establish that the Individual Education Program (IEP) as the structure for planning and implementing individualized services and supports for children with disabilities.

The IDEA supersedes the local school district in defining parent for the purposes of making decisions for the child related to IDEA, SBE Policies, and special education. In this document, the term parent reflects the definition of parent according to federal regulations (IDEA, 2004): (300.30 Parent)

Parent means

- a. A biological or adoptive parent of a child;
- b. A foster parent, unless State law, regulations, or contractual obligations with a State or local entity prohibit a foster parent from acting as a parent;
- c. A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child (but not the State if the child is a ward of the State);
- d. An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or
- e. A surrogate parent who has been appointed in accordance with §300.519 or section 639(a)(5) of the Act.

CONTACT INFORMATION

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CHILD FIND PROCEDURES

Ongoing Child Find

The CCSD will identify, locate, and evaluate all children, ages birth through twenty-one (21) in accordance with the district's evaluation procedures, regardless of the severity of their disability who are in need of special education and related services. These requirements apply to -

- Children who are enrolled and attend the school district;
- Homeless children;
- Children who are wards of the state;
- Highly mobile children with disabilities (such as migrant and homeless children);
- Children who are parentally placed in a private, including religious, elementary or secondary school located within the boundaries of the District; and
- Children who are suspected of having a disability and may be in need of special education, including students who are advancing from grade to grade;

The CCSD will ensure requests for initial evaluation and responses to such requests are not limited by the number per year or the time of year requests are received.

The collection and use of data to meet the requirements of Child Find will be subject to the confidentiality requirements.

District of Residence

The "school district of residence" or the term "residing in the district's jurisdiction" will be defined as a child who -

- Resides within the boundaries of the District, if the child resides with a resident of the District and the resident is considered the parent,
- Resides, as a result of placement therein by court order or by a State agency due to the child being a ward of the State, or
- Is legally transferred as prescribed in State law and State Board of Education policies and procedures.

Parentally Placed Private School Children with Disabilities

Through a consultative process, the CCSD Special Education Director will locate, identify and evaluate students with disabilities who are enrolled by their parents in private, including religious, elementary and secondary schools located within the boundaries of the district. Annually, designated District personnel, Director of Special Education, will consult with appropriate representatives of the private school regarding the referral process for any child suspected of having a disability and may be in need of special education and related services under IDEA.

Since elementary and secondary home schools are considered private schools in the state of Mississippi, the requirements for parentally placed private school children are applicable. For students who attend an



Child Find, Evaluations, & Eligibilities – CCSD Office of Special Services Procedures

elementary or secondary home school, parents will refer their child for evaluation services to the district in which the home school is located. If the home school is located in the district of residence, then that district will be responsible for Child Find activities. If the home school is located in a district's jurisdiction other than the child's district of residence, then the district where the elementary or secondary home school is located will be responsible for the implementation of evaluation procedures. The District's Director of Special Education will be responsible for the implementation of these policies.

When conducting Child Find activities, the District's Special Education Director will ensure that activities are similar to the activities undertaken for students enrolled in the district (i.e., evaluation standards and eligibility criteria). The process will be completed in a time period comparable to that of students enrolled in the district.

The CCSD will ensure equitable participation of parentally placed private school children in the Child Find process and maintain an accurate count of those children referred and evaluated for possible special education services, as well as the number of students who were determined to have a disability and the number of children with a disability served by the District.

The cost of carrying out the Child Find requirements, including individual evaluations, will not be considered in determining the district's proportionate amount of funding to be expended for services for parentally placed private school children.

Although there are no private schools within the district's jurisdiction, the Director of Special Education will ensure that these policies and procedures are implemented if any private schools should be in the District's jurisdiction in the future.

Early Intervention Programs

The CCSD will participate in the Child Find and Service Coordination efforts under Part C of IDEA by accepting referrals of children who may have a disability and who may be in need of special education and related services as required under Part B of IDEA. Such a referral will be made at least ninety (90) days prior to the child's third birthday. Children suspected of having a disability and who may be in need of special education and related services will be evaluated to determine eligibility for services under Part B of IDEA.

The CCSD will complete the Comprehensive Assessment and develop, as well as implement, the IEP for all eligible children by each child's third birthday in order to ensure continuity of services.

- The District has designated Special Education Director or Designee at the District Office as a Contact Person for Early Intervention Referrals.
- The Special Education Director or Designee will coordinate with the First Steps Coordinator to ensure that referrals are accepted in a timely manner and evaluation procedures are implemented.
- The Special Education Director and Designee will ensure the evaluation is conducted after parental consent for assessment is obtained.
- The Special Education Director and Designee will maintain a tracking system of all preschool referrals which includes date of referral, date parental consent for assessment was obtained, date assessment was completed, date of Eligibility Meeting and date of IEP if appropriate.



Head Start

The CCSD will implement local referral procedures with Head Start personnel when the agency serves children who live within the district's jurisdiction. The CCSD Special Education Director will develop a local interagency agreement with the Head Start personnel to designate the referral procedures and responsibilities for the District and Head Start personnel. Although collaboration is essential with Head Start personnel, the district of residence is ultimately responsible for the implementation of the Child Find requirements under IDEA.

- CCSD has designated the Director of Special Education or a Designee the contact person for all preschool referrals.
- The Director of Special Education or a Designee will coordinate with the referring agency or parent to ensure that referrals are accepted in a timely manner and evaluation procedures are implemented.
- The Director of Special Education or Designee will ensure the evaluation will be conducted after parental consent for assessment is obtained.
- The Director of Special Education or Designee will maintain a tracking system of all preschool referrals which includes date of referral, date parental consent for assessment was obtained, date assessment was completed, date of Eligibility Meeting and date of IEP if appropriate.

REQUEST FOR INITIAL EVALUATIONS

Based on the requirements of the State Board of Education, a three-tiered District-wide intervention process will be in effect, which is designed to meet the needs of every student. The CCSD utilizes the intervention process model, including the components of Response to Intervention. Procedures for implementation are contained in the CCSD's Multi-Tiered System of Interventions (MTSI). It should be noted that the district considers it inappropriate for a school-level staff member to refer a parent to the special education office with the intent of bypassing the intervention process without supportive data.

Consistent with the consent requirements in § 300.300, either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

When the parent (in writing or verbally), Teacher Support Team (TST) or public agency refers a child for an initial evaluation, the Multidisciplinary Evaluation Team (MET), including the student's teacher and parent (if the parent chooses to participate), will meet within fourteen (14) calendar days of the request to discuss the parent's concerns and review Tier interventions, progress monitoring and other pertinent data. Day one is the day the parent, TST or public agency makes the request to the school (teacher, principal, secretary, special education director, etc.). After reviewing the request and other pertinent documentation, Written Prior Notice for Initial Evaluation or Written Prior Notice for Refusal to Evaluate will be given to the parent within seven (7) calendar days of the meeting. The MET will make a decision within fourteen (14) calendar days of the parent's, TST's or public agency's request.

Note: *The referral for an evaluation must be documented on the Child Find Request form.*



Child Find, Evaluations, & Eligibilities – CCSD Office of Special Services Procedures

- The Special Education Case Manager will ensure all referrals for initial evaluations are accepted and documented on a District Tracking System.
- The Case Manager will document the date and type of referral, date and decision of the MET meeting, date parent was informed of the decision of the MET, date parental consent for assessment was obtained or date parent notified of refusal to evaluate, date comprehensive assessment is completed, date of Eligibility Meeting and decision of the Multidisciplinary Eligibility Team.
- The Case Manger will ensure appropriate procedural safeguards and appropriate prior written notices are given to the parent.

For written requests for comprehensive assessments received during the summer when school is not in session, the MET will meet within two weeks of receipt of the request. The student's parent(s) will be provided the opportunity to participate. Based on the data gathered and reviewed, the MET will make a decision as to whether the student is in need of an evaluation to determine if the student has a disability.

The Director of Special Education will ensure that requests for comprehensive assessments made when school is not in session will be completed based on MDE, Office of Special Education timelines.



Child Find, Evaluations, & Eligibilities – CCSD Office of Special Services Procedures

FORM

Child Find Request



CHILD FIND REQUEST

Person/Agency Making the Request:	Relation to Child:
Requester's Address:	Requester's Phone:
Requester's Signature:	Date Request Received by CCSD: Date Request Received by MET:

PERSONAL DATA			
Child's Full Name:	Race/Ethnicity:	Gender:	DOB:
HOME AND FAMILY INFORMATION			
Parent/Guardian:			
Home Address:			
Phone:			
Work Phone:			
LANGUAGE(S) SPOKEN IN THE HOME			
Is any language other than English spoken in the child's home? <input type="checkbox"/> Yes <input type="checkbox"/> No (skip to next section)			
Parent/Guardian's Language: _____			
Child's Language: _____			
CHILD'S EDUCATIONAL SETTING			
Does the child attend a public/private school or preschool/childcare center? <input type="checkbox"/> Yes <input type="checkbox"/> No (skip to next question)			
School/Center Name:		School/Center Phone:	
CONCERNS FOR THE CHILD			
Describe any concerns that you have about the child's development, behavior, and/or learning.			
TST Referral – Please attach the following information (if appropriate)			
<input type="checkbox"/> Hearing/Vision screening and any follow up if failed either.			
<input type="checkbox"/> Teacher Narrative(s) from at least the core subject area teachers			
<input type="checkbox"/> Current Discipline records			
<input type="checkbox"/> Current Attendance records			
<input type="checkbox"/> Documentation of Tier III Interventions with progress monitoring indicated and graphs			
<input type="checkbox"/> Documentation of Tier II Interventions if appropriate			
<input type="checkbox"/> All statewide assessments if available			
<input type="checkbox"/> All District wide assessments including benchmark assessments			
<input type="checkbox"/> Grades			
<input type="checkbox"/> Copy of the Cumulative Record Insert page			
<input type="checkbox"/> Developmental History if obtained			
<input type="checkbox"/> Medical or psychological information provided by the parent			



REFERRAL FOR INITIAL EVALUATIONS

An evaluation is an individualized discovery process to determine if a child meets the eligibility criteria for special education and related services under the *Individuals with Disabilities Education Act of 2004 (IDEA)* and, if so, what are the child's educational programming needs. Evaluations are conducted by a Multidisciplinary Evaluation Team (MET) consisting of multiple methods including reviewing existing records, interviewing important informants, observing the child in his/her environmental settings, and administering formal and informal assessments and measures. The results of an evaluation are summarized in a psychoeducational report used by the MET to determine eligibility for special education and related services.

*The Local education agencies (LEAs), State Board-governed schools, State adult and juvenile correctional facilities, and special State agency schools may make educational eligibility determinations. University-based programs, the 15 local juvenile detention centers, private school programs, private facilities, and Head Start centers **may not** determine eligibility; rather, they must work with the public agencies responsible for Child Find to determine eligibility for special education and related services.*

The CCSD assembles a MET to respond to requests for comprehensive evaluations for children identified through Child Find activities, referrals from Part C Early Intervention Programs (First Steps), and requests from parents, teachers, Teacher Support Teams (TST), and other individuals knowledgeable about the child.

MET Responsibility

The MET is responsible for:

- Determining if the child is in need of a comprehensive evaluation;
- Designing the comprehensive evaluation; and
- Determining if the child meets eligibility criteria for special education and related services.

MET Membership

The MET includes input from parents, and collects, analyzes, and interprets information to make an informed decision about the child's need for a comprehensive evaluation to determine whether the child is a child with a disability and is in need of special education and related services. Depending upon the requirements of the specific evaluation and the nature of the child's suspected disability, different people may be members of the MET. The MET must consist of the parents or guardians designated to make educational decisions for the child (unless they choose not to participate), qualified professionals from the list below who can administer individual diagnostic assessments and interpret the results, a general education teacher and/or care providers with direct knowledge of the child.

It is recommended a MET Chairperson, the Special Education Director, who can allocate school resources for the evaluation and resolve disagreements in decisions be included as needed.

Qualified Professionals

Qualified professionals who are a part of the MET may include:

- Regular Education Teachers who have knowledge of the child, general curriculum, and MTSI supports;



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- Special Education Teachers who have knowledge of disabilities and educational programming needs;
- Speech-Language Pathologists who have knowledge of typical and atypical language and speech development and impairments and who can conduct speech, language, fluency, and/or voice assessments;
- Speech Therapists who have knowledge of typical and atypical speech development and impairments and who can conduct speech assessments;
- School Psychologists who have knowledge of typical and atypical development, education, interventions, and disabilities and who can conduct cognitive, academic, adaptive, social-emotional, and behavioral assessments, interviews, and observations;
- Psychometrists who have knowledge of human development and the administration of formal assessments and, who can conduct cognitive, academic, adaptive assessments and observations;
- School Health Nurses who have knowledge of physical development, health, and impairments and who can conduct health screenings;
- School Counselors who have knowledge of typical and atypical development and, depending upon their specialized training, who can conduct child and family interviews, and child observations;
- Representatives of other agencies and/or additional examiners as needed, such as Audiologists, Physical Therapists, Occupational Therapists, or Rehabilitation Specialists.

NOTE: *In the case of a preschool child who is not enrolled in a district preschool education program, a teacher qualified to teach children of that age or the child's current direct care providers (e.g., Head Start teachers or private preschool providers), if applicable, should be invited to participate as a member of the MET.*

MET membership must be configured based on the specific concerns of the referral. MET membership may change based on needs or concerns identified during the evaluation process.

The MET Documentation Form is used by the CCSD to document any MET meetings or decisions.

Determining the Need for an Initial Evaluation

When a parent, public agency representative, TST member, or other individual knowledgeable about the child makes a verbal or written request for an evaluation of a child, the CCSD assembles a MET to consider the request and determine the need for conducting a comprehensive evaluation. (Child Find Request completed)

The district has procedures for documenting verbal requests, as well as the process for handling any requests when school is not in session. The CCSD ensures that requests for evaluations and responses to those requests are **not** limited by the number per year or the time of year the requests are received.

The MET will meet within fourteen (14) days of receiving the request to consider the request and review any pertinent documentation and existing data. The CCSD invites the parent and others knowledgeable of the child to participate in the meeting. The MET uses the Invitation to Committee Meeting and Reply to invite the parent to participate in the meeting.

Parental consent is not required for the review of existing data (e.g., existing teacher or related service provider observations, ongoing classroom assessments, criterion-referenced tests that are used to determine child progress, administration of tests or other assessments that are administered to all children, or screening



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by teachers or specialists to determine appropriate instructional strategies for curriculum implementation) to determine the need for a comprehensive evaluation.

Based on this review, the MET will either determine:

1. There is **sufficient evidence** to suspect that the child may have a disability; or
2. There is **insufficient evidence** to suspect that the child may have a disability.

NOTE: The standard of “suspecting a child may have a disability” is an intentionally low threshold to ensure that all children who may—but not necessarily will—qualify for special education services are provided a comprehensive evaluation. The intention is to prevent under-identification, as well as over-identification, of children with disabilities who need special education and related services. The MET should not attempt to pre-determine whether or not a child will be eligible for special education before conducting a comprehensive evaluation.

If the MET determines there is **sufficient evidence** to suspect that the child may have a disability and may be in need of special education services, the MET must:

- Give the Prior Written Notice to the parent seven (7) calendar days prior to the meeting to inform the parent the CCSD is requesting an initial evaluation; and
- Give the Informed Parental Consent to inform the parent of the evaluation process and to secure written consent for the initial evaluation or parental refusal for the evaluation; and
- Give a copy of Procedural Safeguards: Your Family Special Education Rights to the parent.

Note: Signature stamps cannot be used on any evaluation or eligibility form.

If the MET determines there is **insufficient evidence** to suspect that the child may have a disability, the MET must:

- Give the Prior Written Notice to the parent within seven (7) calendar days prior to the meeting to inform the parent that the district is declining the request for an initial evaluation and the reasons for the decision; and
- Give a copy of Procedural Safeguards: Your Family’s Special Education Rights to the parent with an explanation of the due process procedures that the parent may use to dispute the MET’s decision.

(See: CCSD Steps for Implementing Evaluations and Eligibility Determinations)

NOTE: *Infants/toddlers receiving early intervention (First Steps) services who are transitioning from Part C to Part B services **are entitled** to receive a comprehensive evaluation per the MSDH-MDE Interagency Agreement; therefore, an initial MET meeting is not required. When these children reach twenty-seven (27) months of age, the CCSD receives written notification from First Steps of children “potentially eligible for Part B services.” If the parent invites Part B personnel to participate in the transition meeting, this meeting can cover topics typically addressed in the initial MET meeting, such as informing the parents about Part B services, the evaluation and eligibility process, and, if consent is given, planning the evaluation.*



Forms

[STEPS for Initial Evaluations](#)

[Hearing/Vision Screening](#)

[Teacher Narrative](#)

[Developmental History](#)

[Invitation to Committee Meeting and Reply](#)

[Documentation of MET Meeting](#)

[Prior Written Notice](#)

[Informed Parental Consent](#)

[Procedural Safeguards](#)



STEPS FOR INITIAL EVALUATIONS

___ Each school has a school-based Multidisciplinary Evaluation Team (MET). When a verbal or written request for a comprehensive evaluation is made by a parent, a public agency, or Teacher Support Team (TST), the MET has **fourteen (14) calendar days** to meet and to consider the request. The first day of this timeline is the day that the request is made. The MET **must** adhere to the fourteen (14) day timeline when requests are made during any break in instruction including extended breaks such as Christmas, Spring Break, or summer months.

___ The Child Find Request form **must** be completed by the person, TST or agency making the request to the MET.

___ The Child Find Request will be submitted to the MET chairperson within **2 days** of receipt of the request (whether oral or written).

___ Upon receipt of the Child Find Request the MET chairperson will ensure all data needed by the MET to make a determination is attached or gathered.

- ☐ Hearing and vision screening – (no more than 1 year old)
- ☐ Attendance current and history, if appropriate
- ☐ Disciplinary reports current (and history if appropriate)
- ☐ Teacher Narrative(s) – completed by student's core subject teacher(s) -at least reading/math.
- ☐ Statewide assessments, district assessments, current and previous assessments if available.
- ☐ Cumulative Record insert
- ☐ Grades, progress reports
- ☐ Any teacher(s)' observations or notes regarding the student's academic performance, social, behavioral and/or emotional performance.
- ☐ Any information provided to the school/teacher by the parent regarding outside evaluations, medical diagnosis, medications, psychological evaluations, or concerns.
- ☐ Developmental History from the parent – if not available may be obtained at the MET meeting.
- ☐ Tier Data
- ☐ Observations – SLD
- ☐ ABC data from teachers, if available

___ Prior to the 14-day timeline, all information needed by the MET to make an appropriate decision must be gathered and the Invitation to Committee Meeting and Reply form must be sent to the parent so that a MET meeting can be held no later than day 14. The Invitation to Committee Meeting and Reply form should be sent to the parent/guardian at least 7 days prior to the date of the MET meeting.

___ The MET chairperson will contact all appropriate members of the MET with the date, location, and purpose of the meeting.

___ The MET chairperson **must verify receipt** of the Invitation to Committee Meeting and whether the parent plans to attend, reschedule or have the MET meet without them. May verify receipt by phone, email, text, or the returned response form.



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- *****It is *not appropriate* to wait until the parent/guardian comes to the meeting to verify that he/she received the invitation. Document the phone call, text or email on the Invitation to Committee Meeting Reply form or district documentation form.**

____ This will allow for your 3 attempts to invite the parent to the meeting. If the MET chairperson makes 3 attempts to include the parent and the parent indicated that he/she will attend, the MET should meet without the parent and send Prior Written Notice to inform the parent of the MET's decision.

- *If you verified receipt and the parent said she/he will attend or requests to reschedule, or indicated to meet without him/her, then there is no need to have the parent sign the Reply form at the meeting.*

____ The MET should consist of the parent, the child (if appropriate), and qualified professionals including the principal or other administrator, student's teacher(s), school psychometrist or school psychologist, Speech Pathologist, counselor, and health provider if appropriate, a special education teacher and the MET Chairperson. The MET should also include a MET Chairperson who can allocate school resources for the valuation and, if necessary, resolve disagreements when making eligibility determination decisions.

- When the MET is evaluating a child suspected of having a disability that may fall under the category of a Specific Learning Disability (SLD), the child's current general education teacher or a general education teacher qualified to teach children of that age should be a member of the MET.
- In the case of a preschool child who is not enrolled in a district preschool education program, a teacher qualified to teach children of that age or the child's current direct care providers (e.g., Head Start teachers or private preschool providers), if applicable, should be invited to participate as a member of the MET.

____ The MET will conduct a meeting to review all information gathered, and parental input, in order to determine whether the student is suspected of having a disability. This MET meeting will be documented on the MET Documentation Form. ***Do not conduct a MET meeting without sufficient data to make a reasonable decision.***

____ The first meeting of the MET is a fact-finding meeting where existing data and reports are considered. If a Developmental History has not been completed, the parent may complete it at this meeting. The MET should have at least one Teacher Narrative by the time of the MET meeting. It is difficult to plan an evaluation without the Teacher Narrative information.

- If the parent states he/she has outside reports about ADHD, emotional disabilities, etc. ask the parent for those reports – ask parent to sign a Release of Records then so that the records may be obtained as soon as possible.
- If the student failed vision and/or hearing screenings and the student needs a visual or hearing referral to a specialist schedule the appointment at this time and get the student's evaluation as soon as possible.

____ If the **MET suspects the child has a disability**, the MET must provide the parent Prior Written Notice of the intent to conduct an evaluation, Informed Parental Consent, and Procedural Safeguards: Your Family Special Education Rights within seven (7) calendar days of the meeting.

____ If the **MET does not** suspect the child has a disability, the MET must provide Prior Written Notice, a justification for their decision, and Procedural Safeguards: Your Family's Special Education Rights within seven (7) calendar days of the meeting.



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REMEMBER: If any medical evaluations are needed in order to complete the comprehensive evaluation the **cost of the visit to the specialist must be paid by the district.** The district/school cannot require the parent for this specialist evaluation (hearing/vision, etc.).

