



Identification and Referral for Initial Assessment Guidelines- AV 301

PURPOSE AND SCOPE

All individuals with suspected disabilities from birth through age 21 will be identified and referred to the appropriate agency to be assessed. Each individual will receive a full and individual evaluation to identify the disability, determine eligibility and identify educational needs.

The assessment information will provide the basis for an Individualized Education Program (IEP) or Individualized Family Service Plan (IFSP) to ensure the individual receives a free appropriate public education (FAPE).

IDENTIFICATION

Child Find

According to state and federal law, each local educational agency shall actively and systematically seek out all individuals with exceptional needs, ages 0 to 21, including (1) children in private, including religious schools; (2) highly mobile individuals with exceptional needs such as children who are migrant or homeless; (3) children who are advancing from grade to grade even though they are suspected of being an individual with exceptional needs and in the need of special education and related services; and (4) children not enrolled in public school programs, who reside in a district or are under the jurisdiction of a SELPA or a county office. All districts have adopted policies for notifying parents of their rights and for initiating a referral for assessment to identify individuals with exceptional needs. Identification procedures shall include utilization of referrals from teachers, parents, agencies, appropriate professional person, and from other members of the public.

The child find process shall ensure the equitable participation of parentally placed private school children with disabilities, including an accurate count of such children and comparable timelines to that for public school children.

School site procedures and identification procedures are coordinated to provide referral of pupils with needs that cannot be met with modifications of the regular instructional program.

Child Find activities may include but not be limited to:

1. A comprehensive screening program, including health, vision, hearing, speech and language;
2. Distribution of written information, including brochures and pamphlets describing the referral procedure;
3. Public awareness campaign, including public service announcements;
4. Annual notices to local newspapers;
5. Consultation with representatives of private schools, including religious schools on how to carry out activities to identify children with suspected disabilities;
6. Coordination with preschools, Head Start and other childcare facilities;
7. Communication with hospitals, pediatricians, obstetricians and other health professionals;



8. Coordination with parent resource centers and support groups;
 9. Presentations to local professional groups and organizations established to inform and/or to serve culturally diverse populations;
 10. Coordination with activities of the SELPA Community Advisory Committee (CAC);
 11. Coordination with school site procedures, including referrals from the school site student intervention teams (e.g. Student Study Teams, etc.).
- (EC 56300, 56301; 20 USC 1412(a)(3); 34 CFR 300.111(a).)

PRE-REFERRAL ACTIVITIES

A pupil shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized. (EC 56303.)

Student Success Team and Multi-Tiered Systems of Support

The Student Success Team (SST) is a regular education function. It is a process of reviewing individual student issues pertaining to educational performance and planning instructional interventions to be implemented in the regular classroom. Although specialists, such as school psychologists, speech/language pathologists, and special education teachers may be involved in the SST process, however the SST is not a special education function. The SST, or the referring instructional personnel, shall document that interventions and accommodations/modifications of the regular program that have been implemented and that the results of those interventions have not been effective in meeting the student's need for an appropriate education.

REFERRAL PROCESS

Source of Referrals

Referrals for assessment to determine eligibility for special education and related services may come from teachers, parents, agencies, appropriate professional persons, and from other members of the public.

The referrals must be coordinated with school site procedures for referral of students with special needs that cannot be met with modifications of the regular instructional program.

The referral of a pupil for an assessment for special education services may be initiated or submitted by, or as a result of:

1. School screening program, such as vision, hearing, and speech and language screenings.
2. Student Success Team (SST).
3. Direct referrals from agencies or individuals within the LEA having knowledge of an individual with a suspected disability.
4. Direct referral from parent/legal guardian.

PARENTAL CONSENT

The LEA shall conduct an initial evaluation in every area of suspected disability before the initial provision of special education and related services to a child with a disability.



Request for Initial Evaluation

A parent, LEA, agency, appropriate professional person, and/or other member of the public may initiate a request for an initial evaluation to determine if a child is a child with a disability.

1. The initial evaluation shall assess the child in all areas of suspected disability to determine whether the child is a child with a disability. The assessment and IEP team meeting must be held within 60 calendar days of receiving parental consent for the evaluation.
2. Exception: The relevant timeframe shall not apply to a LEA if:
 - a. A child enrolls in a school served by the LEA after the relevant timeframe has begun and prior to a determination by the child's previous LEA as to whether the child is a child with a disability but only if the subsequent LEA is making sufficient progress to ensure prompt completion of the evaluation, and the parent and the subsequent LEA agree to a specific time when the evaluation will be completed; or
 - b. The parent of a child repeatedly fails or refuses to produce the child for the evaluation.

Parental Consent for Initial Evaluation

The LEA proposing to conduct an initial evaluation to determine if the child qualifies as a child with a disability shall obtain informed consent from the parent of a child before conducting the evaluation. Parental consent for evaluation shall not be construed as consent for placement for receipt of special education and related services.

Consent for Services: The LEA is responsible for making a free appropriate public education (FAPE) available to a child with a disability and shall seek to obtain informed consent from the parent of a child before providing special education and related services to the child.

Absence of Consent for Initial Evaluation: If the parent of a child does not provide consent for an initial evaluation or the parent fails to respond to a request to provide the consent; the LEA may pursue the initial evaluation through due process.

Absence of Consent for Initial Services: If the parent of a child does not provide consent to the initial provision of services, the LEA shall not provide special education and related to the child by using due process.

Effect on LEA Obligation: If the parent of a child refuses to consent to the receipt of special education and related services, or the parent fails to respond to a request to provide such consent:

- a. The LEA shall not be considered to be in violation of the requirement to make a free appropriate public education to the child for the failure to provide such child with the special education and related services for which the LEA requests such consent; and
- b. The LEA shall not be required to develop an IEP for the special education and related services for which the LEA requests such consent.

If the child is a ward of the State and not residing with the child's parent, the LEA shall make reasonable efforts to obtain such consent from the parent of the child for the initial evaluation to determine whether the child is a child with a disability. (EC 56346).

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