New Mexico TEAM Professional Development Module: Conducting Initial Evaluations

[Slide 1] Welcome

Welcome to the New Mexico TEAM technical assistance module that addresses initial evaluations. This module will provide an overview of both the IDEA requirements and the guidance of the NM TEAM section addressing initial evaluations. During this module, you will sometimes be referred back to a different module or other resources for additional information. We encourage you to have a copy of the NM TEAM available and open to Section 6 for reference during this module.

[Slides 2-3] Learner Objectives

[Slide 2] After successfully completing this module, you will understand the role of professional judgment in conducting evaluations, the federal requirements related to initial evaluations, and where to find guidance on both Highly Recommended and Potential Additional Components of initial evaluations for each eligibility category.

[Slide 3] In this module, both the terms "evaluation teams" and "eligibility determination teams" (or EDTs) will be used. Although evaluation team members are also part of the EDT for a particular child, we are using the term "evaluation teams" in this module to distinguish specific tasks these EDT members complete prior to the eligibility determination meeting.

[Slides 4-10] Professional Judgment

[Slide 4] It is important for you to remember that the NM TEAM is written to provide general guidance to schools and districts and is not written to be prescriptive. Because this document isn't prescriptive, professional judgment plays a significant role and must be utilized within the context of the law, and throughout the entire evaluation, beginning with the referral and continuing through to the final eligibility determination. EDTs must make evaluation decisions that are consistent with IDEA and NMAC.

[Slide 5] Professional judgment cannot be used to justify abbreviated evaluations, as a substitute for insufficiently explored questions, as an excuse for incomplete or missing data, or out of convenience, such as when it seems easier to find a child eligible under one category than another. Given the vital role professional judgment plays in all evaluation and eligibility determination decisions, we encourage you to reference Section Three of the NM TEAM for additional information regarding the use of professional judgment.

[Slide 6] Please remember that professional judgment of the team plays a critical role in all evaluations.

[Slide 7] EDTs must interpret all of the evaluation data and determine eligibility on an individual basis, including all of the steps of collecting and analyzing the data, as well as reaching consensus on eligibility determination based on the data and discussions.

[Slide 8] Each step in the process has certain requirements that must be met in order to be consistent with IDEA and NMAC. However, decisions regarding how each of these requirements is met for an individual child must also be guided by professional judgment.

[Slide 9] Teams must be able to document their decisions, including rationale and data used to support the eligibility decision.

[Slide 10] Teams need to define the behavior(s) and/or academic concerns that are the focus of the evaluation, identify the methods and procedures needed to gather assessment data, obtain the assessment data using multiple methods and procedures, and collect and analyze the assessment information gathered across multiple settings and individuals (i.e., professionals, parent(s), and child). Each of these steps and decisions will be guided by the professional judgment of the evaluation and/or eligibility determination teams.

[Slide 11] Purposes of an Evaluation

The IDEA definition of evaluation outlines the information an evaluation should produce. According to IDEA, evaluations serve two purposes. First, evaluation results support EDTs in determining whether a child is a "child with a disability" as defined by IDEA 2004. Second, evaluations are completed to gather information that will help EDTs and IEP teams determine child's educational needs, specifically their ability to be involved in and progress in the general education curriculum, or for a preschool child, to participate in appropriate activities. Evaluation results regarding the "nature and extent of the special education and related services a child needs" are critical in guiding decision making about appropriate educational programming for the child. Not all children who are evaluated will meet eligibility requirements. For these children, the information gathered during the evaluation should be utilized by the SAT in planning appropriate Tier I and Tier 2 interventions and supports.

[Slides 12-23] Evaluation Requirements

[Slide 12] In addition to describing the purpose of evaluations, IDEA and NMAC both provide guidance regarding the requirements for initial evaluations of children. Let's examine those requirements now. If a child is suspected of having a disability, IDEA requires that an evaluation of that child be conducted. These initial evaluations must be conducted according to the requirements established by IDEA and must be individualized, comprehensive and complete.

[Slide 13] This means that the evaluation must be focused on each child and his unique needs, include obtaining all functional, developmental, behavioral, and academic information that may be relevant to this child. In other words, it is not appropriate for evaluation teams or school districts to use a rigid set of assessment tools and procedures to assess all children.