___ If the MET refers a child for a comprehensive evaluation, the MET will develop an Evaluation Plan that addresses the reason(s) for the referral. This plan may change during the course of the evaluation based on additional concerns that arise during the process. If so, Informed Parental Consent for any additional assessments not included in the initial consent must be obtained. Complete the Evaluation Plan prior to Informed Parental Consent so that the areas to be evaluated and data needed are clear.

- If the student will possibly meet SLD criteria – ask for observations in reading/math classes.
- If the student is suspected of ADHD, ask for ABC data from core subject teachers (reading, math, ELA). Begin collection of this data after consent for evaluation.
- If there is a reason to suspect ID, the MET chairperson or Case Manager may complete an adaptive measure with the parent/guardian.
- Request a Teacher Narrative from core subject teachers if do not have these.

___ Informed Parental Consent is required prior to any assessments to ensure:

- The parent has been fully informed, in their native language or other mode of communication.
- The parent understands and has agreed in writing to that action.
- The parent understands that the consent is voluntary and they may withdraw their consent at any time.

___ If hearing and vision have not been screened, the Case Manager will request the screenings for hearing and vision prior to any evaluation being conducted.

___ The Case Manager will assign the evaluation to the speech pathologist, psychometrist or psychologist. If possible, the speech/language portion of the evaluation should be completed prior to the psychometrist/psychologist evaluations. The speech/language evaluation information is needed in order to select appropriate test instruments and conduct valid evaluations.

___ The initial evaluation must be conducted within sixty (60) calendar days of receiving Informed Parental Consent unless the following exceptions occur:

- The child moves out of the district
- The parent does not make the child available for testing.

Note: Attempts to contact the parent such as phone contact, email, mail, certified mail will be documented on parent contact log and kept on file by district.

___ Screeners should never be used as the sole criterion for determining the need for a comprehensive evaluation or to determine eligibility status. If a measure has two versions, one of which is a shortened version (sometimes referred to as a screener) the longer, more complete version should be used as part of the evaluation to determine eligibility.

___ Scientific, research-based interventions may be used to determine eligibility for SLD. They can occur before the MET meets to determine the need for a comprehensive evaluation or concurrently with a



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comprehensive evaluation. In Mississippi we are using the Discrepancy model. Other methods may be used but the Discrepancy Model should be considered first.

_____ Functional Behavioral Assessment (FBA) is a type of individual assessment that may be conducted as part of an evaluation and requires Informed Parental Consent.

_____ The MET should only consider current data.

Current	Types of Existing Records
No more than one (1) year old at the time the parent signs consent	<ul style="list-style-type: none">• Intelligence measures• Hearing screening and follow-up evaluations• Vision screening and follow-up evaluations• Physical examinations
Current	Types of Existing Records
No more than six (6) months old at the time the parent signs consent	<ul style="list-style-type: none">• Teacher Narrative• Achievement measures• Social, behavioral, adaptive, and emotional measures• Language/speech assessments• Motor assessments• Curriculum-based assessments
No more than three (3) months old at the time the parent signs consent	<ul style="list-style-type: none">• Developmental History Developmental instruments

_____ The district has up to sixty (60) calendar days to complete the evaluation process. **The initial evaluation process is finalized on the date the comprehensive report or last individual report is completed.**

_____ The evaluation report(s) must be given to the parent seven (7) calendar days prior to the eligibility determination meeting unless the parent waives the seven (7) calendar day requirement in writing.

_____ The initial eligibility determination meeting must be scheduled within fourteen (14) calendar days after the completion of the evaluation process. The Case Manager will send the Invitation to Committee Meeting and Reply form to the parent at least 7 days prior to the meeting. If the parent does not respond after multiple attempts to secure parental involvement in the eligibility determination meeting, the MET must determine eligibility without the parent's participation. Attempts are documented on the Meeting Invitation Response form.

If the parent does not respond after multiple attempts to secure parental involvement in the eligibility determination meeting, the MET must determine eligibility without the parent's participation.

_____ At the eligibility determination meeting, there must be a qualified professional who can explain the results of the evaluation to parent and other participants. Psychometrist, SLP and/or school psychologist if there are any emotional or significant behavior concerns.

___ If the qualified members of the MET fail to reach a consensus in determining eligibility and/or the disability category, the MET Chairperson (the individual who has the ability to allocate school resources for the evaluation and resolve disagreements in eligibility determination decisions or Special Education Director) must make a decision. If any member of the MET disagrees with this decision, he/she must indicate his/her disagreement of the Eligibility Determination Report and submit a written statement of his/her conclusions to the MET Chair. If the parent disagrees with the school personnel, the parent may request an Independent Educational Evaluation.

HEARING/VISION SCREENING REPORT

PERSONAL DATA			
Child's Name:	Race/Ethnicity:	Gender:	DOB:
District/School:	MSIS #:	Grade:	Age:

PART I – INSTRUMENTAL ASSESSMENT

A. HEARING SCREENING

Instrument:

	1 st Screening		2 nd Screening	
1000 Hz / 25 dB	L Ear		L Ear	
	R Ear		R Ear	
2000 Hz / 25 dB	L Ear		L Ear	
	R Ear		R Ear	
4000 Hz / 25 dB	L Ear		L Ear	
	R Ear		R Ear	
Optional:	L Ear		L Ear	
	R Ear		R Ear	
Hearing	PASS		PASS	
	FAIL		FAIL	
EXAMINER				
DATE				

B. VISION SCREENING

Instrument:

	1 st Screening		2 nd Screening	
Screened wearing glasses?	YES		YES	
	NO		NO	
Near Vision (Both Eyes)	PASS		PASS	
	FAIL		FAIL	
Far Vision	Left Eye	/	Left Eye	/
	Right Eye	/	Right Eye	/
	Both Eyes	/	Both Eyes	/
	PASS		PASS	
	FAIL		FAIL	
EXAMINER				
DATE				

PART II – FUNCTIONAL ASSESSMENT – TO BE COMPLETED BY SOMEONE FAMILIAR WITH THE CHILD

A. HEARING	YES	NO
1. Does the child respond to his or her name when called?		
2. Does the child respond to a noise that occurs out of his or her line of sight (e.g., ringing bell or jingling keys)?		
3. Does the child interact with others verbally?		
4. Can the child identify a body part when requested to do so verbally?		
5. Does the child respond to simple verbal commands?		
6. Can the child point to a person or objects when asked?		
7. Does the child imitate the speech of others?		
8. Does the child turn his or her eyes and/or head toward a voice?		
9. Does the child react when told "No!"? (NOTE: Compliance is not required.)		
10. Does the child attend to music or songs sung to him or her?		
EXAMINER		
DATE		

B. VISION	YES	NO
1. Does the child follow an object with his or her eyes?		
2. When using a drawing/writing implement (e.g., pencil, crayon, or paintbrush) does the child follow markings with his or her eyes?		
3. Does the child pick up objects placed on a table or the floor?		
4. Does the child reach for objects being handed to him or her?		
5. Does the child reach for objects unaided or without direction from teacher?		
6. Does the child look at an object or scan an image placed in front of him or her?		
7. Does the child look at pictures in a book?		
8. Does the child turn his or her eyes and/or head toward a light that is introduced?		
9. Does the child watch his or her own hand movements?		
10. Does the child look at himself or herself in a mirror?		
11. Does the child turn his or her eyes and/or head to search for an object moved out of his or her line of sight?		
EXAMINER		
DATE		

Describe additional behaviors in hearing/vision that should be considered in assessment and educational programming:

DEVELOPMENTAL HISTORY (Ages 3 – 9)

NOTE: The information collected on this form will be used by your child's school to help them determine your child's educational needs. It is not required for you to complete this form. If there are any questions you do not wish to answer or you feel uncomfortable answering, feel free to leave them blank. Please include any information you think will help us in understanding your child.

Informant:		Relationship to the Child:		
PERSONAL DATA				
Child's Name:	Race/Ethnicity:	Gender:	DOB:	
District/School:	MSIS #:	Grade:	Age:	
HOME AND FAMILY INFORMATION				
Parent(s)/Guardian(s):			Age:	
Home Address:		Home Phone:		
Employer/Occupation:		Work Phone:		
Child lives with:	<input type="checkbox"/> Birth Parent(s) <input type="checkbox"/> Adoptive Parent(s) <input type="checkbox"/> Parent and Step-Parent <input type="checkbox"/> Grandparent(s) <input type="checkbox"/> Foster Parent(s) <input type="checkbox"/> Other: _____			
Persons Living in the Home				
Name	Age	Gender	Relationship	Special Needs
1.				<input type="checkbox"/> Yes <input type="checkbox"/> No
2.				<input type="checkbox"/> Yes <input type="checkbox"/> No
3.				<input type="checkbox"/> Yes <input type="checkbox"/> No
4.				<input type="checkbox"/> Yes <input type="checkbox"/> No
5.				<input type="checkbox"/> Yes <input type="checkbox"/> No
6.				<input type="checkbox"/> Yes <input type="checkbox"/> No
Language(s) Spoken in the Home				
Is any language other than English spoken in the home? <input type="checkbox"/> Yes <input type="checkbox"/> No (skip to next section)				
Language(s)	Child		Parent(s)/Guardian(s)	
	Understands	Speaks	Understands	Speaks
English				
Your Child's Strengths				
Describe your child's strengths.				
Concerns for Your Child				
Describe any concerns that you have or any recent changes in your child's development, behavior, or learning (e.g., missing developmental milestones, inattention, angry outbursts, withdrawn, difficulty learning information).				

Life Events or Family Transitions

Describe any major life events or changes in the family situation that may have affected your child (e.g., abuse, accidents, change in guardianship, death of a family member, divorce, economic hardship, family move, natural disasters, remarriage, separations, etc.).

MEDICAL / PHYSICAL DEVELOPMENT

Birth History

Mother's age at birth: _____ years Mother received prenatal care during pregnancy? ☐ Yes ☐ No

Were there any complications during pregnancy or delivery? ☐ Yes ☐ No (skip to next question)

☐ High blood pressure/toxemia ☐ Maternal injury/illness ☐ Exposure to alcohol/cigarettes /drugs
☐ Rubella/German measles ☐ Gestational diabetes ☐ Emergency C-section
☐ Premature (_____ weeks gestation) ☐ Low birth weight (indicate one: ☐ <2.3 lbs. ☐ 2.3-3.3lbs ☐ 3.4-5.4 lbs.)
☐ Other: _____

Did your child have an extended stay in the hospital after birth? ☐ Yes ☐ No (skip to next question)

Length of time: ☐ < one week ☐ one to four weeks ☐ one month or more (____ months)

Reason: _____

General Health

Has your child been hospitalized or had any significant operations? ☐ Yes ☐ No (skip to next question)

Explain: _____

Has your child had any significant medical conditions or illnesses? ☐ Yes ☐ No (skip to next question)

☐ Eye or vision problems ☐ Heart problems ☐ Hydrocephalus, hemorrhages, and/or shunt
☐ Ear infections and/or ear tubes ☐ Seizures/neurological issues ☐ Allergies (specify: _____)
☐ Asthma or breathing difficulties ☐ Significant infections (e.g., meningitis, encephalitis, etc.) or high fevers
☐ Other: _____

Has your child had any significant accidents/injuries (e.g., head injuries)? ☐ Yes ☐ No (skip to next question)

☐ Motor vehicle accident(s) ☐ Fall-related injury(ies) ☐ Significant blow(s) to the head

☐ Other: _____

Explain: _____

Has your child had any difficulties or disorders with the following? ☐ Yes ☐ No (skip to next question)

☐ Eating difficulties/disorders ☐ Sleeping difficulties/disorders ☐ Toileting difficulties/disorders

Explain: _____

Is your child currently being treated for a medical condition? ☐ Yes ☐ No (skip to next question)

Does your child have a regular healthcare provider/medical home? ☐ Yes ☐ No

When was your child's last visit to a healthcare provider? Indicate one: ☐ <6 months ☐ 6-12 months ☐ >1 year

May we access your child's medical records? ☐ Yes (please complete a release form) ☐ No

Is your child currently taking any medications? ☐ Yes ☐ No

Explain: _____

Has your child ever received speech, physical, or occupational therapy? ☐ Yes ☐ No (skip to next question)

Explain: _____

Hearing and Vision

Has your child ever had his/her hearing and/or vision tested? ☐ Yes ☐ No (skip to next question)

☐ Hearing only ☐ Vision only ☐ Hearing and vision

Hearing results: _____

Vision results: _____

Does your child require devices to assist with hearing or vision? ☐ Yes ☐ No (skip to next question)

☐ Hearing aids (when acquired: _____) ☐ Glasses (when acquired: _____)

Motor Development

Describe any concerns you have about your child's gross motor skills (e.g., walking, hopping, jumping, running, climbing stairs, kicking balls, etc.).

Describe any concerns you have about your child's fine motor skills (e.g., writing or coloring, working buttons/zippers, tying shoes, cutting, etc.).

Describe any additional concerns you have about your child's physical development.

EDUCATIONAL BACKGROUND

Has your child ever attended a preschool program or childcare center? ☐ Yes ☐ No (skip to next question)

Name: _____ Phone: _____

Address: _____ Teacher: _____

Describe any difficulties your child has had with learning activities.

Has your child ever been evaluated/assessed/tested for learning difficulties? ☐ Yes ☐ No (skip to next section) By whom: _____ When: _____

Results: _____

COGNITIVE / ADAPTIVE DEVELOPMENT

Can your child follow directions? ☐ Yes ☐ No (skip to next question)

☐ One-step directions only ☐ Two-step directions ☐ Multi-step directions

Does your child know any of the following information about him/herself?

☐ Name ☐ Age ☐ Gender
☐ Parent(s) name(s) ☐ Address ☐ Home phone number

Does your child:

☐ Identify parts of the body ☐ Identify colors ☐ Count (highest number: _____)
☐ Identify letters of the alphabet ☐ Play with building toys/puzzles ☐ Identify size (e.g., big, little, tall, short, etc.)
☐ Looks at books independently ☐ Enjoy being read to ☐ Identify shapes (e.g., circle, square, etc.)
☐ Recognize written words ☐ Read books independently ☐ Identify money (e.g., dime, quarter, dollar)

Does your child independently:

☐ Drink from a cup without spilling ☐ Dress self completely ☐ Use toilet without accidents during day
☐ Eat with a spoon and fork ☐ Put shoes on correct feet ☐ Use toilet without accidents during night
☐ Brush hair and teeth ☐ Put on a coat/jacket ☐ Clean table/space after eating/activity
☐ Bathe self ☐ Make up bed ☐ Cross the street safely

Describe any additional concerns you have about your child's thinking or daily living skills.

COMMUNICATION DEVELOPMENT

Does your child seem to understand what is said to her/him? ☐ Yes (skip to next question) ☐ No

Explain:

How does your child communicate?

☐ Gestures only ☐ Gestures and some speech ☐ Primarily speech with some gestures

Does your child...

☐ Make up stories/songs ☐ Talk about daily activities ☐ Use "me," "you," plurals, and past tense

Who can understand what your child says? (check all that apply)

☐ Family/caregivers ☐ Other children ☐ Unfamiliar adults

Describe any additional concerns you have about your child's language or speech skills.

SOCIAL / EMOTIONAL DEVELOPMENT

In the first three years, was/did your child:

- | | | |
|--|---|---|
| <input type="checkbox"/> Difficult to calm/comfort | <input type="checkbox"/> Resist being cuddled | <input type="checkbox"/> Show fascination with specific objects |
| <input type="checkbox"/> Excessively irritable | <input type="checkbox"/> Fail to make eye contact | <input type="checkbox"/> Engage in frequent head banging |
| <input type="checkbox"/> Have poor sleep routines | <input type="checkbox"/> Fail to look at caregivers | <input type="checkbox"/> Difficult to feed/nurse |

If any of these behaviors have continued beyond age 3, give an example:

Describe your child's behavior (compared to other children his/her age):

- | | | | |
|--|--|---|---|
| How active is your child? | <input type="checkbox"/> less active than others | <input type="checkbox"/> about the same | <input type="checkbox"/> more active |
| How well does your child pay attention? | <input type="checkbox"/> less distracted than others | <input type="checkbox"/> about the same | <input type="checkbox"/> easily distracted |
| How does your child handle change? | <input type="checkbox"/> handles change easily | <input type="checkbox"/> about the same | <input type="checkbox"/> resists change |
| How does your child respond to new things? | <input type="checkbox"/> readily accepts new things | <input type="checkbox"/> about the same | <input type="checkbox"/> resists new things |
| How strong are your child's emotions? | <input type="checkbox"/> passive/indifferent | <input type="checkbox"/> about the same | <input type="checkbox"/> very intense |
| How moody is your child? | <input type="checkbox"/> very easygoing | <input type="checkbox"/> about the same | <input type="checkbox"/> very changeable |
| How predictable is your child? | <input type="checkbox"/> unpredictable | <input type="checkbox"/> about the same | <input type="checkbox"/> rigid routines |

Indicate if your child has had any of the following difficulties:

- | | | |
|--|---|--|
| <input type="checkbox"/> Refuses to follow directions | <input type="checkbox"/> Withdrawn or keeps to self | <input type="checkbox"/> Cries easily or whines frequently |
| <input type="checkbox"/> Aggression/fighting | <input type="checkbox"/> Extremely fearful or nervous | <input type="checkbox"/> Explosive outbursts or impulsive |
| <input type="checkbox"/> Cruelty to animals | <input type="checkbox"/> Depressed or very unhappy | <input type="checkbox"/> Stealing or lying |
| <input type="checkbox"/> Destructive behavior/starts fires | <input type="checkbox"/> Easily frustrated | <input type="checkbox"/> Frequently complains of aches/pains |

For any difficulties identified, give an example:

Does your child play with siblings or other children? ☐ Yes ☐ No (skip to next question)

Describe how your child plays with siblings or other children?

- | | |
|--|---|
| <input type="checkbox"/> plays near—not with—others (e.g., dolls, cars) | <input type="checkbox"/> plays together with others (e.g., chase/tag games) |
| <input type="checkbox"/> plays turn-taking games (e.g., hide-and-seek, hopscotch) | <input type="checkbox"/> plays games with rules (e.g., board games, sports) |
| <input type="checkbox"/> plays make-believe or role-playing games (e.g., playing house, cops and robbers, recreating scenes from movies) | |

Describe any additional concerns you have about your child's social-emotional development or behavior.

ADDITIONAL INFORMATION

Please provide any additional information that would help us understand your child better.

What is the best day and time to contact you?

What is the best day and time to arrange a meeting with you?

Form completed by _____

Date completed _____

DEVELOPMENTAL HISTORY (Ages 10 – 21)

NOTE: The information collected on this form will be used by your child's school to help them determine your child's educational needs. It is not required for you to complete this form. If there are any questions you do not wish to answer or you feel uncomfortable answering, feel free to leave them blank. Please include any information you think will help us in understanding your child.

Informant:		Relationship to the Child:	
PERSONAL DATA			
Child's Name:	Race/Ethnicity:	Gender:	DOB:
District/School:	MSIS #:	Grade:	Age:
HOME AND FAMILY INFORMATION			
Parent(s)/Guardian(s):			Age:
Home Address:		Home Phone:	
Employer/Occupation:		Work Phone:	
Child lives with:	<input type="checkbox"/> Birth Parent(s) <input type="checkbox"/> Adoptive Parent(s) <input type="checkbox"/> Parent and Step-Parent <input type="checkbox"/> Grandparent(s) <input type="checkbox"/> Foster Parent(s) <input type="checkbox"/> Other: _____		
Persons Living in the Home			
Name	Age	Gender	Relationship
1.			
2.			
3.			
4.			
5.			
6.			
Language(s) Spoken in the Home			
Is any language other than English spoken in the home? <input type="checkbox"/> Yes <input type="checkbox"/> No (skip to next section)			
Language(s)	Child		Parent(s)/Guardian(s)
	Understands	Speaks	Understands Speaks
English			
Your Child's Strengths			
Describe your child's strengths.			
Concerns for Your Child			
Describe any concerns that you have or any recent changes in your child's behavior, learning, or functioning (e.g., inattention, angry outbursts, withdrawn, difficulties with schoolwork, difficulties with adults or peers, etc.).			

Life Events or Family Transitions

Describe any major life events or changes in the family situation that may have affected your child (e.g., abuse, accidents, change in guardianship, death of a family member, divorce, economic hardship, family move, natural disasters, remarriage, separations, etc.).

Describe any involvement your child has had with State/local agencies (e.g., mental health, human services, juvenile justice, etc.).

MEDICAL / PHYSICAL

Developmental

Describe any problems in birth or early childhood that may have impacted your child's development.

General Health

Has your child been hospitalized or had any significant operations? ☐ Yes ☐ No (skip to next question)

Explain: _____

Has your child had any significant medical conditions or illnesses? ☐ Yes ☐ No (skip to next question)

- | | | |
|---|---|---|
| <input type="checkbox"/> Eye or vision problems | <input type="checkbox"/> Heart problems | <input type="checkbox"/> Hydrocephalus, hemorrhages, and/or shunt |
| <input type="checkbox"/> Ear infections and/or ear tubes | <input type="checkbox"/> Seizures/neurological issues | <input type="checkbox"/> Allergies (specify: _____) |
| <input type="checkbox"/> Asthma or breathing difficulties | <input type="checkbox"/> Significant infections (e.g., meningitis, encephalitis, etc.) or high fevers | |
| <input type="checkbox"/> Other: _____ | | |

Has your child had any significant accidents/injuries (e.g., head injuries)? ☐ Yes ☐ No (skip to next question)

- | | | |
|--|---|--|
| <input type="checkbox"/> Motor vehicle accident(s) | <input type="checkbox"/> Fall-related injury(ies) | <input type="checkbox"/> Significant blow(s) to the head |
| <input type="checkbox"/> Other: _____ | | |

Explain: _____

Has your child had any difficulties or disorders with the following? ☐ Yes ☐ No (skip to next question)

- | | |
|--|--|
| <input type="checkbox"/> Eating difficulties/disorders | <input type="checkbox"/> Sleeping difficulties/disorders |
|--|--|

Explain: _____

Is your child currently being treated for a medical condition? ☐ Yes ☐ No (skip to next question)

Does your child have a regular healthcare provider/medical home? ☐ Yes ☐ No

When was your child's last visit to a healthcare provider? Indicate one: ☐ <6 months ☐ 6-12 months ☐ >1 year

May we access your child's medical records? ☐ Yes (please complete a release form) ☐ No

Is your child currently taking any medications? ☐ Yes ☐ No

Explain: _____

Has your child ever received physical or occupational therapy? ☐ Yes ☐ No (skip to next question)

Explain: _____

Hearing and Vision

Does your child have normal hearing and vision? ☐ Yes (skip to next question) ☐ No

- | | | |
|---|--|--|
| <input type="checkbox"/> Problems with hearing only | <input type="checkbox"/> Problems with vision only | <input type="checkbox"/> Problems with hearing <u>and</u> vision |
|---|--|--|

Hearing difficulties: _____

Vision difficulties: _____

Does your child require devices to assist with hearing or vision? ☐ Yes ☐ No (skip to next question)

- | | |
|--|---|
| <input type="checkbox"/> Hearing aids (when acquired: _____) | <input type="checkbox"/> Glasses (when acquired: _____) |
|--|---|

Physical Functioning

Describe any concerns you have about your child's physical functioning.