[Slide 14] The evaluation must be sufficient in scope to identify the impact of the disability on the child's educational performance and to "identify all of the child's special education and related service needs, whether or not commonly linked to the disability category in which the child has been classified." For example, for a child suspected of having a specific learning disability in reading, the evaluation team will need to assess and gather data related to academic achievement and reading, but may also need to complete assessments and gather data related to all other areas of identified need. This may include areas such as oral language, visual perception, organization, social skills, and memory, to name a few.

[Slide 15] There are two ways in which a child may be referred for an evaluation under IDEA. IDEA indicates that either a parent of a child may request that the district pursue the evaluation, or a district may initiate the evaluation themselves.

[Slide 16] If a parent initiates the request, the district has the responsibility to provide information about that decision to the parents. They must provide the parent(s) with prior written notice that includes a description of the parents' proposal, the district's response documenting the decision to either agree or refuse to evaluate the child, and an explanation of the reason for the district's decision.

[Slide 17] If the district agrees to evaluate the child, the prior written notice must also include a description of why the evaluation is being pursued, other options that were considered and rejected, including the reason for the rejection, and the documentation that supports the decision to conduct the evaluation.

[Slide 18] The purpose of this prior written notice is to ensure that parents understand what is being proposed and, what the evaluation of their child will involve.

[Slide 19] Districts must also provide parents with an explanation of their parental rights as outlined under IDEA. This includes providing the parents with The Parent and Child Rights in Special Education Procedural Safeguards Notice document, which outlines information regarding all aspects of special education including referral and evaluation. This document also provides parents with resources that can be contacted to help them understand IDEA and the special education process.

[Slide 20] Before any evaluation is conducted, the child's parents must be given the right to consent or refuse consent for the initial evaluation. This consent must be informed, which means that the parents must clearly understand what evaluation data will be collected, how it will be collected, and how the data will be used. The parent's response (i.e., consent or refusal) must be documented. It is important that parents understand that consent for initial evaluation is not the same as consent for initial provision of special education and related services.

[Slide 21] Involvement of parents cannot be over emphasized in the initial evaluation process. It is not simply a compliance issue; it is imperative to open up collaboration and conversation between parents and the evaluation team. It's also critical that communication and conversation with parents is presented in an understandable manner. Information must be shared in the parents' native language, if other than English, or in a form of communication that the parents normally use, for example Braille, unless it is not possible to do so. If it is not appropriate to share this information with parents in written form, an agency must make efforts to translate the information into a language or form that is accessible to parents, to make sure they understand the information, and document evidence of these efforts.

[Slide 22] The bottom line is that parents must understand this information and districts must document their efforts to communicate the information clearly and thoroughly to the parents.

[Slides 23-27] Evaluation Procedures

[Slide 23] IDEA outlines evaluation procedures for conducting an initial evaluation. This includes the following evaluation procedures.

First let's discuss the assessment tools and strategies guidance that team must follow. According to IDEA, teams must not rely on a single evaluation measure when making eligibility determination decisions. A variety of tools and strategies should be used, including, for example, observations, interviews, formal test instruments, and district and state level assessments. These tools must reflect information from a variety of sources, including parents, teachers, specialists, and the child. Collectively, this information is used to document the child's functional, developmental, behavioral, and academic performance, as well as assess all areas of suspected disability to determine eligibility and provide relevant information to assist in determining the educational needs of the child.

[Slide 24] IDEA also talks about the nature of formal assessments that are used during the evaluation process. All assessments must be chosen based on an individual child's needs so as to be non-discriminatory and to measure the intended areas.

[Slide 25] In addition, they must be technically sound and administered appropriately. It is important to remember that, although screening tools used for instructional purposes provide valuable information, these tools and the results obtained from them cannot be used as a substitute for standardized measures that are conducted as part of the initial evaluation.

[Slide 26] Remember, "Only by collecting data through a variety of approaches and from a variety of sources can an adequate picture be obtained of the child's strengths and weaknesses. Synthesized, this information can be used to determine whether the child has a disability under IDEA, the specific nature of the child's special needs, whether the child needs special education and related services and, if so, to design an appropriate program."

In addition to the information that we are highlighting here, IDEA also provides guidance regarding the evaluation process, including making sure that evaluations for students who transfer from one district to another are coordinated so that the evaluation is completed fully and promptly, utilizing all available information, including information from the student's previous district(s).

[Slide 27] Second, IDEA provides specific guidance regarding timelines for evaluations. According to IDEA and NMAC, initial evaluations must be conducted within 60 days from the time that the district obtains parental consent for the evaluation. That is, the time from the date that the parent signs the consent to the date in which the evaluation (not eligibility determination) is completed. Evaluation teams cannot use Response to Intervention (RtI) strategies to extend or deny this evaluation. There are two exceptions to the 60-day timeline: the parent repeatedly fails or refuses to produce the child for the evaluation or the child changes school districts within the 60-days but before an eligibility determination meeting has been held. In the latter example, the new school district must set a new timeframe for completion of the evaluation in cooperation with the parents.

[Slides 28 -30] Highly Recommended Components of an Initial Evaluation

[Slide 28] As noted earlier, evaluation teams must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child. This includes information gathered prior to and during an initial evaluation, including information that parents share with the team.

For each eligibility category, the Initial Evaluation section in NM TEAM outlines the assessments, observations, and data that must be gathered throughout the initial evaluation process. This section includes: Highly Recommended Components and Potential Additional Components. The Highly Recommended Components are those components that are most critical for making an eligibility determination under a specific eligibility category. The Potential Additional Components are those that evaluation teams will most commonly identify as other areas of need for a particular child when considering a specific category. However, evaluation teams need to remember that these two lists are not all-inclusive. Each evaluation is unique and should reflect the specific child's needs as identified by the evaluation team.

[Slide 29] This is a good time to take a moment to open to your manual to the Autism Eligibility section. Look for the subheading, "Highly Recommended Components" and read through the list of assessments. You will notice some similarities in the Highly Recommended Components sections across all eligibility categories. Each of these components results in necessary information that will be utilized by EDTs regardless of a specific eligibility category. Typically, these are components that will help EDTs look at major areas that should be included or part of any evaluation. This slide lists the highly recommended components for autism. The bolded components are those that are the same across eligibility categories. Remember that all of the information gathered should be utilized to help evaluation teams to make decisions throughout the evaluation process to consider what they know about the child and what additional information they need to gather in order to conduct a complete individual and comprehensive evaluation. Most comprehensive evaluations will include data from a variety of standardized and non-standardized measures. In some cases, however, standardized measures may not provide the most accurate representation of a child's abilities or there may not be an appropriate standardized measure for the area being assessed. In these cases, evaluation teams may find that it is necessary to use alternative methods to obtain the data that they need. These decisions and their underlying rationale must be clearly documented.

You will also notice that some components are unique to specific eligibility categories. In this list, the components not bolded are unique to the eligibility category of autism. For example, "Gather autism specific information through use of an autism instrument" and "Conduct a social/emotional assessment" are unique to autism, and not recommended across all categories. It is imperative that you read though each section to see what these unique components are.

[Slide 30] With rare exception, the evaluation team must include all of the elements outlined under Highly Recommended Components and must also consider the Potential Additional Components, as appropriate for each individual child. A team must document any deviation from these guidelines.

[Slide 31] Potential Additional Components of an Initial Evaluation

In addition to the list of recommended components, each eligibility section also contains a list of potential additional evaluation components. These assessments are those that might be requested and completed by an evaluation team based on the specific needs of an individual child. Let's consider a child who demonstrates behaviors that can be indicative of either autism or an emotional disturbance, including difficulty with developing peer relationships and non-compliant behaviors. To support them in differentiating whether the characteristics are the result of autism or an emotional disturbance, the evaluation team may request a psychological evaluation. Teams should base their decisions regarding these potential additional components on their identification of unanswered questions. These additional components will look different for each child and each evaluation.

[Slide 32] Closing

Thank you for participating in this NM TEAM training module. We hope this information has been helpful in clarifying and expanding on the information presented in the manual.