EDUCATIONAL / COGNITIVE

Can your child follow multi-step directions? ☐ Yes ☐ No (skip to next question)

Does your child regularly need:

- ☐ significant help with homework ☐ afterschool tutoring ☐ significant help organizing their school work
☐ follow-up to ensure s/he completes homework ☐ instructions or directions to be repeated or explained

Indicate any areas that your child has difficulties with:

- ☐ Getting along with teachers ☐ Basic math calculations ☐ Reading aloud, pronouncing words
☐ Planning ahead/solving problems ☐ Figuring money, time, etc. ☐ Understanding what s/he reads
☐ Other: _____
☐ Other: _____

Describe any difficulties your child has with thinking or learning activities.

Has your child ever been evaluated/assessed/tested for learning difficulties? ☐ Yes ☐ No (skip to next section) By whom: _____ When: _____
Results: _____

ADAPTIVE

Does your child independently:

- ☐ Groom his/herself appropriately ☐ Run errands for the family ☐ Take care of his/her possessions
☐ Complete chores at home ☐ Handle money/make change ☐ Take care of younger siblings or relatives

Describe any concerns you have about your child's daily living skills.

COMMUNICATION

Indicate any areas that your child has difficulties with:

- ☐ Articulation (e.g., pronouncing sounds and words) ☐ Receptive language (e.g., understanding what others say)
☐ Expressive language (e.g., express thoughts and feelings)

Describe any concerns you have about your child's language or speech skills.

Has your child ever received language/speech therapy? ☐ Yes ☐ No (skip to next question)

Explain: _____

SOCIAL / EMOTIONAL / BEHAVIORAL

Indicate if your child has had any of the following difficulties:

- ☐ Difficulty making friends ☐ Being a victim of teasing/bullying ☐ Engaging in teasing/bullying behavior
☐ Aggression/fighting ☐ Anxious in groups of people ☐ Fearful of speaking in social settings
☐ Withdrawn or keeps to self ☐ Inflexible/difficulty compromising ☐ Insensitive to others' emotions/needs

Describe any concerns you have about your child's ability to get along with peers.

Indicate if your child has had any of the following difficulties:

- ☐ Extremely fearful or nervous ☐ Cries easily or whines frequently ☐ Frequently complains of aches/pains
☐ Depressed or very unhappy ☐ Easily frustrated ☐ Explosive/angry outbursts
☐ Self-injurious (e.g., cutting) ☐ Suicidal thoughts ☐ Obsessive/compulsive behaviors

Describe any concerns you have about your child's emotional functioning.

Has your child ever received counseling services? ☐ Yes ☐ No (skip to next question)

Explain: _____

Describe your child's behavior (compared to other children his/her age):

How active is your child?	<input type="checkbox"/> less active than others	<input type="checkbox"/> about the same	<input type="checkbox"/> more active
How well does your child pay attention?	<input type="checkbox"/> less distracted than others	<input type="checkbox"/> about the same	<input type="checkbox"/> easily distracted
How does your child handle change?	<input type="checkbox"/> handles change easily	<input type="checkbox"/> about the same	<input type="checkbox"/> resists change
How does your child respond to new things?	<input type="checkbox"/> readily accepts new things	<input type="checkbox"/> about the same	<input type="checkbox"/> resists new things
How strong are your child's emotions?	<input type="checkbox"/> passive/indifferent	<input type="checkbox"/> about the same	<input type="checkbox"/> very intense
How moody is your child?	<input type="checkbox"/> very easygoing	<input type="checkbox"/> about the same	<input type="checkbox"/> very changeable
How predictable is your child?	<input type="checkbox"/> unpredictable	<input type="checkbox"/> about the same	<input type="checkbox"/> rigid routines

Indicate if your child has had any of the following difficulties:

<input type="checkbox"/> Stealing or lying	<input type="checkbox"/> Gang involvement	<input type="checkbox"/> Defiance/oppositional behavior
<input type="checkbox"/> Drug/alcohol abuse	<input type="checkbox"/> Cruelty to animals	<input type="checkbox"/> Destructive behavior/starts fires

Has your child:

☐ skipped school repeatedly or had a truancy officer contacted to address lack of school attendance

☐ been suspended from school [*indicate the reason for each suspension and the total days of each suspension*]

- reason: _____ days: _____

- reason: _____ days: _____

- reason: _____ days: _____

- reason: _____ days: _____

- reason: _____ days: _____

☐ been expelled from school [*indicate the reason for expulsion and the amount days of expulsion*]

- reason: _____ days: _____

- reason: _____ days: _____

- reason: _____ days: _____

Describe any concerns you have about your child's behavior.

ADDITIONAL INFORMATION

Please provide any additional information that would help us understand your child better.

What is the best day and time to contact you?

What is the best day and time to arrange a meeting with you?

Form completed by _____

Date completed _____

TEACHER NARRATIVE

PERSONAL DATA				
Child's Name:		Race/Ethnicity:		Gender:
District/School:		MSIS #:		Age:
HOME AND FAMILY INFORMATION				
Parent(s)/Guardian(s):				
Language(s) Spoken in the Home				
Is any language other than English spoken in the home? <input type="checkbox"/> Yes <input type="checkbox"/> No (skip to next section)				
Language(s)	Child		Parent(s)/Guardian(s)	
	Understands	Speaks	Understands	Speaks
English				
History of Parent Contacts				
Has the child's parent(s) requested a comprehensive evaluation or "testing" for the child verbally or in writing? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Have you contacted/been contacted by the child's parent(s) to discuss any concerns about the child's academic progress, development, and/or behavior? <input type="checkbox"/> Yes <input type="checkbox"/> No (skip to next section)				
Date	Reason for Contact		Results	
REFERRAL INFORMATION				
Child's Strengths				
Describe the child's strengths.				
Reason for Referral				
Describe any concerns that you have or any recent changes in the child's academic progress, development, or behavior (e.g., attendance, difficulties with school work, difficulties with adults or peers, changes in concentration or activity level, inattention, disruptive behavior, withdrawn, etc.).				
Has the child ever been evaluated/assessed/tested for special education? <input type="checkbox"/> Yes <input type="checkbox"/> No (skip to next section)				
By whom: _____			When: _____	
Results: _____				

COGNITIVE AND ACADEMIC CONCERNS

Please attach any applicable academic records available that highlight your concerns about the child's cognitive and/or academic progress such as State and/or districtwide assessment data (MCT scores), grade reports, universal screening data, Tier intervention records, progress monitoring charts, work samples, etc.

Cognitive Concerns

Can the child understand and follow directions? ☐ Yes ☐ No

If yes: Indicate: ☐ One-step directions only ☐ Two-step directions ☐ Multi-step directions

If no: Describe any additional support the child requires to understand and follow directions.

Describe any concerns you have about the child's cognitive abilities (e.g., memory, problem-solving, imagination, etc.).

Academic Concerns

Indicate any academic areas in which the child is having difficulties:

☐ Listening comprehension

☐ Basic reading skills

☐ Mathematics calculation

☐ Oral expression

☐ Reading fluency skills

☐ Mathematics reasoning

☐ Written expression

☐ Reading comprehension

☐ Other: _____

Describe the specific problems the child is having in any area(s) indicated.

Does the child know learning expectations (e.g., learning goals and demonstration of mastery)? ☐ Yes ☐ No

Describe how you communicate these expectations to the child.

Indicate all instructional methods that engage the child and support his/her successful learning:

☐ independent seatwork

☐ whole class instruction

☐ cooperative/small group learning

☐ independent reading

☐ whole class discussions

☐ small group activities/projects

☐ child-directed activities

☐ highly-structured activities

☐ one-on-one/peer-assisted learning

Describe how the child participates in the classroom.

Can the child complete classroom assignments with typical instruction and guidance? ☐ Yes ☐ No

Describe the child's learning needs (compared to other children his/her age):

How much explanation does s/he need?

☐ less than most

☐ about the same

☐ more than most

How much guided practice does s/he need?

☐ less than most

☐ about the same

☐ more than most

How much independent practice does s/he need?

☐ less than most

☐ about the same

☐ more than most

How much feedback does s/he need?

☐ less than most

☐ about the same

☐ more than most

Describe the child's learning behaviors (compared to other children his/her age):

How much initiative does s/he demonstrate?

☐ less than most

☐ about the same

☐ more than most

How conscientious or attentive to detail is s/he?

☐ less than most

☐ about the same

☐ more than most

How much persistence does s/he demonstrate?

☐ less than most

☐ about the same

☐ more than most

How often does s/he ask for assistance?

☐ less than most

☐ about the same

☐ more than most

Describe any additional support(s) and/or modification(s) the child requires to complete classroom assignments.

ADAPTIVE CONCERNS

Describe any concerns you have about the child's adaptive functioning and daily living skills.

MEDICAL / PHYSICAL CONCERNS**General Health**

Has the child had any significant medical conditions and/or accidents? ☐ Yes ☐ No (skip to next question)

Describe any concerns.

Does the child take any regular medications? ☐ Yes ☐ No (skip to next question)

Describe any impacts noted.

Does the child receive physical or occupational therapy? ☐ Yes ☐ No (skip to next question)

☐ PT - frequency: _____

☐ OT - frequency: _____

Hearing and Vision

Has the child been screened for hearing and/or vision? ☐ Yes ☐ No (skip to next question)

☐ Hearing only

☐ Vision only

☐ Hearing and vision

Hearing results: _____

Vision results: _____

Does the child use devices to assist with hearing or vision? ☐ Yes ☐ No (skip to next question)

☐ Hearing aids (when acquired: _____) ☐ Glasses (when acquired: _____)

Describe any concerns you have about the child's hearing or vision.

Motor Skills

Describe any concerns you have about the child's gross motor skills, fine motor skills, and/or physical development.

COMMUNICATION CONCERNS

Does the child receive speech or language therapy? ☐ Yes ☐ No (skip to next question)

Frequency: _____

Does the child seem to understand what is said to her/him? ☐ Yes (skip to next question) ☐ No

Explain:

Does the child express his/her wants/needs/ideas/feelings appropriately for her/his age?

☐ Yes (skip to next question) ☐ No

Explain:

Does the child misarticulate speech (e.g., omissions, substitutions, distortions, additions)?

☐ Yes ☐ No (skip to next question)

Explain:

Describe any additional concerns you have about the child's language or speech development and skills (e.g., voice is always hoarse/harsh/breathy, voice is too loud/soft, speaks too fast/slow, stuttering, etc.).

SOCIAL, EMOTIONAL, AND BEHAVIORAL CONCERNS

Please attach any applicable behavioral records that highlight your concerns about the child's social/emotional/behavioral progress such as attendance records, office referrals, disciplinary actions, universal screening data, Tier intervention records, progress monitoring charts, behavior intervention plans, etc.

Does the child know the classroom rules and behavior expectations? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Describe how you communicate these rules and expectations to the child.</i>																															
Does the child receive social skills instruction or counseling services? <input type="checkbox"/> Yes <input type="checkbox"/> No (skip to next question) <input type="checkbox"/> social skills instruction - frequency: _____ <input type="checkbox"/> counseling services - frequency: _____																															
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Disciplinary Actions																															
Has the child ever: <input type="checkbox"/> been suspended from school (<i>indicate the reason for each suspension and the total days of each suspension</i>) - reason: _____ days: _____ - reason: _____ days: _____ - reason: _____ days: _____ - reason: _____ days: _____ <input type="checkbox"/> been expelled from school (<i>indicate the reason for expulsion and the amount days of expulsion</i>) - reason: _____ days: _____ - reason: _____ days: _____																															
ADDITIONAL INFORMATION																															
<i>Please attach any additional information that would help us understand the child and his/her difficulties better.</i>																															

Form completed by _____

Date completed _____

(OPTIONAL FORM) Characteristics: Please check those characteristics that the student exhibits consistently and in relation to the other students in your classroom. If the child exhibits none of the characteristics, check "no problems observed." Please circle the appropriate characteristic(s) if there are multiple options per item. Written explanation and/or additional explanation may be requested at the MET meeting.

General Physical <input type="checkbox"/> No problems noted.		
Always complains of feeling sick	Takes prescription medicine	Has improper eye movements
Is continually thirsty	Wears glasses	Seizures observed in classroom
Has fluid draining from ears	Complains of double/blurred vision	Often has bruises on body
Wears hearing aids	Frequently squints/rubs eyes	Tics – involuntary movements/noises
Has frequent earaches	Eating problems	Has a serious illness
Complains of not being able to see the board	Holds printed material too close/too far away	Health problems that require special care
Other (Specify):		

Gross Motor <input type="checkbox"/> No problems noted.		
Difficulty going up/downstairs, alternating feet	Difficulty throwing a ball	Has unusual gait
Problems with lower body motor movement	Difficulty catching a ball	Problems with balancing
Problems with upper body motor movement	Difficulty hopping, skipping, or jumping	Uses walker/wheelchair
Other (Specify):		

Fine Motor <input type="checkbox"/> No problems noted.		
Problems with reaching/retaining motions	Problems with grasping reflex	Difficulty copying letters/numbers/words
Cannot transfer objects hand to hand	Difficulty holding crayon/pencil	Difficulty spacing
Difficulty cutting paper with scissors	Difficulty building a tower of blocks	Other (Specify):
Difficulty tying/buttoning/zippping	Difficulty staying in lines when writing	

Social Skills <input type="checkbox"/> No problems noted.		
Rarely interacts with others	Engages in rocking/repetitive movements	Does not join in group
Is frequently alone at lunch/recess	Unaware/takes no interest in other people	Does not share with others
Is frequently teased by others	Does not recognize another's feelings	Does not apologize
Usually withdraws from touch	Cannot deal with being left out	Does not express own feelings
Does not ask for help	Does not accept "no" as an answer	Other (specify):
Does not look at person talking	Does not accept consequences of own actions	

Adaptive Behavior <input type="checkbox"/> No problems noted.		
Need for a high degree of supervision	Unable to wash/dry hands independently	Not toilet trained
Immature for his/her age	Inadequate skills in exchange of money	Inadequate skills in telling time
Has only younger playmates	Inadequate skills in using telephone	
Constant thumb/finger sucking	Does not engage in independent community skills	
Constant hair chewing	Inadequate skills in appropriate personal hygiene	
Difficulty feeding self	Lacks daily living skills such as sweeping, mopping, using washer/dryer, etc.	
Other (Specify):		

Behavior <input type="checkbox"/> No problems noted.		
Unable to interact with minimal friction	Frequently quarrels, pouts, or sulks	Difficulty staying on task
Denies mistakes/blames others	Insults other students/adults	Easily frustrated
Prefers to be alone or isolated	Acts before thinking/impulsive	Easily loses temper
Frequently found to be untruthful	Yells at other students/adults	Teases others
Mute/refuses to speak	Fails to complete assignments	Bullies others
Threatens other students	Fails to turn in homework	Interrupts others
Puts down peers	Refuses to complete work	Fails to bring materials to class
Difficulty paying attention to a task, extracurricular activity, or academics		
Disciplinary actions have been initiated by principal or other school authorities		
Oppositional/resistant/noncompliant/negative/defiant		
Disciplinary actions initiated through juvenile court system		
Other (Specify):		

Emotional <input type="checkbox"/> No problems noted.			
Upset by ANY change in routine	Talks about suicide or death wishes	Unresponsiveness	
Pronounced fear of failure	Exhibits unwarranted self-blame/self-criticism	Shows excessive fears of specific objects	
Irritable for greater part of day	Performs obsessive/compulsive behaviors	Engages in self-destructive behaviors	
Appears withdrawn from peers	Changes mood for no apparent reason	Rarely laughs or smiles	
Depressed for most of the day	Creates imaginary/fantasy situations in an attempt to escape reality		
Has attempted suicide	Tells of extremely strange/illogical thoughts or fears		
Has experienced significant changes in activity levels or concentration or school grades or interests			
Other (Specify):			

Receptive Language <input type="checkbox"/> No problems noted.			
Difficulty comprehending new ideas	Does not understand vocabulary words related to the curriculum		
Does not comprehend questions	Does not understand age-appropriate vocabulary		
Does not understand spoken directions	Does not understand information in class that is presented orally		
Cannot identify simple objects	Does not follow multi-step directions		
Does not demonstrate use of position words such as on, under, front, behind, beside, over, etc.			
Other (Specify):			

Expressive Language <input type="checkbox"/> No problems noted.			
Difficulty organizing thoughts	Nonverbal	Uses oral grammar incorrectly	
Does not use age appropriate grammar	Difficulty asking questions	Hesitant to engage in verbal interaction	
Difficulty finding the right words	Silent much of the time	Difficulty giving directions	
Does not tell definitions of words	Cannot retell a story	Difficulty telling a story	
Difficulty putting thoughts down on paper	Does not use spoken compound sentences	Does not name objects/actions in pictures	
Uses immature words	Uses immature sentence patterns		
Verbal responses do not relate to questions asked or subject under discussion			
Other (Specify):			

Speech <input type="checkbox"/> No problems noted.					
Articulation		Voice		Fluency	
Substitutes one sound for another	Too loud or too soft	Rate of delivery too fast or too slow			
Omits sounds	Consistently hoarse/harsh/breathy	Disruption in normal flow of speech			
Distorts sounds	Nasal sounding – like a constant cold	Words prolonged			
Difficulty sequencing sounds	Pitch too high or too low	Excessive repetition syllable/sound/word			
Difficult to understand	Voice “lost” by end of or during day	Interferes with daily communication			
Able to self-correct errors	Quality makes difficult to understand	Inserts unnecessary words into speech			
Uses dialect	Quality resulting from culture				
If additional characteristics are noted in any area of speech, please specify:					

Visual Perception <input type="checkbox"/> No problems noted.			
Visual tracking difficulties	Transposes letters	Prefers auditory activities	
Visually confuses objects/letters/numbers	Confuses left to right on pencil/paper activities	Difficulty identifying shapes in various sizes and positions	
Difficulty discriminating between words with similar appearance	Difficulty completing missing details in objects or pictures	Difficulty in copying assignments from board to desk/book to paper	
Continues to demonstrate difficulty in reversing or inverting letters of alphabet after age 6			
Other (Specify):			

Auditory Perception <input type="checkbox"/> No problems noted.			
Difficulty understanding spoken directions	Does not orally form phrase/sentence correctly		
Difficulty sounding out word, sound by sound	Does not retain auditory stimuli		
Difficulty identifying rhyming words	Other (Specify):		
Difficulty sequencing syllables/letters in speaking and/or reading and/or oral spelling			

NOTICE OF INVITATION TO COMMITTEE MEETING

Student's Name: _____ Date given/sent/mailed: _____

Dear Parent:

You are invited to a meeting to discuss your child's education services and program. Your participation is very important! This meeting must be held at a mutually agreed upon time and place. If you are not able to meet at this time or location or if you need interpreter services to participate in the meeting, please contact the school using the contact listed below to reschedule the meeting at a more convenient time or location or arrange for assistance. You can also indicate your preferences on the Notice of Invitation to Committee Meeting Reply letter included. The meeting will be held as follows:

Date: _____ Time: _____ Location: _____

The purpose of this meeting is (*check all that apply*):

Child Find, Evaluation, and Eligibility Determination	
<input type="checkbox"/> To determine if your child needs a comprehensive evaluation and to plan the initial evaluation.	
<input type="checkbox"/> To discuss your child's evaluation and to determine if your child is eligible for special education.	
<input type="checkbox"/> To determine if your child needs additional assessment for a reevaluation and to plan the reevaluation.	
<input type="checkbox"/> To discuss your child's reevaluation and to determine if your child continues to be eligible for special education.	
Individualized Education Program (IEP)	Other
<input type="checkbox"/> To develop an initial or annual IEP for your child.	<input type="checkbox"/> To determine your child's most appropriate placement.
<input type="checkbox"/> To review your child's IEP and to revise it, if necessary.	<input type="checkbox"/> To discuss disciplinary actions.
<input type="checkbox"/> To develop or revise your child's transition plan.	<input type="checkbox"/> To conduct a manifestation determination.
<input type="checkbox"/> To determine if your child needs Extended School Year (ESY) services.	<input type="checkbox"/> To develop, review, or revise a behavior support plan.
	Other: _____

The following persons have been asked to participate in this meeting:

- | | |
|--|---|
| <input type="checkbox"/> Special Education Teacher _____ | <input type="checkbox"/> Behavior Specialist _____ |
| <input type="checkbox"/> Regular Education Teacher _____ | <input type="checkbox"/> Occupational Therapist _____ |
| <input type="checkbox"/> Speech/Language Pathologist _____ | <input type="checkbox"/> Physical Therapist _____ |
| <input type="checkbox"/> School Administrator _____ | <input type="checkbox"/> Counselor _____ |
| <input type="checkbox"/> Assessment Personnel _____ | <input type="checkbox"/> Interventionist _____ |
| <input type="checkbox"/> Student** _____ | <input type="checkbox"/> Other (specify): _____ |

You are an important member of this team! You are welcome to bring anyone with special knowledge or expertise about your child who can assist you at the meeting, or any information (e.g., medical records, results of outside testing, or work samples) that would help with making educational decisions for your child. Your child is also welcome to attend if you wish. You are also able to audio and/or video record this meeting, if you wish; however, you will need to give us a 24-hour notice so that we may also be able to record the meeting. I have included the following important information for you:

- ☐ Meeting Invitation Reply
- ☐ Procedural Safeguards Notice
- ☐ Other: _____

Please respond to this Invitation to Committee Meeting by completing the Invitation to Committee Meeting Reply letter included and returning it to your child's school. If you have any additional questions or concerns, please contact me using the number below.

Both State and Federal regulations concerning the education of children with disabilities include many parental rights and responsibilities. A copy of the procedural safeguards, which include the rights available to you and your child, can be found at: <https://www.mdek12.org/OSE/parents>.

Sincerely,

Name and Title

Telephone Number

Notice of Invitation to Committee Meeting Reply

STUDENT'S NAME: _____ SCHOOL: _____

Date of meeting: _____ Time of meeting: _____ Location: _____

RESPONSE— Please verify your response and return to your child's school within two (2) days.

Attendance:

☐ I will attend the meeting at the scheduled time.

☐ In person

☐ By phone at _____ (*phone number*)

☐ Other: _____

☐ I want to come, but I cannot attend the meeting at the scheduled time. Please contact me at _____ (*phone*)

to make other arrangements. I am available for the following:

Date(s) _____ Time(s) _____

☐ I do not wish to participate in the meeting. Please conduct the meeting without me, but contact me following the meeting.

Assistance:

☐ I need an interpreter to participate.

☐ I would like to invite the following people:

☐ I would like to record this meeting.

☐ Audio recording

☐ Video recording

Other comments (*please share any additional information you wish to share*):

Please sign here:

Parent's Signature

Date

MET DOCUMENTATION FORM

Name: _____		School: _____	
MSIS: _____	DOB: _____	Grade: _____	Age: _____ Gender: _____
Referral Source: Teacher _____ TST Committee _____ Parent _____ Reevaluation _____ Preschool _____ Other: _____			

Date of Request: _____ Date of MET meeting: _____

<p>The following information was reviewed by MET: (Check only the documentation reviewed)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Information/Reports provided by parent/guardian <input type="checkbox"/> Universal Screening results student and class data <input type="checkbox"/> Required Tier I, II, and III forms <input type="checkbox"/> Progress monitoring for academic objectives <input type="checkbox"/> Progress monitoring for behavior objectives <input type="checkbox"/> Student Data Form <input type="checkbox"/> Social/Emotional Worksheet <input type="checkbox"/> Copy of cumulative record insert <input type="checkbox"/> Discipline reports from current and previous years <input type="checkbox"/> Attendance reports from current and previous years 	<ul style="list-style-type: none"> <input type="checkbox"/> Current grades <input type="checkbox"/> Vision screening <input type="checkbox"/> Hearing screening <input type="checkbox"/> Teacher Narrative <input type="checkbox"/> Behavior logs <input type="checkbox"/> FBA/BIP <input type="checkbox"/> Developmental History <input type="checkbox"/> Classroom observation <input type="checkbox"/> Current or previous IEP with goals updated <input type="checkbox"/> L/S Dismissal Narrative <input type="checkbox"/> Reevaluation Summary <input type="checkbox"/> Other/Specify: _____
---	---

MET Members Signatures/Positions:	

Prior Written Notice

Student's Name: _____

Date: _____

Delivered by: In Person _____ By Mail _____ Electronically _____

Dear Parent:

Public agencies are required to provide written notice to the parent when they propose/refuse to initiate or change the identification, evaluation or educational placement of a child, or propose/refuse to initiate or change the services and supports provided to a child which constitute a Free Appropriate Public Education (FAPE). This letter is your notice of the following action proposed or refused regarding your child.

REQUEST

On _____ (date), your child's school proposed the following action as outlined below.

ACTION PROPOSED

Your child's school proposes to:

- ☐ Conduct an initial comprehensive evaluation of your child
- ☐ Conduct a reevaluation of your child
- ☐ Determine your child's eligibility status and disability category
- ☐ Change your child's eligibility status or disability category based on a comprehensive reevaluation
- ☐ Exit your child from special education
- ☐ Begin new special education and/or related services
- ☐ Develop an Individualized Education Plan (IEP) for your child (Review/Revise/Amend; Develop Annual IEP)
- ☐ Change your child's IEP and/or special education and/or related services (e.g., annual goals, participation in State-wide assessments, supplementary aids and services, or supports to school personnel)
- ☐ Conduct a Manifestation Determination Review
- ☐ Provide Extended School Year (ESY) services
- ☐ Change your child's educational placement
- ☐ Remove your child for disciplinary reasons which results in a change in placement (e.g., removal for more than 10 days during a school year or removal to an Interim Alternative Educational Setting)
- ☐ Other _____

This action will go into effect:

- ☐ After receiving your informed written consent on the parental consent form (for evaluations) on _____ (date).

ACTION REFUSED

Your child's school refuses to:

- ☐ Conduct an initial comprehensive evaluation of your child
- ☐ Conduct a reevaluation of your child
- ☐ Change your child's eligibility status or disability category based on a comprehensive reevaluation
- ☐ Change your child's IEP and/or special education and/or related services
- ☐ (e.g., annual goals, participation in State-wide assessments, supplementary aids and services, or supports to school personnel)
- ☐ Provide Extended School Year (ESY) services (Did not meet criteria)
- ☐ Change your child's educational placement
- ☐ No rejection of options: Meeting must be held due to regulations and the need to review and/or revise your child's IEP
- ☐ None
- ☐ Other _____

REASON/JUSTIFICATION

Provide the reason or justification for taking the proposed action(s) or for refusing to take an action(s) requested.

- ☐ Determine appropriate special education and as necessary related services for your child of your child.
- ☐ Develop an IEP for your child so that special education and as necessary related services may be initiated.
- ☐ Conduct a reevaluation due to three-year mandate or requested by _____.
- ☐ Change your child's eligibility status or disability category or subcategory based on a comprehensive reevaluation or reevaluation.
- ☐ Review/Change your child's IEP and/or special education and/or related services (e.g., annual goals, participation in State-wide assessments, supplementary aids and services, or supports to school personnel/transition).

- ☐ Determine if your child's behavior is related to your child's disability.
- ☐ Change your child's placement to another setting due to disciplinary action
- ☐ Required criteria not met for disability at this time.
- ☐ Limited English proficiency is the nature of the educational problem.
- ☐ Educational performance does not indicate a need for special education services/related services.
- ☐ Disability condition does not adversely affect educational performance.
- ☐ Lack of instruction in reading/math is the nature of the educational problems.
- ☐ Other _____

Describe other options that were considered and rejected due to.

- ☐ Regular education without services
- ☐ Current placement with supplementary aid and services inappropriate
- ☐ Current goal did not meet student current assessment (e.g. annual goals, participation in State-wide assessments, supplementary aids and services, or supports to school personnel/transition).
- ☐ Current eligibility is inappropriate
- ☐ Disciplinary actions requirement that placement be changed in accordance with district policies
- ☐ No rejection of options; meeting must be held due to regulations and the need to review and if necessary revise your child's IEP.
- ☐ Other _____

The following evaluation procedures, tests, records, or reports were used in making this decision:

- ☐ School records (e.g., grades, attendance reports, teachers' observation, achievement test score, discipline reports, current IEP)
- ☐ Assessment data (e.g., language, physical, emotional/behavioral, sociological, medical, intellectual, educational performance)
- ☐ Behavior Plan (BIP)/Functional Behavioral Assessment (FBA)
- ☐ Input from Parents
- ☐ Current IEP
- ☐ Other _____

Describe any other relevant factors to this situation.

- ☐ None
- ☐ Other _____

You and your child have protections under both the Individuals with Disabilities Education Act (IDEA) and State Board of Education Policy 7219. If you are a parent of a child with a disability, at least once per year you will be provided a copy of the Procedural Safeguards Notice which describes the rights of you and your child. If you have any questions about your rights and would like assistance in understanding your rights, you may contact me or any of the following:

Mississippi Dept. of Education
Post Office Box 771
Jackson, MS 39205-0771
Phone: (601) 359-3498
Fax: (601) 359-1829
Toll Free Parent Hotline
1-877-544-0408

Disability Rights Mississippi
210 E. Capitol Street Suite 600
Jackson, Mississippi 39201
Phone: (601) 968-0600
Fax: (601) 968-0665
Toll Free Number
1-800-772-4057

MS Parent Training & Information Center
2 Old River Place, Ste. M
Jackson, MS 39202
Phone: (601) 969-0601
Fax: (601) 709-0250
Toll Free Number
1-800-721-7255

Please contact me if you have any questions regarding this information.

Sincerely,

Name and Title

Telephone Number

Seven Day Notice/Waiver

- ☐ I understand that I have 7 days to consider the committee's decision, but I would like to waive the 7-day waiting period so that the committee's action or refusal may begin on _____
- ☐ I understand that I have 7 days to consider the committee's decision as described above. I do not waive the 7-day waiting period so the action or refusal may not begin until after 7 days.

Parent's signature:

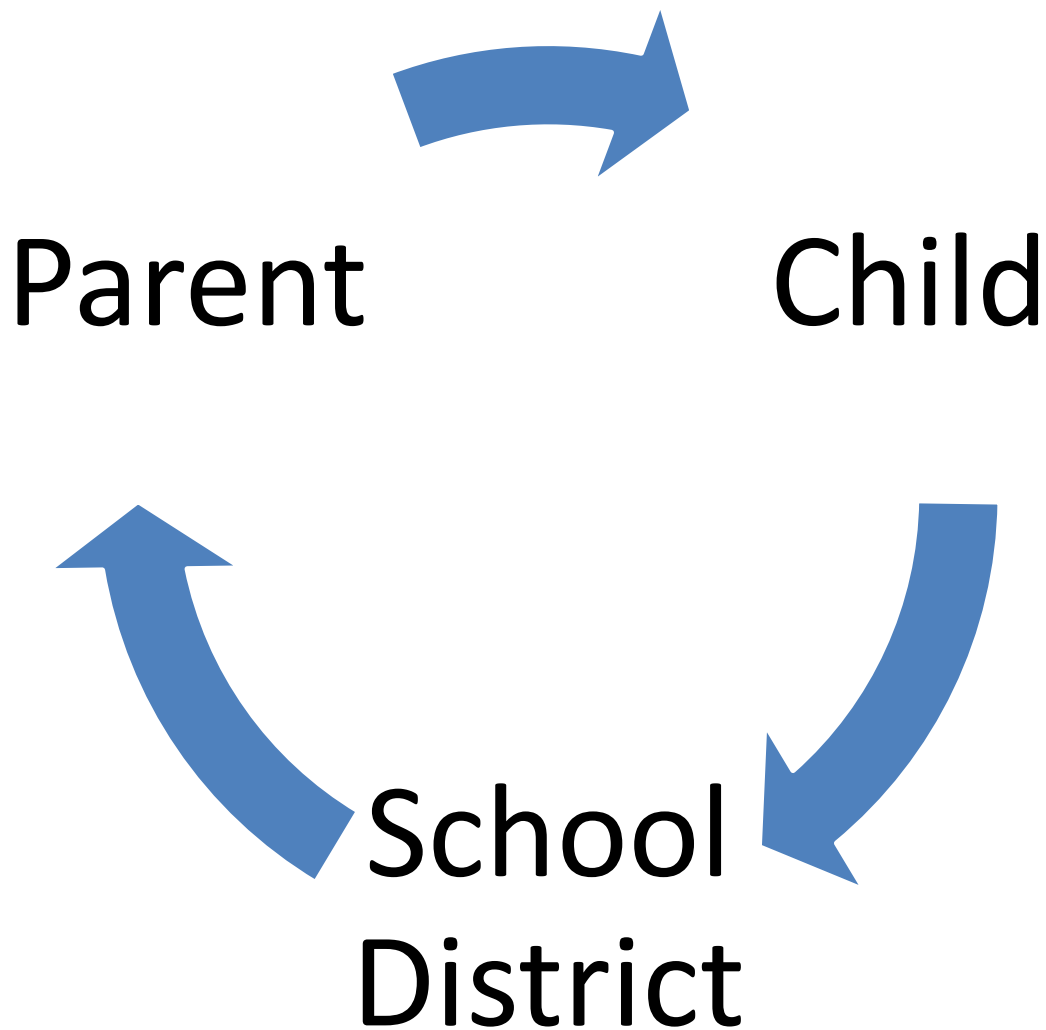
Date:

INFORMED PARENTAL CONSENT

Name:		School:	
DOB:		Race:	Sex:
Parent(s) Name:		Phone:	
Address:		City:	State: Zip:
Email:			
INITIAL EVALUATION		REEVALUATION	
<input type="checkbox"/> The Multidisciplinary Evaluation Team (MET) requests your consent to conduct an evaluation for your child to determine whether a disability exists and, if so, their educational needs.		<input type="checkbox"/> The IEP Committee requests your consent to conduct an evaluation for your child to determine whether a disability exists and, if so, their educational needs.	
THE FOLLOWING AREAS MAY BE OBSERVED, REVIEWED AND/OR ASSESSED:			
PHYSICAL STATUS <input type="checkbox"/> General Physical Condition <input type="checkbox"/> Hearing/Vision		<input type="checkbox"/> Gross motor skills <input type="checkbox"/> Fine motor skills <input type="checkbox"/> Sensory	
COMMUNICATION STATUS <input type="checkbox"/> Articulation <input type="checkbox"/> Fluency		COGNITIVE/ADAPTIVE STATUS <input type="checkbox"/> Intellectual/Cognitive functioning and/or Adaptive skills	
ACADEMIC STATUS <input type="checkbox"/> Math calculation <input type="checkbox"/> Math problem solving		<input type="checkbox"/> Social/Behavior functioning <input type="checkbox"/> Emotional <input type="checkbox"/> FBA/BIP	
<input type="checkbox"/> Basic reading skills <input type="checkbox"/> Reading comprehension <input type="checkbox"/> Reading fluency		<input type="checkbox"/> Oral Expression <input type="checkbox"/> Listening Comprehension <input type="checkbox"/> Written Expression	
AGREE		REFUSE	
<input type="checkbox"/> I understand the proposed evaluation and DO give my consent to conduct the evaluation as described above. <input type="checkbox"/> I understand that my consent is voluntary and can be revoked at any time. <input type="checkbox"/> I was provided a copy of the Procedural Safeguards Notice, and it was explained to me.		<input type="checkbox"/> I understand the proposed evaluation and DO NOT give my consent to conduct the evaluation as described above. <input type="checkbox"/> I understand the District may request mediation or a Due process hearing to override my refusal. <input type="checkbox"/> I was provided a copy of the Procedural Safeguards Notice, and it was explained to me.	
_____ Signature of Parent or Guardian		_____ Date	
TEAM MEMBERS:			
Position	Signature	Date	
Special Education Teacher			
General Education Teacher			
Agency Representative			
Parent			
Student			
Interpreter of Test Results			
Other			
Other			

PROCEDURAL SAFEGUARDS

Your Family's Special Education Rights



Mississippi Department of Education
Office of Special Education

Revised December 17, 2013

Procedural Safeguards

Procedural Safeguards Requirements under the Individuals with Disabilities Education Act Amendments of 2004 (IDEA 2004) and State law

As a parent, you are an important member of your child's multidisciplinary team. A multidisciplinary team makes decisions about evaluations and eligibility. Another multidisciplinary team, called the Individualized Education Program (IEP) Committee, develops recommendations for special education services for your child. You have the opportunity to participate in the multidisciplinary team meeting discussions and decision-making processes about your child's needs for special education.

The following information relates to procedural safeguards explaining your rights under Federal and Mississippi law. One can expect these rights in order to ensure parental involvement in the special education programs.

Please adhere to the amended sections 37-23-137 of the Mississippi Code of 1972 as it relates to provision of Procedural Safeguards to a child with a disability.

A copy of this Procedural Safeguards Notice must be provided only one time each school year, with the following exceptions:

- a. Upon initial referral or your request for an evaluation or reevaluation;
- b. Upon the receipt of the first MDE State complaint in a school year;
- c. Upon the receipt of the first request for a due process hearing in a school year;
- d. In accordance with the discipline procedures when a change in placement occurs;
- e. Upon your child's initial IEP Committee meeting; and
- f. Upon your request to receive a copy.

The revisions reflect the new mandates of the *Individuals with Disabilities Education Act Amendments of 2004*. The Federal Regulations were issued on April 14, 2006, and became effective October 13, 2006. Additional amendments were issued on December 1, 2008, and became effective December 31, 2008.

Additional information regarding special education and these procedural safeguards is available by contacting your local special education supervisor or school principal, a parent advocacy organization, or the Division of Parent Outreach at the Mississippi Department of Education, Office of Special Education at 1-877-544-0408.

This document conforms to the U.S. Department of Education's Model Procedural Safeguards Notice (July 2009) and includes specific Mississippi requirements.

This document is available electronically at:
<http://www.mde.k12.ms.us/special-education/special-education-for-parents>

Questions regarding this document may be referred to:

**Parent Outreach Division
Mississippi Department of
Education
359 North West Street
P.O. Box 771
Jackson, MS 39205-0771
601-359-3498
1-877-544-0408**



Child Find, Evaluations, & Eligibilities – CCSD Office of Special Services Procedures

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Child Find, Evaluations, & Eligibilities – CCSD Office of Special Services Procedures

Extended School Year30

GENERAL INFORMATION

Notification Before Child Find Activities

Before any major activity to identify, locate, or evaluate children in need of special education and related services (also known as “Child Find”), the notice must be published or announced in newspapers or other media, or both, with circulation adequate to notify parents throughout the State of these activities.

Prior Written Notice

§300.503

Notice

Unless you waive the timeline, written notice must be given to you seven (7) calendar days before the school district:

1. Proposes to initiate or change the identification, evaluation, or educational placement of your child, or the provision of a free appropriate public education (FAPE) to your child; or
2. Refuses to initiate or to change the identification, evaluation, or educational placement of your child, or the provision of FAPE to your child.

Content of Notice

The written notice must:

1. Describe the action that the school district proposes or refuses to take;
2. Explain why the school district is proposing or refusing to take the action;
3. Describe each evaluation procedure, assessment, record, or report the school district used in deciding to propose or refuse the action;
4. Include a statement that you have rights under the procedural safeguards provisions in Part B of the Individuals with Disabilities Education Act (IDEA);
5. Inform you on how to obtain a description of the procedural safeguards if the action that the school district is proposing or refusing is not an initial referral for evaluation;
6. Include resources for one to contact help in understanding Part B of the IDEA;
7. Describe any other choices that your child’s IEP Committee considered and why those choices were rejected; and
8. Provide a description of other reasons as to why the school district proposed or refused the action.

Notice in understandable language

The notice must be:

1. Written in language understandable to the general public; and
2. Provided in your native language or other mode of communication one uses, unless it is clearly not feasible to do so.

If one’s native language or other mode of communication is not a written language, one’s school district must ensure that:

1. The notice is translated for you orally or by other means in your native language or other mode of communication;
2. One understands the content of the notice; and
3. There is written evidence that 1 and 2 above have been met.

Native Language

§300.29

Native language, when used with an individual who has limited English proficiency, means the following:

1. The language normally used by that person, or, in the case of a child, the language normally used by the child’s parents;
2. in all direct contact with a child (including evaluation of the child), the language normally used by the child in the home or learning environment.

For a person with deafness or blindness, or for a person with no written language, the mode of communication is what the person normally uses (such as sign language, Braille, or oral communication).

Electronic Mail

§300.505

If one’s school district offers parents the choice of receiving documents by email, one may choose to receive the following by email:



Child Find, Evaluations, & Eligibilities – CCSD Office of Special Services Procedures

1. Prior written notice;
2. Procedural safeguards notice; **and**
3. Notices related to a due process request.

Parental Consent Definition

§300.9

Consent

Consent means:

1. One has been fully informed in one's native language or other mode of communication (such as sign language, Braille, or oral communication) of all information about the action for which one is giving consent;
2. one understands and agrees in writing to that action, and the consent describes that action and lists the records (if any) that will be released and to whom; **and**
3. One understands that the consent is voluntary on their part and consent may be withdrawn at any time.

If one wishes to revoke (cancel) consent after their child has begun receiving special education and related services, one must do so in writing. Your withdrawal of consent does not negate (undo) an action that has occurred after you gave your consent but before you withdrew it. In addition, the school district is not required to amend (change) your child's education records to remove any references that your child received special education and related services after your withdrawal of consent.

Parental Consent

§300.300

Your school district cannot conduct an initial evaluation of your child to determine whether your child is eligible under Part B of IDEA to receive special education and related services without first providing you with written prior notice of the proposed action and without obtaining your consent as described under the headings **Prior Written Notice** and **Parental Consent**.

Your school district must make reasonable efforts to obtain your informed consent for an initial evaluation to decide whether your child is a child with a disability.

Your consent for initial evaluation does not mean that you have also given your consent for the school district to start providing special education and related services to your child.

Your school district may not use your refusal to consent to one service or activity related to the initial evaluation as a basis for denying you or your child any other services, benefit, or activity, unless another IDEA, Part B requirement requires the school district to do so.

If your child is enrolled in public school or you are seeking to enroll your child in a public school and you have refused to provide consent or failed to respond to a request to provide consent for an initial evaluation, your school district may, but is not required to, seek to conduct an initial evaluation for your child by utilizing IDEA's mediation or due process complaint, resolution meeting, and impartial due process hearing procedures. Your school district will not violate its obligations to locate, identify and evaluate your child if it does not pursue an evaluation of your child in these circumstances.

Special rules for initial evaluation of wards of the State

If a child is a ward of the State and is not living with either parent –

The school district does not need consent from the parent for an initial evaluation to determine if the child is a child with a disability if:

1. Despite reasonable efforts to do so, the school district cannot find the child's parent;
2. The rights of the parents have been terminated in accordance with State law; **or**
3. A judge has assigned the right to make educational decisions to an individual other than the parent and that individual has provided consent for an initial evaluation.

Ward of the State, defined by IDEA, means a child who, as determined by the State where the child lives, is:

1. A foster child;
2. Considered a ward of the State under State law; **or**
3. In the custody of a public child welfare agency.

Ward of the State does not include a foster child who has a foster parent who meets the definition of a *parent* as defined in IDEA.



Child Find, Evaluations, & Eligibilities – CCSD Office of Special Services Procedures

Parental consent for services

The school district must make reasonable efforts to obtain your informed consent before providing special education and related services to your child for the first time.

If you do not respond to a request to provide your consent for your child to receive special education and related services for the first time, or if you refuse to give such consent or later revoke (cancel) your consent in writing, your school district may **not** use the procedural safeguards (i.e., mediation, resolution meeting, or an impartial due process hearing) in order to obtain agreement or a ruling that the special education and related services (decided by your child's IEP Committee) may be provided to your child without your consent.

If you refuse to give your consent for your child to receive special education and related services for the first time, or if you do not respond to a request to provide such consent or later revoke (cancel) your consent in writing and the school district does not provide your child with the special education and related services for which it sought your consent, your school district:

1. Is not in violation of the requirement to make FAPE available to your child for its failure to provide those services to your child; **and**
2. Is not required to have an IEP meeting or develop an IEP for your child for the special education and related services for which your consent was requested.

If you revoke (cancel) your consent in writing at any point after your child is first provided special education and related services, then the school district may not continue to provide such services, but must first provide you with prior written notice, as described under the heading Prior Written Notice, before discontinuing those services.

Parental consent for reevaluations

Your school district must obtain your informed consent before it reevaluates your child, unless your school district can demonstrate that:

1. It took reasonable steps to obtain your consent for your child's reevaluation; **and**
2. You did not respond.

If you refuse to consent to your child's reevaluation, the school district may, but is not required to, pursue your child's reevaluation by using the mediation, resolution meeting, and impartial due process hearing procedures to seek to override your refusal to consent to your child's reevaluation. As with initial evaluations, your school district does not violate its obligations under Part B of the IDEA if it declines to pursue the reevaluation in this manner.

Documentation of reasonable efforts to obtain parental consent

Your school must maintain documentation of reasonable efforts to obtain parental consent for initial evaluations, to provide special education and related services for the first time, for a reevaluation, and to locate parents of wards of the State for initial evaluations. The documentation must include a record of the school district's attempts in these areas, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to the parents and any responses received; **and**
3. Detailed records of visits made to the parent's home or place of employment and the results of those visits.

Other consent requirements

Your consent is not required before your school district may:

1. Review existing data as part of your child's evaluation or a reevaluation; **or**
2. Give your child a test or other evaluation that is given to all children unless, before that test or evaluation, consent is required from all parents of all children.

Your school district may not use your refusal to consent to one service or activity to deny you or your child any other service, benefit, or activity, unless another IDEA, Part B requirement requires the school district to do so.

If you have enrolled your child in a private school at your own expense or if you are home schooling your child, and you do not provide your consent for your child's initial evaluation or your child's reevaluation, or you fail to respond to a request to provide your consent, the school district may not use its dispute resolution procedures (i.e., mediation, resolution meeting, or an impartial due process hearing) and is not required to consider your child as eligible to receive equitable services (services made available to parentally-placed private school children with disabilities).

Independent Educational Evaluations

§300.502

General

As described below, you have the right to obtain an independent educational evaluation (IEE) of your child if you disagree with the evaluation of your child that was obtained by your school district.



Child Find, Evaluations, & Eligibilities – CCSD Office of Special Services Procedures

If you request an IEE, the school district must provide you with information about where you may obtain an IEE and about the school district's criteria that apply to IEEs.

Definitions

Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the education of your child.

Public expense means that the school district either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to you, consistent with the provisions of Part B of the IDEA, which allow each State to use whatever State, local, Federal and private sources of support that are available in the State to meet the requirements of Part B of the IDEA.

Parent's right to evaluation at public expense

You have the right to an IEE of your child at public expense if you disagree with an evaluation of your child obtained by your school district, subject to the following conditions:

1. If you request an IEE of your child at public expense, your school district must, without unnecessary delay, **either**: (a) File a *request for a due process hearing* to show that its evaluation of your child is appropriate; **or** (b) Provide an IEE at public expense, unless the school district demonstrates in a hearing that the evaluation of your child that you obtained did not meet the school district's criteria.
2. If your school district requests a hearing and the final decision is that your school district's evaluation of your child is appropriate, you still have the right to an IEE, but not at public expense.
3. If you request an IEE of your child, the school district may ask why you object to the evaluation of your child obtained by your school district. However, your school district may not require an explanation and may not unreasonably delay either providing the IEE of your child at public expense or filing a request for a due process hearing to defend the school district's evaluation of your child.

You are entitled to only one IEE of your child at public expense each time your school district conducts an evaluation of your child with which you disagree.

Parent-initiated evaluations

If you obtain an IEE of your child at public expense or you share with the school district an evaluation of your child that you obtained at private expense:

1. Your school district must consider the results of the evaluation of your child, if it meets the school district's criteria for IEEs, in any decision made with respect to the provision of FAPE to your child; **and**
2. You or your school district may present the evaluation as evidence at a due process hearing regarding your child.

Requests for evaluations by hearing officers

If a hearing officer requests an IEE for your child as part of a due process hearing, the cost of the evaluation must be at public expense.

School district criteria

If an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the school district uses when it initiates an evaluation (to the extent those criteria are consistent with your right to an IEE).

Except for the criteria described above, a school district may not impose conditions or timelines related to obtaining an IEE at public expense.

Audio Recording of Individual Education Program Meeting MS Code Section 37-23-137

The parent or guardian, or the local educational agency (LEA), has the right to participate in the development of the IEP and to initiate their intent to audio record the proceedings of the individualized education program (IEP) meetings. The parent or guardian or local educational agency shall notify the members of the IEP team of their intent to record a meeting at least twenty-four (24) hours prior to the meeting.

Confidentiality of Information Definitions

§300.611

As used under the heading **Confidentiality of Information**:



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Destruction means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

Education records means the type of records covered under the definition of “education records” in 34 CFR Part 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g [FERPA]).

Participating agency means any school district, agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the IDEA.

Personally Identifiable

§300.32

Personally identifiable means information that includes:

1. Your child’s name, your name as the parent, or the name of another family member;
2. Your child’s address;
3. A personal identifier, such as your child’s social security number or student number; **or**
4. A list of personal characteristics or other information that would make it possible to identify your child with reasonable certainty.

Notice to Parents

§300.612

The Mississippi Department of Education (MDE) will give notice that is adequate to fully inform parents about confidentiality of personally identifiable information, including:

1. A description of the extent to which the notice is given in the native languages of the various population groups in Mississippi;
2. A description of the children on whom personally identifiable information is maintained, the types of information sought, the methods the MDE intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;
3. A summary of the policies and procedures that participating agencies must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; **and**
4. A description of all the rights of parents and children regarding this information, including the rights under the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations in 34 CFR Part 99.

Access Rights

§300.613

The participating agency must permit you to inspect and review any education records relating to your child that are collected, maintained, or used by your school district under Part B of IDEA. The participating agency must comply with your request to inspect and review any education records on your child without unnecessary delay and before any meeting regarding an IEP, or any impartial due process hearing (including a resolution meeting or a hearing regarding discipline), and in no case more than **forty-five (45) calendar days** after you have made the request.

Your right to inspect and review education records includes:

1. Your right to a response from the participating agency to your reasonable requests for explanations and interpretations of the records;
2. Your right to request that the participating agency provide copies of the records if you cannot effectively inspect and review the records unless you receive those copies; **and**
3. Your right to have your representative inspect and review the records.

The participating agency may presume that you have authority to inspect and review records relating to your child unless advised that you do not have the authority under applicable Mississippi law governing such matters as guardianship, separation and divorce.

Record of Access

§300.614

Each participating agency must keep a record of parties obtaining access to education records collected, maintained or used under Part B of IDEA (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.



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Records on More Than One Child

§300.615

If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.

List of Types and Locations of Information

§300.616

On request, each participating agency must provide you with a list of the types and locations of education records collected, maintained or used by the agency.

Fees

§300.617

Each participating agency may charge a fee for copies of records that are made for you under Part B of IDEA, if the fee does not effectively prevent you from exercising your right to inspect and review those records.

A participating agency may not charge a fee to search for or to retrieve information under Part B of IDEA.

Amendment of Records at Parent's Request

§300.618

If you believe that information in the education records regarding your child collected, maintained, or used under Part B of IDEA is inaccurate, misleading, or violates the privacy or other rights of your child, you may request the participating agency that maintains the information to change the information.

The participating agency must decide whether to change the information in accordance with your request within a reasonable period of time of receipt of your request.

If the participating agency refuses to change the information in accordance with your request, it must inform you of the refusal and advise you of the right to a hearing for this purpose as described under the heading ***Opportunity For a Hearing***.

Opportunity for a Hearing

§300.619

The participating agency must, on request, provide you an opportunity for a hearing to challenge information in education records regarding your child to ensure that it is not inaccurate, misleading or otherwise in violation of the privacy or other rights of your child.

Hearing Procedures

§300.621

A hearing to challenge information in education records must be conducted according to the procedures for such hearings under Family Educational Rights and Privacy Act (FERPA).

Result of a Hearing

§300.620

If, as a result of the hearing, the participating agency decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it must change the information accordingly and inform you in writing.

If, as a result of the hearing, the participating agency decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of your child, it must inform you of your right to place in the records that it maintains on your child a statement commenting on the information or providing any reasons you disagree with the decision of the participating agency.

Such an explanation placed in the records of your child must:

1. Be maintained by the participating agency as part of the records of your child as long as the record or contested portion is maintained by the participating agency; **and**



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2. If the participating agency discloses the records of your child or the challenged portion to any party, the explanation must also be disclosed to that party.

Consent for Disclosure of Personally Identifiable Information

§300.622

Unless the information is contained in education records, and the disclosure is authorized without parental consent under FERPA, your consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies. Except under the circumstances specified below, your consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of Part B of IDEA.

Your consent, or consent of an eligible child who has reached the age of majority (twenty-one) under Mississippi law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

If your child is in, or is going to go to, a private school that is not located in the same school district in which you reside, your consent must be obtained before any personally identifiable information about your child is released between officials in the school district where the private school is located and officials in the school district where you reside.

Safeguards

§300.623

Each participating agency must protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.

One official at each participating agency must assume responsibility for ensuring the confidentiality of any personally identifiable information.

All persons collecting or using personally identifiable information must receive training or instruction regarding MDE's policies and procedures regarding confidentiality under Part B of IDEA and FERPA.

Each participating agency must maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

Destruction of Information

§300.624

Your school district must inform you when personally identifiable information collected, maintained or used under Part B of IDEA is no longer needed to provide educational services to your child.

The information must be destroyed at your request. However, a permanent record of your child's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

FORMAL STATE COMPLAINT PROCEDURES

Difference Between Due Process Hearing Request and Formal State Complaint Procedures

The regulations for Part B of IDEA set forth separate procedures for formal State complaints and for due process complaints and hearings. As explained below, any individual or organization may file a formal State complaint alleging a violation of any Part B requirement by a school district, the MDE or any other public agency. Only you or a school district may file a request for a due process hearing on any matter relating to a proposal or a refusal to initiate or change the identification, evaluation or educational placement of a child with a disability, or the provision of FAPE to the child. While staff of the MDE generally must resolve a formal State complaint within a **sixty (60)** calendar-day timeline, unless the timeline is properly extended, an impartial due process hearing officer must hear a due process complaint (if not resolved through a resolution meeting or through mediation) and issue a written decision within **forty-five (45)** calendar days after the end of the resolution period, as described in this document under the heading **Resolution Process**, unless the hearing officer grants a specific extension of the timeline at your request or the school district's request. The formal State complaint and due process complaint, resolution and hearing procedures are described more fully on the next three pages. The MDE has available model forms to help you file a due process complaint and to help you or other parties to file a formal State complaint.



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Adoption of Formal State Complaint Procedures

§300.151

General

The MDE has written procedures for:

1. Resolving any formal State complaint, including a formal State complaint filed by an organization or individual from another State;
2. The filing of a formal State complaint with the MDE;
3. Widely disseminating the formal State complaint procedures to parents and other interested individuals, including parent training and information centers, protection and advocacy agencies, independent living centers, and other appropriate entities.

Remedies for denial of appropriate services

In resolving a formal State complaint in which the MDE has found a failure to provide appropriate services, the MDE will address:

1. The failure to provide appropriate services, including corrective action appropriate to address the needs of the child (such as compensatory services or monetary reimbursement); and
2. Appropriate future provision of services for all children with disabilities.

Formal State Complaint Procedures

§300.152

Time limit, procedures

MDE includes in its formal State complaint procedures a time limit of **sixty (60)** calendar days after a formal State complaint is filed to:

1. Carry out an independent on-site investigation, if MDE determines that an investigation is necessary;
2. Give the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the formal State complaint;
3. Provide the school district or other public agency with the opportunity to respond to the formal State complaint, including, at a minimum: (a) at the option of the agency, a proposal to resolve the formal State complaint; and (b) an opportunity for a parent who has filed a formal State complaint and the agency to agree voluntarily to engage in mediation;
4. Review all relevant information and make an independent determination as to whether the school district or other public agency is violating a requirement of Part B of IDEA; and
5. Issue a written decision to the complainant that addresses each allegation in the formal State complaint and contains: (a) findings of fact and conclusions; and (b) the reasons for MDE's final decision.

Time extension, final decision, and implementation

The MDE's procedures described above also:

1. Permit an extension of the **sixty (60)** calendar-day time limit only if:
 - (a) exceptional circumstances exist with respect to a particular formal State complaint; or (b) the parent and the school district or other public agency involved voluntarily agree to extend the time to resolve the matter through mediation or alternative means of dispute resolution;
2. Include procedures for effective implementation of the MDE's final decision, if needed, including: (a) technical assistance activities;
 - (b) negotiations; and
 - (c) corrective actions to achieve compliance.

Formal State complaints and due process hearings

If a formal State complaint is received that is also the subject of a due process hearing as described below under the heading **Filing a Due Process Complaint**, or the formal State complaint contains multiple issues of which one or more are part of such a hearing, MDE will set aside any part of the formal State complaint that is being addressed in the due process hearing until the hearing is over. Any issue in the formal State complaint that is not a part of the due process hearing will be resolved using the time limit and procedures described above.

If an issue raised in a formal State complaint has previously been decided in a due process hearing involving the same parties (for example, you and the school district), then the due process hearing decision is binding on that issue and the MDE will inform the complainant that the decision is binding.



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A formal State complaint alleging a school district's or other public agency's failure to implement a due process hearing decision will be resolved by the MDE.

Filing a Formal State Complaint

§300.153

An organization or individual may file a formal State complaint under the procedures described above.

The formal State complaint must include:

1. A statement that a school district or other public agency has violated a requirement of Part B of IDEA or its implementing regulations in 34 CFR Part 300;
2. The facts on which the statement is based;
3. The signature and contact information for the party filing the complaint; and
4. If alleging violations regarding a specific child:
 - (a) The name of the child and address of the residence of the child;
 - (b) The name of the school the child is attending;
 - (c) In the case of a homeless child or youth, available contact information for the child, and the name of the school the child is attending;
 - (d) A description of the nature of the problem of the child, including facts relating to the problem; **and**
 - (e) A proposed resolution of the problem to the extent known and available to the party filing the formal State complaint at the time the formal State complaint is filed.

The formal State complaint must allege a violation that occurred not more than **one (1)** year prior to the date that the formal State complaint is received as described under the heading ***Adoption of Formal State Complaint Procedures***.

The party filing the formal State complaint must forward a copy of the formal State complaint to the school district or other public agency serving the child at the same time the party files the formal State complaint with the MDE. Additionally, the school district or other public agency must forward a copy of any and all responses they send to the MDE regarding said formal complaint.

DUE PROCESS COMPLAINT PROCEDURES

Filing a Due Process Complaint

§300.507

General

You or the school district may file a due process complaint on any matter relating to a proposal or a refusal to initiate or change the identification, evaluation or educational placement of your child, or the provision of FAPE to your child.

The due process complaint must allege a violation that happened not more than **two (2)** years before you or the school district knew or should have known about the alleged action that forms the basis of the due process complaint.

The above timeline does not apply if you could not file a due process complaint within the timeline because:

1. The school district specifically misrepresented that it had resolved the issues identified in the complaint; **or**
2. The school district withheld information from you that it was required to provide under Part B of IDEA.

Information for parents

The school district must inform you of any free or low-cost legal and other relevant services available in the area if you request the information, **or** if you or the school district file a due process complaint.

Due Process Complaint

§300.508

General

In order to request a hearing, you or the school district (or your attorney or the school district's attorney) must submit a due process complaint to the other party.

That complaint must contain all of the content listed below and must be kept confidential. You or the school district, whichever one filed the complaint, must also provide the MDE with a copy of the complaint.

Content of the complaint

The due process complaint must include:

1. The name of the child;
2. The address of the child's residence;



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3. The name of the child's school;
4. If the child is a homeless child or youth, the child's contact information and the name of the child's school;
5. A description of the nature of the problem of the child relating to the proposed or refused action, including facts relating to the problem; **and**
6. A proposed resolution of the problem to the extent known and available to the complaining party (you or the school district) at the time.

Notice required before a hearing on a due process complaint

You or the school district may not have a due process hearing until you or the school district (or your attorney or the school district's attorney), file a due process complaint that includes the information listed above.

Sufficiency of complaint

In order for a due process complaint to go forward, it must be considered sufficient. The due process complaint will be considered sufficient (to have met the content requirements above) unless the party receiving the due process complaint (you or the school district) notifies the hearing officer and the other party in writing, within **fifteen (15)** calendar days of receiving the complaint, that the receiving party believes the due process complaint does not meet the requirements listed above.

Within **five (5)** calendar days of receiving notification that the receiving party (you or the school district) considers a due process complaint insufficient, the hearing officer must decide if the due process complaint meets the requirements listed above, and notify you and the school district in writing immediately.

Complaint amendment

You or the school district may make changes to the complaint only if:

1. The other party approves of the changes in writing and is given the chance to resolve the due process complaint through a resolution meeting described below; **or**
2. By no later than **five (5)** days before the due process hearing begins, the hearing officer grants permission for the changes.

If the complaining party (you or the school district) makes changes to the due process complaint, the timelines for the resolution meeting (within **fifteen [15]** calendar days of receiving the complaint) and the time period for resolution (within **thirty [30]** calendar days of receiving the complaint) start again on the date the amended complaint is filed.

Local educational agency (LEA) or school district response to a due process complaint

If the school district has not sent a prior written notice to you, as described under the heading **Prior Written Notice**, regarding the subject matter contained in your due process complaint, the school district must, within **ten (10)** calendar days of receiving the due process complaint, send to you a response that includes:

1. An explanation of why the school district proposed or refused to take the action raised in the due process complaint;
2. A description of other options that your child's IEP Committee considered and the reasons why those options were rejected;
3. A description of each evaluation procedure, assessment, record, or report the school district used as the basis for the proposed or refused action; **and**
4. A description of the other factors that are relevant to the school district's proposed or refused action.

Providing the information in items 1-4 above does not prevent the school district from asserting that your due process complaint was insufficient.

Other party response to a due process complaint

Except as stated under the sub-heading immediately above, **LEA or school district response to a due process complaint**, the party receiving a due process complaint must, within **ten (10)** calendar days of receiving the complaint, send the other party a response that specifically addresses the issues in the complaint.

Model Forms

§300.509

The MDE has developed model forms to help you file a due process complaint and to help you and other parties file a formal State complaint. However, the MDE or school district does not require you to use these model forms. In fact, you can use this form or another appropriate form, so long as it contains the required information for filing a due process complaint or a formal State complaint.

Mediation

§300.506



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General

The school district must make mediation available to allow you and the school district to resolve disagreements involving any matter under Part B of IDEA, including matters arising prior to the filing of a due process complaint. Thus, mediation is available to resolve disputes under Part B of IDEA, whether or not you have filed a due process complaint to request a due process hearing as described under the heading ***Filing a Due Process Complaint***.

Requirements

The procedures must ensure that the mediation process:

1. Is voluntary on your part and the school district's part;
2. Is not used to deny or delay your right to a due process hearing, or to deny any other rights you have under Part B of IDEA; **and**
3. Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

The school district may develop procedures that offer parents and schools that choose not to use the mediation process an opportunity to meet, at a time and location convenient to you, with a disinterested party:

1. Who is under contract with an appropriate alternative dispute resolution entity, or a parent training and information center or community parent resource center in Mississippi; **and**
2. Who would explain the benefits of, and encourage the use of, the mediation process to you.

MDE has a list of people who are qualified mediators and know the laws and regulations relating to the provision of special education and related services. MDE selects mediators on a rotational and impartial basis.

MDE is responsible for the cost of the mediation process, including the costs of meetings.

Each meeting in the mediation process must be scheduled in a timely manner and held at a place that is convenient for you and the school district.

If you and the school district resolve a dispute through the mediation process, both parties must enter into a legally binding agreement that sets forth the resolution and that:

1. States that all discussions that happened during the mediation process will remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding (court case); **and**
2. Is signed by both you and a representative of the school district who has the authority to bind the school district.

A written, signed mediation agreement is enforceable in any State court of competent jurisdiction (a court that has the authority under State law to hear this type of case) or in a district court of the United States.

Discussions that happened during the mediation process must be kept confidential. They cannot be used as evidence in any future due process hearing or civil proceeding of any Federal Court or State Court of a State receiving assistance under Part B of IDEA.

Impartiality of mediator

The mediator:

1. May not be an employee of MDE or the school district that is involved in the education or care of your child; **and**
2. Must not have a personal or professional interest which conflicts with the mediator's objectivity.

A person who otherwise qualifies as a mediator is not an employee of a school district or MDE solely because they are paid by MDE or school district to serve as a mediator.

Resolution Process

§300.510

Resolution meeting

Within **fifteen (15)** calendar days of receiving notice of your due process complaint, and before the due process hearing begins, the school district must convene a meeting with you and the relevant member or members of the IEP Committee who have specific knowledge of the facts identified in your due process complaint. The meeting:

1. Must include a representative of the school district who has decision-making authority on behalf of the school district; **and**
2. May not include an attorney of the school district unless you are accompanied by an attorney.

You and the school district determine the relevant members of the IEP Committee to attend the meeting.

The purpose of the meeting is for you to discuss your due process complaint, and the facts that form the basis of the complaint, so that the school district has the opportunity to resolve the dispute.



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The resolution meeting is not necessary if:

1. You and the school district agree in writing to waive the meeting; **or**
2. You and the school district agree to use the mediation process, as described under the heading **Mediation**.

Resolution period

If the school district has not resolved the due process complaint to your satisfaction within **thirty (30)** calendar days of the receipt of the due process complaint (during the time period for the resolution process), the due process hearing may occur.

The **forty-five (45)** calendar-day timeline for issuing a final decision begins at the expiration of the **thirty (30)** calendar-day resolution period with certain exceptions for adjustments made to the **thirty (30)** calendar-day resolution period, as described below.

Except where you and the school district have both agreed to waive the resolution process or to use mediation, your failure to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until the meeting is held.

If after making reasonable efforts and documenting such efforts, the school district is not able to obtain your participation in the resolution meeting, the school district may, at the end of the **thirty (30)** calendar-day resolution period, request that a hearing officer dismiss your due process complaint. Documentation of such efforts must include a record of the school district's attempts to arrange a mutually agreed upon time and place, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to you and any responses received; **and**
3. Detailed records of visits made to your home or place of employment and the results of those visits.

If the school district fails to hold the resolution meeting within **fifteen (15)** calendar days of receiving notice of your due process complaint **or** fails to participate in the resolution meeting, you may ask the hearing officer to begin the **forty-five (45)** calendar-day due process hearing timeline.

Adjustments to the thirty (30) calendar-day resolution period

If you and the school district agree in writing to waive the resolution meeting, then the **forty-five (45)** calendar day timeline for the due process hearing starts the next day.

After the start of mediation or the resolution meeting and before the end of the **thirty (30)** calendar day resolution period, if you and the school district agree in writing that no agreement is possible, then the **forty-five (45)** calendar day timeline for the due process hearing starts the next day.

If you and the school district agree to use the mediation process but have not yet reached agreement, at the end of the **thirty (30)** calendar day resolution period the mediation process may be continued until an agreement is reached if both parties agree to the continuation in writing. However, if either you or the school district withdraws from the mediation process during this continuation period, then the **forty-five (45)** calendar day timeline for the due process hearing starts the next day.

Written settlement agreement

If a resolution to the dispute is reached at the resolution meeting, you and the school district must enter into a legally binding agreement that is:

1. Signed by you and a representative of the school district who has the authority to bind the school district; **and**
2. Enforceable in any State court of competent jurisdiction (a State court that has the authority to hear this type of case) or in a district court of the United States.

Agreement review period

If you and the school district enter into an agreement as a result of a resolution meeting, either party (you or the school district) may void the agreement within **three (3)** business days of the time that both you and the school district signed the agreement.

HEARINGS ON DUE PROCESS COMPLAINTS

Impartial Due Process Hearing

§300.511 • MS Code §37-23-143

General

Whenever a due process complaint is filed, you or the school district involved in the dispute must have an opportunity for an impartial due process hearing, as described in the **Due Process Complaint** and **Resolution Process** sections. Mississippi is



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a “One-Tier” state, which means that the MDE is responsible for convening due process hearings and any appeal from a due process hearing decision is filed directly with a court of competent jurisdiction.

Impartial hearing officer

At a minimum, a hearing officer:

1. Must not be an employee of MDE or the school district that is involved in the education or care of the child. However, a person is not an employee of the agency solely because they are paid by the agency to serve as a hearing officer;
2. Must not have a personal or professional interest that conflicts with the hearing officer’s objectivity in the hearing;
3. Must be knowledgeable and understand the provisions of IDEA, and Federal and State Regulations pertaining to IDEA, and legal interpretations of IDEA by Federal and State Courts; **and**
4. Must have the knowledge and ability to conduct hearings, and to make and write decisions, consistent with appropriate, standard legal practice.

The MDE maintains a list of those persons who serve as hearing officers that includes a statement of the qualifications of each hearing officer.

Subject matter of due process hearing

The party (you or the school district) that requests the due process hearing may not raise issues at the due process hearing that were not addressed in the due process complaint, unless the other party agrees.

Timeline for requesting a hearing

You or the school district must request an impartial hearing on a due process complaint within **two (2)** years of the date you or the school district knew or should have known about the issue addressed in the complaint.

Exceptions to the timeline

The above timeline does not apply to you if you could not file a due process complaint because:

1. The school district specifically misrepresented that it had resolved the problem or issue that you are raising in your complaint; **or**
2. The school district withheld information from you that it was required to provide to you under Part B of the IDEA.

Hearing Rights

§300.512

General

You have the right to represent yourself at a due process hearing. In addition, any party to a due process hearing (including a hearing relating to disciplinary procedures) has the right to:

1. Be accompanied and advised by counsel and by persons with special knowledge or training regarding the problems of children with disabilities;
2. Be represented at the due process hearing by an attorney;
3. Present evidence and confront, cross-examine, and require the attendance of witnesses;
4. Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least **five (5)** business days before the hearing;
5. Obtain a written, or, at your option, electronic, word-for-word record of the hearing; **and**
6. Obtain written, or, at your option, electronic findings of fact and decisions.

Additional disclosure of information

At least **five (5)** business days prior to a due process hearing, you and the school district must disclose to each other all evaluations completed by that date and recommendations based on those evaluations that you or the school district intend to use at the hearing.

A hearing officer may prevent any party that fails to comply with this requirement from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.

Parental rights at hearings

You must be given the right to:

1. Have your child present at the hearing;
2. Open the hearing to the public; **and**
3. Have the record of the hearing, the findings of facts and decisions provided to you at no cost.

Hearing Decisions

§300.513



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Decision of hearing officer

A hearing officer's decision on whether your child received FAPE must be based on evidence and arguments that directly relate to FAPE.

In matters alleging a procedural violation (such as an incomplete IEP Committee), a hearing officer may find that your child did not receive FAPE only if the procedural violations:

1. Interfered with your child's right to FAPE;
2. Significantly interfered with your opportunity to participate in the decision-making process regarding the provision of FAPE to your child; **or**
3. Caused your child to be deprived of an educational benefit.

None of the provisions described above can be interpreted to prevent a hearing officer from ordering a school district to comply with the requirements in the procedural safeguards section of the Federal Regulations under Part B of IDEA (34 CFR §§300.500 through 300.536).

Separate request for a due process hearing

Nothing in the procedural safeguards section of the Federal Regulations under Part B of IDEA (34 CFR §§300.500 through 300.536) can be interpreted to prevent you from filing a separate due process complaint on an issue separate from a due process complaint already filed.

Findings and decision to advisory panel and general public

MDE, after deleting any personally identifiable information, must:

1. Provide the findings and decisions in the due process hearing to the State special education advisory panel; **and**
2. Make those findings and decisions available to the public.

APPEALS

Finality of Decision, Appeal, Impartial Review

§300.514

Finality of hearing decision

A decision made in a due process hearing (including a hearing relating to disciplinary procedures) is final, except that any party involved in the hearing (you or the school district) may appeal the decision by bringing a civil action, as described under the heading **Civil Actions, Including the Time Period in Which to File Those Actions**.

Timelines and Convenience of Hearings and Review

§300.515

The MDE must ensure that, not later than **forty-five (45)** calendar days after the expiration date of the **thirty (30)** calendar-day period for resolution meetings **or**, as described under the sub-heading **Adjustments to the thirty (30) calendar-day resolution period**, not later than **forty-five (45)** calendar days after the expiration of the adjusted time period:

1. A final decision is reached in the hearing; **and**
2. A copy of the decision is mailed to each of the parties.

A hearing officer may grant specific extensions of time beyond the **forty-five (45)** calendar-day time period described above at the request of either party (you or the school district).

Each hearing must be conducted at a time and place that is reasonably convenient to you and your child.

Civil Actions, Including the Time Period in Which to File Those Actions

§300.516

General

Any party (you or the school district) who does not agree with the findings and decision in the due process hearing (including a hearing relating to disciplinary procedures) has the right to bring a civil action with respect to the matter that was the subject of the due process hearing. The action may be brought in a State court of competent jurisdiction (a State court that has authority to hear this type of case) or in a district court of the United States without regard to the amount in dispute.

Time limitation

The party (you or the school district) bringing the action shall have **ninety (90)** calendar days from the date of the decision of the hearing officer to file a civil action.



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Additional procedures

In any civil action, the court:

1. Receives the records of the administrative proceedings;
2. Hears additional evidence at your request or at the school district's request; **and**
3. Bases its decision on the preponderance of the evidence and grants the relief that the court determines to be appropriate.

Under appropriate circumstances, judicial relief may include reimbursement of private school tuition and compensatory education services.

Jurisdiction of district courts

The district courts of the United States have authority to rule on actions brought under Part B of IDEA without regard to the amount in dispute.

Interpretation

Nothing in Part B of IDEA restricts or limits the rights, procedures, and remedies available under the U.S. Constitution, the Americans with Disabilities Act of 1990, Title V of the Rehabilitation Act of 1973 (Section 504), or other Federal laws protecting the rights of children with disabilities, except that before the filing of a civil action under these laws seeking relief that is also available under Part B of IDEA, the due process procedures described above must be exhausted to the same extent as would be required if the party filed the action under Part B of IDEA. This means that you may have remedies available under the other laws that overlap with those available under IDEA, but in general, to obtain relief under those other laws, you must first use the available administrative remedies under IDEA (i.e., the due process complaint, resolution process, including the resolution meeting, and impartial due process hearing procedures) before going directly into court.

The Child's Placement While the Due Process Complaint and Hearing Are Pending

§300.518

Except as provided below under the heading ***Procedures When Disciplining Children with Disabilities***, once a due process complaint is sent to the other party, during the resolution process time period, and while waiting for the decision of any impartial due process hearing or court proceeding, unless you and the MDE or school district agree otherwise, your child must remain in his or her current educational placement.

If the due process complaint involves an application for initial admission to public school, your child, with your consent, must be placed in the regular public school program until the completion of all such proceedings.

If the due process complaint involves an application for initial services under Part B of IDEA for a child who is transitioning from being served under Part C of IDEA to Part B of IDEA and who is no longer eligible for Part C services because the child has turned three, the school district is not required to provide the Part C services that the child has been receiving. If the child is found eligible under Part B of IDEA and you consent for the child to receive special education and related services for the first time, then, pending the outcome of the proceedings, the school district must provide those special education and related services that are not in dispute (those upon which you and the school district both agree).

If a hearing officer in a due process hearing conducted by the MDE agrees with you that a change of placement is appropriate, that placement must be treated as your child's current educational placement where your child will remain while waiting for the decision of any impartial due process hearing or court proceeding.

Attorney's Fees

§300.517

General

In any action or proceeding brought under Part B of IDEA, the court, in its discretion, may award reasonable attorney's fees as part of the costs to you, if you prevail (win).

In any action or proceeding brought under Part B of IDEA, the court, in its discretion, may award reasonable attorney's fees as part of the costs to a prevailing MDE or school district, to be paid by your attorney, if the attorney: (a) filed a complaint or court case that the court finds is frivolous, unreasonable, or without foundation; **or** (b) continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation; **or**

In any action or proceeding brought under Part B of the IDEA, the court, in its discretion, may award reasonable attorney's fees as part of the costs to the prevailing MDE or school district, to be paid by you or your attorney, if your request for a due process hearing or later court case was presented for any improper purpose, such as to harass, to cause unnecessary delay, or to unnecessarily increase the cost of the action or proceeding (*hearing*).



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Award of fees

A court awards reasonable attorney's fees as follows:

1. Fees must be based on rates prevailing in the community in which the action or proceeding arose for the kind and quality of services furnished. No bonus or multiplier may be used in calculating the fees awarded.
2. Attorney's fees may not be awarded and related costs may not be reimbursed in any action or proceeding under Part B of IDEA for services performed after a written offer of settlement is made to you if:
 - (a) The offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedure or, in the case of a due process hearing or State-level review, at any time more than **ten (10)** calendar days before the proceeding begins;
 - (b) The offer is not accepted within **ten (10)** calendar days; and
 - (c) The court or administrative hearing officer finds that the relief finally obtained by you is not more favorable to you than the offer of settlement.

Despite these restrictions, an award of attorney's fees and related costs may be made to you if you prevail and you were substantially justified in rejecting the settlement offer.

3. Fees may not be awarded relating to any meeting of the IEP Committee unless the meeting is held as a result of an administrative proceeding or court action.
4. Fees also may not be awarded for mediation as described under the heading **Mediation**.

A resolution meeting, as described under the heading **Resolution Process**, is not considered a meeting convened as a result of an administrative hearing or court action, and also is not considered an administrative hearing or court action for purposes of these attorney's fees provisions.

The court reduces, as appropriate, the amount of the attorney's fees awarded under Part B of IDEA, if the court finds that:

1. You, or your attorney, during the course of the action or proceeding, unreasonably delayed the final resolution of the dispute;
2. The amount of the attorney's fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably similar skill, reputation, and experience;
3. The time spent and legal services furnished were excessive considering the nature of the action or proceeding; or
4. The attorney representing you did not provide to the school district the appropriate information in the due process request notice as described under the heading **Due Process Complaint**.

However, the court may not reduce fees if the court finds that the State or school district unreasonably delayed the final resolution of the action or proceeding or there was a violation under the procedural safeguards provisions of Part B of IDEA.

PROCEDURES WHEN DISCIPLINING CHILDREN WITH DISABILITIES

Authority of School Personnel

§300.530

Case-by-case determination

School personnel may consider any unique circumstances on a case-by-case basis, when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school code of student conduct.

General

To the extent that they also take such action for children without disabilities, school personnel may, for not more than **ten (10) school days** in a row, remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting (which must be determined by the child's IEP Committee), another setting, or suspension. School personnel may also impose additional removals of the child of not more than **ten (10) school days** in a row in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement (see **Change of Placement Because of Disciplinary Removals** for the definition, page 31).

Once a child with a disability has been removed from his or her current placement for a total of **ten (10) school days** in the same school year, the school district must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading **Services**.

Additional authority.

If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see **Manifestation determination**) and the disciplinary change of placement would exceed **ten (10) school days** in a row, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would



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to children without disabilities, except that the school must provide services to that child as described below under **Services**. The child's IEP Committee determines the interim alternative educational setting for such services.

Services

The services that must be provided to a child with a disability who has been removed from the child's current placement [§300.530(d)(2)] may be provided in an interim alternative educational setting.

Dependent upon local school board policy, a school district may only be required to provide services to a child with a disability who has been removed from his or her current placement for **ten (10) school days or less** in that school year, if it provides services to a child without disabilities who has been similarly removed.

A child with a disability who is removed from the child's current placement for **more than ten (10) school days** and the behavior is not a manifestation of the child's disability (see subheading, **Manifestation determination**) or who is removed under special circumstances (see subheading, **Special circumstances**) must:

1. Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; **and**
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, which are designed to address the behavior violation so that it does not happen again.

After a child with a disability has been removed from his or her current placement for **ten (10) school days** in that same school year, and **if** the current removal is for **ten (10) school days** in a row or less **and**, if the removal is not a change of placement (see definition below), **then** school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

If the removal is a change of placement (see the heading, **Change of Placement Because of Disciplinary Removals**), the child's IEP Committee determines the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting (that may be an interim alternative educational setting), and to progress toward meeting the goals set out in the child's IEP.

Manifestation determination

Within **ten (10) school days** of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that is for **ten (10) school days** in a row or less and not a change of placement), the school district, you, and other relevant members of the IEP Committee (as determined by you and the school district) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by you to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; **or**
2. If the conduct in question was the direct result of the school district's failure to implement the child's IEP.

If the school district, you, and other relevant members of the child's IEP Committee determine that either of those conditions was met, the conduct must be determined to be a manifestation of the child's disability.

If the school district, you, and other relevant members of the child's IEP Committee determine that the conduct in question was the direct result of the school district's failure to implement the IEP, the school district must take immediate action to remedy those deficiencies.

Determination that behavior was a manifestation of the child's disability

If the school district, you, and other relevant members of the IEP committee determine that the conduct was a manifestation of the child's disability, the IEP committee must either:

1. Conduct a functional behavioral assessment, unless the school district had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; **or**
2. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading **Special circumstances**, the school district must return the child to the placement from which the child was removed, unless you and the district agree to a change of placement as part of the modification of the behavioral intervention plan.

Special circumstances



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Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Committee) for **not more than forty-five (45) school days**, if the child:

1. Carries a weapon (see the definition below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of the MDE or a school district;
2. Knowingly has or uses illegal drugs (see the definition below), or sells or solicits the sale of a controlled substance, (see the definition below), while at school, on school premises, or at a school function under the jurisdiction of the MDE or a school district; **or**
3. Has inflicted serious bodily injury (see the definition below) upon another person while at school, on school premises, or at a school function under the jurisdiction of the MDE or a school district.

Definitions

Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

Illegal drug means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any provision of Federal law.

Serious bodily injury has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.

Weapon has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

Notification

On the date it makes the decision to make a removal that is a change of placement because of a violation of a code of student conduct, the school district must notify you of that decision, and provide you with a Procedural Safeguards Notice.

Change of Placement Because of Disciplinary Removals

§300.536

A removal of a child with a disability from the child's current educational placement is a **change of placement** if:

1. The removal is for more than **ten (10) school days** in a row; **or**
2. Your child has been subjected to a series of removals that constitute a pattern because:
 - a. The series of removals total more than **ten (10) school days** in a school year;
 - b. Your child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; **and**
 - c. Of such additional factors as the length of each removal, the total amount of time your child has been removed, and the proximity of the removals to one another.

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the school district and, if challenged, is subject to review through due process and judicial proceedings.

Determination of Setting

§300.531

The IEP committee determines the interim alternative educational setting for removals that are **changes of placement**, and removals under the headings **Additional authority** and **Special circumstances**.

Appeal

§300.532

General

You may file a due process complaint (see the heading **Due Process Complaint Procedures**) to request a due process hearing if you disagree with:

1. Any decision regarding placement made under these discipline procedures; **or**
2. The manifestation determination described above.

The school district may file a due process complaint (see above) to request a due process hearing if it believes that maintaining the current placement of your child is substantially likely to result in injury to your child or to others.

Authority of hearing officer



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A hearing officer that meets the requirements described under the sub-heading **Impartial Hearing Officer** must conduct the due process hearing and make a decision. The hearing officer may:

1. Return your child with a disability to the placement from which your child was removed if the hearing officer determines that the removal was a violation of the requirements described under the heading **Authority of School Personnel**, or that your child's behavior was a manifestation of your child's disability; **or**
2. Order a change of placement of your child with a disability to an appropriate interim alternative educational setting for not more than **forty-five (45) school days** if the hearing officer determines that maintaining the current placement of your child is substantially likely to result in injury to your child or to others.

These hearing procedures may be repeated, if the school district believes that returning your child to the original placement is substantially likely to result in injury to your child or to others.

Whenever you or a school district files a due process complaint to request such a hearing, a hearing must be held that meets the requirements described under the headings **Due Process Complaint Procedures** and **Hearings on Due Process**

Complaints, except as follows:

1. The MDE or school district must arrange for an expedited due process hearing, which must occur within **twenty (20) school days** of the date the hearing is requested and must result in a determination within **ten (10) school days** after the hearing.
2. Unless the parents and the school district agree in writing to waive the meeting, or agree to use mediation, a resolution meeting must occur within **seven (7) calendar days** of receiving notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within **fifteen (15) calendar days** of receipt of the due process complaint.

A party may appeal the decision in an expedited due process hearing in the same way as they may for decisions in other due process hearings (see the heading **Appeal**).

Placement During Appeals

§300.533

When, as described above, you or the school district files a due process complaint related to disciplinary matters, your child must (unless you and the MDE or school district agree otherwise) remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the time period of removal as provided for and described under the heading **Authority of School Personnel**, whichever occurs first.

Protections for Children Not Yet Eligible for Special Education and Related Services

§300.534

General

If your child has not been determined eligible for special education and related services and violates a code of student conduct, but the school district had knowledge (as determined below) before the behavior that brought about the disciplinary action occurred, that your child was a child with a disability, then your child may assert any of the protections described in this notice.

Basis of knowledge for disciplinary matters

A school district must be deemed to have knowledge that your child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:

1. You expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency, or to your child's teacher that your child is in need of special education and related services;
2. You requested an evaluation related to eligibility for special education and related services under Part B of IDEA; **or**
3. Your child's teacher or other school district personnel expressed specific concerns about a pattern of behavior demonstrated by your child directly to the school district's director of special education or to other supervisory personnel of the school district.

Exception

A school district would not be deemed to have such knowledge if:

1. You have not allowed an evaluation of your child or have refused special education services; **or**
2. Your child has been evaluated and determined to not be a child with a disability under Part B of IDEA.

Conditions that apply if there is no basis of knowledge

If prior to taking disciplinary measures against your child, a school district does not have knowledge that your child is a child with a disability, as described above under the subheadings **Basis of knowledge for disciplinary matters** and **Exception**,



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your child may be subjected to the disciplinary measures that are applied to children without disabilities who engage in comparable behaviors.

However, if a request is made for an evaluation of your child during the time period in which your child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.

Until the evaluation is completed, your child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

If your child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the school district, and information provided by you, the school district must provide special education and related services in accordance with Part B of IDEA, including the disciplinary requirements described above.

Referral to and Action by Law Enforcement and Judicial Authorities

§300.535

Part B of IDEA does not:

1. Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; or
2. Prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

Transmittal of records

If a school district reports a crime committed by a child with a disability, the school district:

1. Must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime; and
2. May transmit copies of the child's special education and disciplinary records only to the extent permitted by FERPA.

REQUIREMENTS FOR UNILATERAL PLACEMENT BY PARENTS OF CHILDREN IN PRIVATE SCHOOLS AT PUBLIC EXPENSE

General

§300.148

Part B of IDEA does not require a school district to pay for the cost of education, including special education and related services, of your child with a disability at a private school or facility if the school district made FAPE available to your child and you choose to place the child in a private school or facility. However, the school district where the private school is located must include your child in the population whose needs are addressed under the Part B provisions regarding children who have been placed by their parents in a private school under 34 CFR §§300.131 through 300.144.

Reimbursement for private school placement

If your child previously received special education and related services under the authority of a school district, and you choose to enroll your child in a private preschool, elementary school, or secondary school without the consent of or referral by the school district, a court or a hearing officer may require the agency to reimburse you for the cost of that enrollment if the court or hearing officer finds that the agency had not made FAPE available to your child in a timely manner prior to that enrollment and that the private placement is appropriate. A hearing officer or court may find your placement to be appropriate, even if the placement does not meet the State standards that apply to education provided by the MDE and school districts.

Limitation on reimbursement

The cost of reimbursement described in the paragraph above may be reduced or denied:

1. If: (a) At the most recent IEP Committee meeting that you attended prior to your removal of your child from the public school, you did not inform the IEP Committee that you were rejecting the placement proposed by the school district to provide FAPE to your child, including stating your concerns and your intent to enroll your child in a private school at public expense; or (b) At least **ten (10)** business days (including any holidays that occur on a business day) prior to your removal of your child from the public school, you did not give written notice to the school district of that information;
2. If, prior to your removal of your child from the public school, the school district provided prior written notice to you of its intent to evaluate your child (including a statement of the purpose of the evaluation that was appropriate and reasonable), but you did not make the child available for the evaluation; or
3. Upon a court's finding that your actions were unreasonable.

However, the cost of reimbursement:



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1. Must not be reduced or denied for failure to provide the notice if: (a) The school prevented you from providing the notice; (b) You had not received notice of your responsibility to provide the notice described above; or (c) Compliance with the requirements above would likely result in physical harm to your child; **and**
2. May, in the discretion of the court or a hearing officer, not be reduced or denied for the parents' failure to provide the required notice if: (a) You are not literate or cannot write in English; or (b) Compliance with the above requirement would likely result in serious emotional harm to your child.

Extended School Year (ESY)

General

§300.106

Extended school year (ESY) is the provision of special education and related services to students with disabilities in accordance with their individualized education program (IEP) beyond the normal school year of the local district and at no cost to the parents of the students.

1. Each public agency must ensure that extended school year services are available as necessary to provide FAPE, consistent with paragraph (a)(2) *below* and *in State Board of Education Policy 7212*.
2. *ESY services must be provided only if a child's IEP Committee determines, on an individual basis, in accordance with §§ 300.320 through 300.324, that the services are necessary for the provision of FAPE to the child. Students with disabilities who turn age twenty-one (21) during the school year and who are eligible for ESY services may be served in an ESY program as determined by the IEP Committee.*
3. In implementing the *ESY* requirements, a public agency may not limit *ESY* services to particular categories of disability or unilaterally limit the type, amount, or duration of those services.

Definition

The term *ESY* services means special education and related serves that are provided to a child with a disability beyond the normal school year (180 days) of the public agency in accordance with the child's IEP, at no cost to the parents of the child and meet the standards of the State Board of Education.



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INITIAL COMPREHENSIVE EVALUATION

The purpose of an initial comprehensive evaluation is to assess a child's academic, developmental, and functional skills, identifying any specific strengths and deficits to determine:

- If the child meets the criteria for one or more of the disabilities as defined by the Individuals with Disabilities Education Act (IDEA) and State Board Policy 74.19; and
- If the child needs special education and related services; and
- If so, what special education and related services are needed by the child?

During an initial comprehensive evaluation, the MET will assess broad areas of development, achievement, and functioning to identify all areas of concern with special emphasis given to areas related to the initial referral question(s) and to any areas of concern or deficit identified during the evaluation process, whether or not they are included in the original referral or commonly associated with the child's disability.

To conduct an appropriate evaluation, the MET plans and conducts the evaluation process in accordance with Federal regulations and State Board policies. The MET will then interpret the results of the evaluation in reliable and valid ways to make meaningful decisions for the child.

Planning the Comprehensive Evaluation

To plan an initial comprehensive evaluation (Evaluation Plan), the MET first determines what existing information is available and relevant for decision-making, including:

- Information and evaluations provided by the parent;
- Classroom-based assessments, interventions and observations provided by the teacher(s);
- Developmental screeners/assessments and/or medical records;
- Hearing and/or vision screeners gathered through mass screening;
- Other educational records, including early intervention, childcare, preschool or Head Start records, if applicable.

Based on this review of existing information, the MET determines what existing records are current and what, if any, additional academic, functional, and developmental information are needed to determine eligibility and plan for programming.

The MET ensures the parent has the opportunity to provide meaningful input and to participate in decision-making as a member of the team. This plan may change during the course of the evaluation based on additional concerns that arise during the process. If so, Informed Parental Consent for any additional assessments not included in the initial consent must be obtained.

All materials and procedures used for assessment and placement should be selected and administered so as not to be racially or culturally discriminatory. This is to ensure that children are not misclassified, misplaced or unnecessarily labeled as having a disability due to the inappropriate selection, administration or interpretation of materials or procedures.

Other considerations in selecting assessment strategies and/or measures for conducting an initial evaluation include best professional research-based practices outlined below:



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- The assessment materials and procedures must have been validated for the purposes for which they will be used (they must have been validated for use in determining eligibility and programming for special education, *some tests are designed for specific assessments such as gifted*)
- If the child is an English Language Learner (ELL), assessments must be administered in the child's native language, if available and appropriate, and the materials and procedures selected for assessing the child's academic, developmental, and functional skills should not be impacted by the child's lack of English proficiency.
- If the child has a known sensory, motor, and/or language deficit(s), the materials and procedures selected for assessing the child's other academic, developmental, and functional skills should not be impacted by the child's identified deficit(s) except when determining the extent of the child's sensory, motor, and language impairments. For example, if the child has a known expressive language impairment, the child's cognitive abilities should not be assessed using materials and procedures that require the child to respond using language.

Conducting the Comprehensive Evaluation

The MET conducts an individualized comprehensive evaluation in accordance with IDEA regulations and State Board Policy 74.19 before the provision of any special education services.

General Provisions. To determine whether a child is eligible for special education services, the MET ensures the comprehensive evaluation gathers information that:

- Consistently supports the presence of a disability; and
- Indicates the need for special education and related services for the child to participate in the general education curriculum or appropriate activities; and
- Identifies all of the child's educational needs to be addressed in the IEP whether or not those needs are typically linked to the disability category identified.

NOTE: If data appears to represent **inconsistencies** but the MET agrees that the preponderance of the data supports the presence of a disability and the need for special education and related services, the **inconsistencies must be documented and explained in the evaluation report.**

To be eligible for special education and related services, the MET must document an adverse educational impact (i.e., performance in academic, developmental, functional, social, behavioral, and vocational areas) due to the child's disability. To do so, the MET must ensure the determinant factor for the adverse educational impact is not a result of:

- A lack of appropriate instruction in math or reading, including the essential components of reading instruction as defined in the Elementary and Secondary Education Act (ESEA), i.e., phonemic awareness, phonics, vocabulary development, reading fluency, including oral reading skills, and reading comprehension strategies;
- Limited proficiency in understanding and/or speaking English; or
- Social or cultural differences of the child.



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Timelines

After securing informed written parental consent to conduct an evaluation, the MET has a **maximum of sixty (60) calendar days** in which to complete the evaluation, except for the following specific situations:

- The parent repeatedly fails or refuses to produce the child for evaluation.
- The child transfers to another public agency after the timeline has begun but before eligibility could be determined.

Existing Records

Existing current data may be used as part of the evaluation process to determine the presence of a disability, a need for special education and related services, and the educational needs of a child. Data that falls outside of the following time frames are of historical value but are no longer valid for making decisions about eligibility or educational programming:

Definition of Current Types of Existing Records

No more than **one (1) year** old at the time the parent signs consent

- Intelligence measures
- Hearing screening and follow-up evaluations
- Vision screening and follow-up evaluations
- Physical examinations

No more than **six (6) months** old **at the time the parent signs consent**

- Teacher Narrative
- Achievement measures
- Social, behavioral, adaptive, and emotional measures
- Language/speech assessments
- Motor assessments
- Curriculum-based assessments

No more than **three (3) months** old **at the time the parent signs consent**

- Developmental History
- Developmental instruments

Data Collection

Unless otherwise indicated, the MDE does not dictate which assessment methods or instruments to use. It is the responsibility of the MET to determine the appropriate methods and instruments necessary to obtain sufficient information to determine the presence of a disability, a need for special education and related services, and the educational needs of a child. The MET should carefully consider the administration of each assessment instrument and use what is necessary, as under-assessment may result in inconclusive data resulting in the MET's inability to make decisions and over-assessment can lead to fatigue in the child resulting in inconsistent or uninterpretable data.

To complete the evaluation, the MET must gather information about the child using a variety of assessment tools and strategies, which must include, but are not limited to:



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- The Teacher Narrative and/or Developmental History (Ages 3 to 9) or Developmental History (Ages 10 to 21)
- Documentation of the child's functioning in the home, classroom and/or in an early childhood setting through interview, observation, assessment, or other means;
- Information contained in the child's cumulative record, including results of Statewide assessments;
- Information about the child's physical condition, including fine and gross motor skills, general physical condition, hearing, vision, and if necessary, orofacial examination; Information about the child's social, behavioral, emotional, and adaptive functioning; Information about pre-academic and/or academic performance; Information about how the child communicates;
- Indicators of cognitive abilities;
- Evaluations and other information provided by the parent;
- Evidence that the child has received appropriate instruction in reading and math (for preschool/ kindergarten children, information regarding early education experiences);
- Information about the impact of social and cultural background and limited English proficiency on educational performance;
- For children age fourteen (14) and above, appropriate and ongoing assessment of the student's needs, preferences, and interests related to the demands of current and future working, educational, living, personal and social environments; and
- For re-evaluations, information from IEPs.

NOTE: When significant emotional and/or behavioral issues have been identified as adversely impacting the educational process, a qualified professional must be a member of the MET when determining eligibility. This applies regardless of the eligibility category being considered for the child.

Medical and Mental Health Diagnoses

Some children may have a medical or mental health diagnosis available in their existing records. In most cases, a diagnosis from a psychologist, psychiatrist, nurse practitioner, physician or other health care professional using criteria from the Diagnostic and Statistical Manual of Mental Disorders (DSM) and/or International Statistical Classification of Diseases and Related Health Problems (ICD-9 or ICD-10 Codes) **is neither required to determine special education eligibility nor is it sufficient**, in the absence of other data, to determine eligibility for special education. When diagnostic or prescriptive information from a health care professional or psychologist is available to the CCSD, the MET will consider the information when making an eligibility determination for special education.

When a diagnosis, evaluation, or statement by qualified professionals is required to determine eligibility under a particular special education disability category, **this requirement is listed as part of the eligibility criteria for that disability.** *Classroom Observation for SLD/ABC Data for OHI (ADHD)*

General Evaluation Procedures

The MET conducts evaluations using professional and research-based practices. In addition, the MET ensures:

- Assessment measures must be administered by qualified personnel as specified in the instructions and guidelines provided by the assessment author or publisher.
- No single assessment measure shall be used as the sole criterion for determining a disability and for determining an appropriate educational program for a child.



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- Assessment measures must be administered in the child's native language, or other mode of communication, unless it is clearly not feasible to do so.
- *Nonstandard administrations of standardized assessments must be noted with descriptions of the extent to which they vary from standard conditions in the evaluation report.* Caution must be used in interpreting these results.
- Descriptions of and data from all assessments, including observations, used as a part of the comprehensive evaluation must be included in the written evaluation report.

(See Appendix A for Procedures for Special Assessments)

Interpreting the Evaluation

To interpret the assessment data, the MET should consider information obtained from a variety of sources, including formal and informal assessments, parent input, teacher recommendations, medical and psychological reports, and observations of physical status, adaptive behavior, and social/emotional/behavioral skills, and considerations of social, cultural, linguistic, and economic background. The MET **must** ensure that all of the information obtained from these sources is documented and carefully considered in the decisions made for children.

Based on the review of information, the MET members must ensure the collected data are sufficient to determine the child's present level(s) of academic achievement and functional performance and the child's educational needs. *The MET will consider and explain any inconsistencies found in the data (e.g., different scores on rating scales administered with different informants). If these inconsistencies cannot be reasonably explained, additional assessment may be warranted for clarity. Inconsistencies and their resolution must also be explained in the evaluation report(s).*

Furthermore, consideration should be given to the child's culture, environment, and socioeconomic status when interpreting the information gathered since differences can affect children's learning in important ways (Hamayan et.al, 2007).

Culture provides the context for making sense of the world in which all new learning occurs and can affect the child's general level of comfort about his/her place in the school environment. The child's and the parents' levels of acculturation can be determined using acculturation measures collected through structured interviews with family members to gather information regarding cultural differences and adjustment to the new culture.

The MET **must** consider the impact of cultural differences in situations that include, but are not limited to:

- If the child's cultural background is different from the dominant/primary culture of the school, community, and/or larger society;
- If the child is a member of a minority group (i.e., cultural, linguistic, racial/ethnic, religious, or other);
- If the child (and/or the child's family) has recently emigrated to the United States;
- If the child has had limited experiences in academic culture; or
- If the child has had limited involvement in organizations and activities of any culture.

The environmental and socioeconomic differences of families impact life experiences and exposure to language and enrichment activities. Families play a large role in their child's education by developing an awareness of importance of school and creating home conditions that impact school learning and the development of appropriate behavior. These environmental and socioeconomic differences also can



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affect the child's general level of comfort about his/her place in the school environment. The child's and the parents' experiences and expectations as well as the impact of environmental and socioeconomic

differences can be determined through structured interviews with family members and developmental histories which gather information regarding opportunities to learn and other necessary information.

The MET must consider the impact of environmental or socioeconomic differences in situations that include, but are not limited to:

- Irregular attendance (i.e., absences of at least 25% of the time in a grading period or for extended periods at a time);
- High mobility (i.e., two or more moves in a single school year) that impact the exposure to curriculum and prevent adequate mastery of skills;
- Individual family histories that may impact school performance (e.g., divorce, death, imprisonment, unemployment, traumatic events, etc.);
- Family income at or below subsistence level with or without public assistance; or
- Family resides in a disadvantaged neighborhood/area that may experience concentrated poverty, violence, and/or a significant lack of resources.

Evaluation Reports

At the conclusion of the evaluation, the MET must document their findings in an evaluation report(s). The MET has the discretion to compile all evaluation information into a single comprehensive report or to allow evaluation team members to submit individual reports. The evaluation report(s) summarizes the child's current status in all relevant developmental areas, functional levels, and (pre-) academic performance. A description of areas of strengths, weaknesses, and significant deficit(s), if any, should be included in the evaluation summary.

A copy of all evaluation report(s) must be provided to the parent at least seven (7) calendar days prior to the meeting to determine eligibility unless the parent has waived this right in writing in advance of the meeting.

NOTE: The evaluation report must not include any statements regarding the determination of eligibility or disability category. This is a MET decision made as a team at the eligibility determination meeting. Any written conclusions or recommendations from professionals based on evaluation results should be presented at this meeting.

Comprehensive Report

If the MET is using a comprehensive report, all of the information gathered from existing records and the formal and informal assessments for the evaluation **must be integrated and interpreted in the report**. This report must be submitted to the MET Chair.

The comprehensive report must include a summary of the following from all examiners:

- Dates of assessments;
- Name, title, and qualifications of examiners, informants, and/or observers;
- Testing conditions and behaviors noted during testing and observations;
- Results and interpretations of assessments;
- Explanations of any deviations from standardized testing procedures; and
- Justifications of use of instruments that are not age-appropriate.



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The comprehensive report must also include the signatures of the examiners and individuals involved in writing the report and the date the report was completed. **This date serves as the date that the evaluation is completed;** therefore, it must be within sixty (60) calendar days of parental consent for the comprehensive evaluation.

Individual Reports

If the MET is using individual reports, information gathered from existing records and formal and informal assessments by each examiner must be described and interpreted in his/her report. Each report must be submitted to the MET Chair.

NOTE: The MET will integrate the information from individual reports at the eligibility determination meeting.

Each individual report must include a summary of the following:

- Date(s) of assessments;
- Name, title, and qualifications of examiner(s), informants, and/or observers;
- Testing conditions and behaviors noted during testing and observations;
- Results and interpretations of assessments;
- Explanations of any deviations from standardized testing procedures; and
- Justifications of use of instruments that are not age-appropriate.

Each individual report must also include the signature of the examiner and any individual involved in writing the report and the date the report was completed. The date of the last report submitted serves as the date that the evaluation is completed; therefore, it must be within sixty (60) calendar days of parental consent for the comprehensive evaluation.



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Forms

Appendix A: Procedures for Special Assessments

Evaluation Plan

Classroom Observation

ABC Data Collection



Procedures for Special Assessments

Special Assessments for Communication

The MET considers the communication needs of all children with a disability. If the MET suspects the child has special communication needs, the MET will assess the child's methods of communication, demands, and opportunities for communication using a variety of methods across a variety of settings, and the skills and strategies necessary to meet those communicative demands and take advantage of communicative opportunities across settings. The MET assesses how appropriately and effectively the child can communicate and what types and amount of support, if any, the child may need to communicate using a variety of methods across a variety of settings.

Special Assessments for Assistive Technology

An assistive technology device is any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device.

An assistive technology service is any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- The evaluation of the assistive technology needs of the child, including a functional evaluation of the child in his/her customary environment;
- Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by the child;
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- Coordinating and using other therapies, interventions, or services with assistive technology devices such as those associated with existing education or rehabilitation plans and programs;
- Training and/or technical assistance for the child or his/her family, if appropriate; and
- Training and/or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are substantially involved in the major life functions of the child.

The MET considers the assistive technology needs of all children with a disability. If the MET suspects the child has a disability due to sensory or motor deficits, including a Hearing Impairment (HI), Deaf-Blind (DB), Visually Impaired (VI), Orthopedic Impairment (OI), Other Health Impairment (OHI), or Traumatic Brain Injury (TBI), or has a disability which may indicate a need for an alternate means of communication, including Autism (AU), Language/Speech Impairment (L/S), Intellectual Disability (ID), or other disability impacting

communication, the MET will assess the child's need for an assistive technology device or service to support mobility, communication, or other adaptive functioning in the child's environment. The MET will assess the child's methods of locomotion, the physical demands on the child across a variety of settings,



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and how appropriately and effectively the child can navigate around and engage with equipment and materials in his/her environment. The MET assesses the skills and strategies the child needs to meet the physical demands across a variety of settings, and what types and amount of support and in which settings and/or situations the child needs support, if any, to increase, maintain, or improve his/her functional capabilities.

Special Assessments for Children who are Blind or Visually Impaired

If the MET suspects the child may be Visually Impaired (VI) or Deaf-Blind (DB), the child must have her/his vision evaluated by a qualified examiner, including, if appropriate, a functional vision assessment and clinical low vision assessment to determine (a) how the child uses vision in various activities in the natural environment and (b) any recommendations for devices, tools, and/or strategies to enhance vision. The MET will determine the child's (c) appropriate reading and writing media, including print, Braille, or both, and (d) any current or future need for instruction in Braille or the use of Braille or other reading and writing medium.

Special Assessments for Children who are Deaf or Hearing Impaired

If the MET suspects the child may have a Hearing Impairment (HI) or be Deaf-Blind (DB), the child must have his/her hearing evaluated by a qualified examiner and receive an assessment to determine his/her (a) language and communication mode, including oral and manual methods, and opportunities of direct communications with peers and professional personnel in the child's language and communication mode, (b) need for any devices, tools, and/or strategies to facilitate communication such as an amplification system, (c) any current or future need for instruction in communication modes including the need for speech, language, and auditory training and/or instruction in sign language, and (d) need for additional accommodations such as favorable setting or captioning, services and supports such as interpretive and/or note-taking assistance, or modifications such as changes to classroom acoustics.

Special Assessments for Behavior

If the MET suspects the child has significant behavioral concerns that impede his/her learning or the learning of others and requires an individualized Behavior Intervention Plan (BIP), a qualified examiner should conduct a Functional Behavioral Assessment (FBA) as a part of the comprehensive evaluation. An FBA is an assessment process that involves collecting data from a variety of sources, including interviews and direct observations, to develop descriptions of the child's behavior in a variety of settings and conditions and to determine the function or purpose of the child's behavior. An FBA must include the following components:

- A clear description(s) of problematic behavior;
- Identification of the antecedent events, times, and situations that predict when the problematic behavior will and will not occur;
- Identification of the consequences of the problematic behavior; and
- Hypothesis and summary statements that describe the problem behavior and its functions.



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If the child has previously had an FBA and BIP, the MET will review the FBA and BIP to ensure they are currently applicable and effective. If the child's behavior(s) and the function(s) of the behavior(s) have not changed, the MET may determine the existing FBA is sufficient. If either the behavior(s) or the function(s) has appeared to change, the MET will update the FBA. In addition, if a review of the progress monitoring data collected to evaluate the BIP indicates the BIP is currently effective, the MET may determine the existing BIP is sufficient. If a review of the progress monitoring data indicates the current BIP is ineffective, the MET may determine the FBA must be updated to determine how to modify the BIP and/or may conduct additional assessments to determine the need for additional services, accommodations, modifications, and support(s) for personnel.

Special Assessments for Children with Limited English Proficiency

If the child is an English Language Learner (ELL), the MET will determine the dominant language(s) used in the child's home, the child's primary language of communication at home and in school, the cultural values and beliefs of the parents about education and language acquisition, and the child's level of acculturation. The MET will assess the child's language needs, including the language demands and opportunities for skill development across various settings and/or situations and the types and amount of supports necessary to meet those demands and take advantage of those opportunities, to ensure that the child will be able to communicate and learn appropriately and effectively.

Special Assessments for Vocational, Occupational, and Secondary Transition Needs

State Board Policy 74.19 requires each child ages fourteen (14) years or older, or earlier if determined appropriate by the MET or IEP Committee, to have measurable postsecondary goals related to education, employment, and, where appropriate, independent living skills as part of the child's secondary transition plan. As these postsecondary goals must be based upon assessments, the MET assesses a child with a secondary transition plan using formal and informal age appropriate assessments of the child's needs, preferences, and interests in current and future employment, educational or training programs that support employment, and living in personal and social environments.

Procedures for Assessing Specific Areas of Development

An evaluation is an individualized discovery process. A comprehensive evaluation requires the examination of all areas of development using a variety of assessment methods and instruments including the assessment of the child's:

- Physical functioning and development, including general physical condition, hearing and vision, orofacial examination (if necessary), and gross/fine motor development and skills;
- Communication skills and development;
- Adaptive skills and development;
- Social/Emotional/Behavioral skills and development; and
- Academic/Cognitive skills and development, including visual and auditory perception, achievement, and cognitive abilities.

During the comprehensive evaluation, special emphasis should be given to areas related to the initial



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referral question(s) and to any areas of concern or deficit identified during the evaluation process; however, the MET must not attempt to predetermine the disability category or limit assessments to those used to substantiate eligibility for one specific disability category. The types of assessment approaches used and the order in which assessments are conducted should be determined by professional practices. In general, direct assessments of a child should occur in the following order: (1) physical assessments, including sensory assessments of hearing and vision; (2) communication assessments to determine how the child receives and conveys information; and (3) all remaining adaptive, behavioral, social-emotional, academic, and cognitive assessments. Sensory and communication assessments must be conducted before academic and cognitive assessments as the child's sensory and communication abilities should be considered in the selection of appropriate academic and cognitive measures. The review and comparison of evaluations may result in members of the MET identifying discrepancies in sensory and communication abilities. In those instances, it is acceptable to revisit and if necessary, administer additional evaluations to explain/further explore these noted discrepancies.

In these cases, a statement will be included to explain why evaluations were conducted or further explored out of the sequence noted above in this section.

Physical Assessments

As part of the comprehensive evaluation, the MET will assess the child's general physical condition, sensory abilities (i.e., hearing and vision), and fine and gross motor skills and development to determine the presence or absence of any concerns. Physical assessments examine the child's general health, strength, vitality, alertness, and sensory processing needed to function in a learning environment and perceptual motor function, object control, locomotor skills, and physical fitness needed to navigate a variety of school and community environments and to use equipment and materials effectively. The MET will determine if there are any physical or sensory issues that will impact the selection or administration of assessments for other areas of development.

General Physical Condition

Existing medical records of physical examinations conducted by a licensed physician or nurse practitioner may be available. If any are provided by the parent, the MET must consider them; however, only current medical records or reports may be considered valid for making decisions about eligibility or educational programming.

If a child is suspected of having a disability affecting the child's general physical condition, a qualified examiner, such as a licensed physician or nurse practitioner, must conduct a physical examination and submit a report that contains the information necessary to determine the child's disability in accordance with the procedures outlined for each specific disability. A Report of Physical Observation completed by a physician or nurse practitioner, may be used as documentation.

Examinations are necessary for determining eligibility for a Developmental Delay (DD) - Diagnosed Disorder, Language/Speech Impairment – Voice (LS - Voice), Orthopedic Impairment (OI), Other Health



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Impairment (OHI)*, Traumatic Brain Injury (TBI), or other disability that may be primarily the result of a congenital physical problem, an acquired physical disability, or a diagnosed disorder of known etiology.

*NOTE: A physician's report is not required to determine the presence of ADHD for eligibility under OHI unless the MET determines an examination is necessary.

Hearing and Vision

A hearing and vision screening and, if necessary, follow-up examinations must be conducted in accordance with the Hearing and Vision Guidelines. The results will be documented on the Hearing and Vision Screening Report that contains all the required components. If the child fails the school-based hearing screenings, an audiologist holding MDE licensure, State Board licensure, or American Speech and Hearing Association (ASHA) CCC audiological certification or a physician with expertise in conducting audiological evaluations with appropriate audiological equipment must conduct a follow-up examination. If the child fails the school-based vision screenings, a licensed ophthalmologist or optometrist must conduct a follow-up examination. The assessment must be discontinued until the follow-up results are obtained. Existing hearing and vision screenings or examination reports conducted by a qualified examiner provided by the parent may be used if they provide the required information and are current.

If the MET suspects the child may have a Hearing Impairment (HI) or be Deaf-Blind (DB), the child must have his/her hearing evaluated by a qualified examiner and receive an assessment to determine his/her language and communication needs, including the need for instruction in alternative modes of communication. If the MET suspects the child may be Visually Impaired (VI) or Deaf-Blind (DB), the child must have her/his vision evaluated by a qualified examiner and receive an assessment to determine appropriate reading and writing media, including the current or future need for instruction in Braille or the use of Braille.

Orofacial Examination

If the MET suspects the child may have an articulation Language/Speech Impairment, the child must have an orofacial examination conducted by a qualified examiner to determine if the orofacial mechanism is functioning appropriately. The examination must evaluate the following structures: facial symmetry, dentition, hard and soft palate, uvula, fauces, pharynx and tongue. Additional information about orofacial examinations is included in the Handbook for Speech-Language Pathologists in Mississippi Schools.

If the MET determines a follow-up medical examination is necessary, a licensed physician or dentist must conduct an examination to determine the cause of the child's impairment and to provide a statement of adverse educational impact and recommendations, if any. The MET may use an existing medical report from a licensed physician or dentist provided by the parent in lieu of obtaining a new orofacial examination if the report includes the required information about the functioning of the orofacial mechanism and is considered current data.



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Gross and Fine Motor

The MET will assess the child's gross and fine motor skills and development as part of the comprehensive evaluation. Assessment methods include conducting record reviews, observations, interviews, and/or criterion-referenced and norm-referenced assessments, as needed.

If the MET suspects the child has a disability that may impact the child's gross and fine motor skills or development, a qualified examiner, such as a licensed physician, Occupational Therapist, or Physical Therapist, should be added as a member of the MET (if not included). The examiner should conduct observations, interviews, and/or criterion-/norm-referenced assessments, as necessary, to determine the presence of any deficits in motor skills and development and, if so, the child's special educational needs. These assessments should examine the child's learning environments to determine her/his ability to be mobile and engage with equipment and materials and the child's physical ability to engage in self-care including feeding and hygiene, to use gross motor skills and visual-gross motor coordination functionally, and to use fine motor skills and visual-fine motor coordination functionally, as needed.

Communication Assessments

As part of the comprehensive evaluation, the MET must assess the child's speech and language skills and development and the child's communication needs to determine the presence or absence of any concerns. Communication assessments examine the child's ability to produce fluid and intelligible speech, to understand language, to use language to express thoughts, feelings, and needs, and to understand and use language in social and practical exchanges with other people. The MET will determine if there are any communication issues that will impact the selection or administration of assessments for other areas of development.

Speech and Language

The MET will assess the child's speech and language skills and development as part of the comprehensive evaluation. Assessment methods include conducting record reviews, observations, interviews, and/or criterion-referenced and norm-referenced assessments, as needed.

If the MET suspects the child has a disability that may impact the child's articulation, a qualified examiner, such as a Speech-Language Therapist (216) or Speech-Language Pathologist (215), should be added as a member of the MET (if not included). The examiner should conduct observations, interviews, and/or criterion-/norm-referenced assessments, as necessary, to determine the presence of any deficits in speech skills and development and, if so, the child's special educational needs. If the MET suspects the child has a disability that may impact the child's voice or fluency of speech or language skills or development, a qualified examiner, such as a Speech-Language Pathologist (215), should be added as a member of the MET (if not included). The examiner should conduct observations, interviews, and/or criterion-/norm referenced assessments, as necessary, to determine the presence of any deficits in speech and language skills and development and, if so, the child's special educational needs.



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Other Communication Needs

If the MET suspects the child has a disability affecting her/his communication abilities including a Hearing Impairment (HI), Autism (AU), Traumatic Brain Injury (TBI), Specific Learning Disability (SLD) in oral expression or listening comprehension, or Developmental Delay (DD) with a delay in communication, a qualified examiner should be added as a member of the MET (if not already included). The examiner will conduct observations, interviews, and/or criterion-/norm-referenced assessments, as necessary, to determine the presence of any deficits in communication skills and development and, if so, the child's special educational needs including, if appropriate, the need of an alternate means of communication or assistive augmentative communication device, such as a speech generating device, communication board, or picture exchange communication system (PECS).

Adaptive Assessments

As part of the comprehensive evaluation, the MET assesses the child's adaptive skills and behavior to determine the presence or absence of any concerns. Adaptive assessments examine the child's practical, everyday skills needed to function in and meet the demands of his/her environment, including the skills s/he needs to take care of himself/herself independently and to interact with other people.

If the MET suspects the child has a disability that may impact the child's adaptive functioning including an Intellectual Disability (ID), a qualified examiner must assess the child's adaptive skills and behaviors using observations, interviews, and criterion-referenced and/or norm referenced assessments to determine the presence of any deficits in adaptive functioning and, if so, the child's special educational needs. Social,

Emotional, and Behavioral Assessments

As part of the comprehensive evaluation, the MET will assess the child's social and emotional skills and development and behavior management to determine the presence or absence of any concerns. Social and emotional assessments examine the child's ability to recognize and regulate his/her emotions to function in and meet the demands of his/her environment and the ability to develop and maintain social relationships with adults and peers. Behavioral assessments examine the child's behaviors and ability to recognize and regulate her/his behavior to function in the learning environment including the ability to engage in responsible decision-making.

If the MET suspects the child may have a disability that may impact the child's social or emotional skills or development, including Autism (AU), Traumatic Brain Injury (TBI), or Developmental Delay (DD) with a delay in social-emotional development, a qualified examiner, such as a School Psychologist, Board-Licensed Psychologist, Psychiatrist, or psychometrist (with specific training in the areas assessed) should be added as a member of the MET (if not already included). For a student with Emotional Disability (EmD), a School Psychologist, Board Licensed Psychologist, or Psychiatrist must be a part of the MET. The examiner must determine the presence of any deficits in social or emotional skills and development and the child's special educational needs, if any, using observations in important settings, particularly those in which the child may be experiencing social and/or emotional difficulties, interviews with the



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parents, teachers, other important caregivers, and child, if appropriate, criterion-referenced and/or norm-referenced assessments including rating scales as necessary and appropriate.

To determine eligibility determination for EmD, a School Psychologist, Board-Licensed Psychologist, or Psychiatrist must review all of the assessment data and make a statement supporting the MET's conclusion that the child has an Emotional Disability. Any existing records of medical or psychological

evaluations conducted by a qualified examiner provided by the parent will be considered by the MET; if these records contain data considered current, they may be used by the MET for making decisions about eligibility or educational programming.

If the MET suspects the child has any behavioral concerns that impede his/her learning or the learning of others, a qualified examiner must assess the child's behavioral skills to determine the presence of any deficits in behavioral regulation and, if so, the child's special educational needs using observations, interviews, and criterion-referenced and/or norm-referenced assessments. If the MET suspects the child requires an individualized Behavior Intervention Plan (BIP) to address any significant behavioral concerns, a qualified examiner should conduct a Functional Behavioral Assessment (FBA) as a part of the comprehensive evaluation. The FBA must be completed within the 60- day timeline.

Cognitive, Academic, and Educational Assessments

As part of the comprehensive evaluation, the MET must assess the child's academic, educational, and cognitive skills and development to determine the presence or absence of any concerns.

Academic and educational assessments examine the child's ability to learn, recall, and use information and skills that have been taught through formal instruction such as language, reading, writing, mathematics, and other content subjects such as science and social studies.

Cognitive assessments examine the child's ability to perceive, recognize, recall, and use information to think, reason, and problem-solve using verbal and nonverbal contexts.

If the MET suspects the child has a disability that may impact the child's academic, educational, and cognitive skills and development, including a Specific Learning Disability (SLD) or Intellectual Disability (ID), a qualified examiner such as a Psychometrist or School Psychologist should be added as a member of the MET (if not already included). The examiner must assess the child's academic performance, general cognitive functioning, and the learning environment, as needed, using observations of the child and his/her learning environment, interviews with the parents, teachers, other important caregivers, and child, if appropriate, and criterion-referenced and/or norm-referenced assessments to determine the presence of any deficits in academic, educational, and cognitive skills and development and, if so, the child's special educational

needs. Additional interviews and observations must be conducted to assess the learning environment, such as teacher instructional strategies, curriculum demands, and environmental influences, to determine their impact on the child's academic performance. For preschool children, the examiner must determine the child's developmental or pre-academic readiness skills using observations, interviews, norm- and/or criterion-referenced developmental measures.



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Although cognitive functioning must be considered as part of the comprehensive evaluation, an assessment of intelligence using a standardized measure is not required unless specified in the eligibility criteria (e.g., Intellectual Disability (ID)). If required, a qualified examiner such as a Psychometrist or School Psychologist must assess the child using a standardized norm referenced measure of cognitive abilities selected and administered with consideration given to the child's sensory and communication abilities.

If the MET suspects the child has a neurological impairment that impacts the child's cognitive skills and/or development, a qualified examiner with specialized training and experience must assess the child's perception and processing skills (e.g., auditory/visual perception and language processing) using criterion- and/or norm-referenced measures of these skills.



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CLASSROOM OBSERVATION

PERSONAL DATA															
Name:	School:	DOB:	Grade:												
AREA(S) OF CONCERN															
Indicate any academic area(s) of concern: <input type="checkbox"/> Listening Comprehension <input type="checkbox"/> Oral Expression <input type="checkbox"/> Written expression <input type="checkbox"/> Basic Reading Skills <input type="checkbox"/> Reading Comprehension <input type="checkbox"/> Reading Fluency <input type="checkbox"/> Math Calculation <input type="checkbox"/> Math Problem Solving <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____		Indicate any behavioral area(s) of concern: <input type="checkbox"/> Inattention, hyperactivity, and/or impulsivity <input type="checkbox"/> Planning ahead/problem solving <input type="checkbox"/> Social interaction/social problem solving <input type="checkbox"/> Externalizing emotional/behavioral concerns (e.g., disruptive behaviors or explosive outbursts) <input type="checkbox"/> Internalizing emotional/behavioral concerns (e.g., withdrawn, fearful, or depressed) <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____													
OBSERVATIONAL SETTING															
Location:	Subject(s) observed:	Teacher(s):													
<i>Describe the physical environment (e.g., arrangement of seating, classroom organization, level of noise/activity).</i>															
SUPPORTS FOR LEARNING															
Instructional method(s) observed: (check all that apply) <table border="0"><tr><td><input type="checkbox"/> Independent seatwork</td><td><input type="checkbox"/> Whole class instruction</td><td><input type="checkbox"/> Cooperative/small group learning</td></tr><tr><td><input type="checkbox"/> Independent reading</td><td><input type="checkbox"/> Whole class discussions</td><td><input type="checkbox"/> Small group activities/projects</td></tr><tr><td><input type="checkbox"/> Child-directed activities</td><td><input type="checkbox"/> Highly-structured activities</td><td><input type="checkbox"/> One-on-one/peer-assisted learning</td></tr><tr><td colspan="3"><input type="checkbox"/> Other: _____</td></tr></table>				<input type="checkbox"/> Independent seatwork	<input type="checkbox"/> Whole class instruction	<input type="checkbox"/> Cooperative/small group learning	<input type="checkbox"/> Independent reading	<input type="checkbox"/> Whole class discussions	<input type="checkbox"/> Small group activities/projects	<input type="checkbox"/> Child-directed activities	<input type="checkbox"/> Highly-structured activities	<input type="checkbox"/> One-on-one/peer-assisted learning	<input type="checkbox"/> Other: _____		
<input type="checkbox"/> Independent seatwork	<input type="checkbox"/> Whole class instruction	<input type="checkbox"/> Cooperative/small group learning													
<input type="checkbox"/> Independent reading	<input type="checkbox"/> Whole class discussions	<input type="checkbox"/> Small group activities/projects													
<input type="checkbox"/> Child-directed activities	<input type="checkbox"/> Highly-structured activities	<input type="checkbox"/> One-on-one/peer-assisted learning													
<input type="checkbox"/> Other: _____															
How does the child's performance compare to performance of classmates:															
SUPPORTS FOR BEHAVIOR															
Behavioral support method(s) observed: (check all that apply) <input type="checkbox"/> Prevention strategies (e.g., supervision, student choice, rules/routines, advanced organizers, check in/check out) <input type="checkbox"/> Educative strategies (e.g., social skills training, peer coaching, instruction/modeling of behavioral expectations) <input type="checkbox"/> Reinforcement strategies (e.g., positive feedback, token reinforcement, work passes, earned breaks) <input type="checkbox"/> Consequence strategies (e.g., time-out, verbal/nonverbal feedback, response costs, overcorrection, restitution) <input type="checkbox"/> Other: _____															
OBSERVATION SUMMARY															
Observer:	Position:	Observation Date:													



Child Find, Evaluations, & Eligibilities – CCSD Office of Special Services Procedures

ABC DATA

Student: _____ Date: _____ Teacher: _____ Subject: _____

LOCATION (Check only one)	ANTECEDENT (Check all that apply)	BEHAVIOR (Check all that apply)	CONSEQUENCE (Check all that apply)
<input type="checkbox"/> Cafeteria <input type="checkbox"/> Hallway <input type="checkbox"/> Classroom <input type="checkbox"/> Playground <input type="checkbox"/> Restroom <input type="checkbox"/> Dismissal area <input type="checkbox"/> Bus loading zone <input type="checkbox"/> Car loading zone <input type="checkbox"/> Special class (specify): _____ <input type="checkbox"/> Other:	<input type="checkbox"/> Given instruction <input type="checkbox"/> Prompted to work <input type="checkbox"/> Working on task independently <input type="checkbox"/> Working in a group <input type="checkbox"/> Transition between tasks <input type="checkbox"/> Interruption in classroom <input type="checkbox"/> Change in routine <input type="checkbox"/> Ignored by staff/staff walked away <input type="checkbox"/> Leisure materials removed/denied <input type="checkbox"/> Food removed/denied <input type="checkbox"/> Other request denied <input type="checkbox"/> Provoked by peer <input type="checkbox"/> None observed <input type="checkbox"/> Other: <input type="checkbox"/> Other:	<input type="checkbox"/> Impulsive <input type="checkbox"/> Easily frustrated <input type="checkbox"/> Withdrawn <input type="checkbox"/> Overly Fearful <input type="checkbox"/> Mood Swings <input type="checkbox"/> Verbally Aggressive <input type="checkbox"/> Physically Aggressive <input type="checkbox"/> Daydreams <input type="checkbox"/> Difficulty paying attention <input type="checkbox"/> Fails to complete work <input type="checkbox"/> Rarely interacts with peers <input type="checkbox"/> Does not join in with group <input type="checkbox"/> Upset by any change in routine <input type="checkbox"/> Unable to interact with minimal friction <input type="checkbox"/> Performs obsessive/compulsive behaviors <input type="checkbox"/> Other: <input type="checkbox"/> Off Task <input type="checkbox"/> Overactive <input type="checkbox"/> Sad <input type="checkbox"/> Lies <input type="checkbox"/> Steals <input type="checkbox"/> Fidgets	<input type="checkbox"/> Warning <input type="checkbox"/> Verbal redirection <input type="checkbox"/> Conference with teacher <input type="checkbox"/> Work demand adjusted/removed <input type="checkbox"/> Separation of students <input type="checkbox"/> Removed from situation <input type="checkbox"/> Prompt to Participate <input type="checkbox"/> Loss of time on recess/activity <input type="checkbox"/> Loss of access to items <input type="checkbox"/> Parent contacted <input type="checkbox"/> Behavior Ignored <input type="checkbox"/> ISS <input type="checkbox"/> OSS <input type="checkbox"/> Conference with Principal <input type="checkbox"/> Other:
Comments:			

Student: _____ Date: _____ Teacher: _____ Subject: _____

LOCATION (Check only one)	ANTECEDENT (Check all that apply)	BEHAVIOR (Check all that apply)	CONSEQUENCE (Check all that apply)
<input type="checkbox"/> Cafeteria <input type="checkbox"/> Hallway <input type="checkbox"/> Classroom <input type="checkbox"/> Playground <input type="checkbox"/> Restroom <input type="checkbox"/> Dismissal area <input type="checkbox"/> Bus loading zone <input type="checkbox"/> Car loading zone <input type="checkbox"/> Special class (specify): _____ <input type="checkbox"/> Other:	<input type="checkbox"/> Given instruction <input type="checkbox"/> Prompted to work <input type="checkbox"/> Working on task independently <input type="checkbox"/> Working in a group <input type="checkbox"/> Transition between tasks <input type="checkbox"/> Interruption in classroom <input type="checkbox"/> Change in routine <input type="checkbox"/> Ignored by staff/staff walked away <input type="checkbox"/> Leisure materials removed/denied <input type="checkbox"/> Food removed/denied <input type="checkbox"/> Other request denied <input type="checkbox"/> Provoked by peer <input type="checkbox"/> None observed <input type="checkbox"/> Other: <input type="checkbox"/> Other:	<input type="checkbox"/> Impulsive <input type="checkbox"/> Easily frustrated <input type="checkbox"/> Withdrawn <input type="checkbox"/> Overly Fearful <input type="checkbox"/> Mood Swings <input type="checkbox"/> Verbally Aggressive <input type="checkbox"/> Physically Aggressive <input type="checkbox"/> Daydreams <input type="checkbox"/> Difficulty paying attention <input type="checkbox"/> Fails to complete work <input type="checkbox"/> Rarely interacts with peers <input type="checkbox"/> Does not join in with group <input type="checkbox"/> Upset by any change in routine <input type="checkbox"/> Unable to interact with minimal friction <input type="checkbox"/> Performs obsessive/compulsive behaviors <input type="checkbox"/> Other: <input type="checkbox"/> Off Task <input type="checkbox"/> Overactive <input type="checkbox"/> Sad <input type="checkbox"/> Lies <input type="checkbox"/> Steals <input type="checkbox"/> Fidgets	<input type="checkbox"/> Warning <input type="checkbox"/> Verbal redirection <input type="checkbox"/> Conference with teacher <input type="checkbox"/> Work demand adjusted/removed <input type="checkbox"/> Separation of students <input type="checkbox"/> Removed from situation <input type="checkbox"/> Prompt to Participate <input type="checkbox"/> Loss of time on recess/activity <input type="checkbox"/> Loss of access to items <input type="checkbox"/> Parent contacted <input type="checkbox"/> Behavior Ignored <input type="checkbox"/> ISS <input type="checkbox"/> OSS <input type="checkbox"/> Conference with Principal <input type="checkbox"/> Other:
Comments:			