The Referral Process: Determining Eligibility

SPED 520 Assessment & Evaluation in Special Education
Christine A. Macfarlane, Ph.D.

Referral

- Teacher
- Parent
- Student, if over the age of 18
- Any other appropriate person

Consent

- Must inform parent of referral, if they are not the referring person
- Must get consent
  - Parent
  - Student (if over 18)

First evaluation

- Must obtain written consent before evaluation begins
- Must inform parents/student about evaluations that will be used
**Reevaluation**
- Must have parental consent
- If school district takes reasonable measures to get parental consent and fails to achieve this, can reevaluate without parent consent
- State law requires consent to give any intelligence or personality test

**Referral & Eligibility**

**Refusal to consent**
- Parents (or student) must clearly inform school staff of refusal

**Evaluation team**
- Composed of appropriate personnel, including parents or student
- Meets to plan evaluation
- Need to consider possible disability categories
- Review existing materials

**Eligibility criteria**
- Depends on disability category
  - Autism Spectrum Disorder
  - Deafblindness
  - Emotional/Behavior
  - Mental Retardation
  - Orthopedic Impairment
  - Other Health Impaired
  - Specific Learning Disability
  - Traumatic Brain Injury

**Evaluation Timeline**
- The evaluation shall be completed within a reasonable period of time.
  - A "reasonable period of time" means within 60 school days unless special circumstances require a longer period.

"Special circumstances" are circumstances outside the school district’s control. Lack of availability of qualified staff to conduct the evaluation shall not be considered a special circumstance. School districts shall document any special circumstances.
The 60 day period shall begin on the date the parent gives written consent for the evaluation or the date the evaluation is initiated under OAR 581-015-0042(2).

The evaluation shall be considered completed on the date of the meeting to determine eligibility or to consider the results in reviewing the child’s IEP.

Eligibility meeting

- Qualified individuals present results of evaluation
- Team decides on disability
- Eligibility form is signed
- PLEP is finalized

Chandra Washington has an IQ of 21 and a mental age of 1 year, 18 months. Her scores on the Vineland Adaptive Behavior Scales were below basal levels. She has Down's syndrome and severe mental retardation. Chandra cannot use the toilet or eat independently and will require lifelong assistance for personal care. She is nonverbal except for some random vocalizations. Chandra sometimes engages in aggressive behavior including spitting, hair pulling, and slapping.

Chandra Washington is a 16-year old girl with brown eyes and black hair who has been medically classified with Down's syndrome. Her scores below basal levels on the Vineland Adaptive Behavior Scales and the Wechsler Intelligence Scale for Children-Revised support her ongoing eligibility for intensive special education services. Chandra is highly social and greets others with eye contact, smiles, a wave, and an occasional hug. She makes her needs known by moving to an area or obtaining materials (e.g., her bathing suit to go swimming).

She can sign “eat” to request food. Chandra has strong preferences and is self-assertive. Because she does not yet have a consistent “no” response, she will sometimes protest physically (e.g., slap, pull hair) until a change is made. Although she needs some assistance in personal care, she works with her caregiver. For example, she can eat with a spoon and point to food choices. She lifts her arms and legs in dressing, and helps to pull up her clothes.

Chandra has obtained a part-time job in a school office and has mastered use of the photocopying machine. Chandra and her family are active in the community, and she is an enthusiastic fan at her brother’s soccer games. Chandra and her family have begun planning for the future. Although options are still being explored, her interest in the copying job, her love of swimming, and her delight in being with people all provide important clues about Chandra’s desires for her future.
Placement in Special Education

- Team may decide student does not qualify for special education
- May need to consider 504 plan at this point
- Over-representation of African American Students in Special Education

What is the cycle for referrals?

- November (right before the December 1 child count date)
- March/April

What is the pattern for referral based on disability and age?

- Students with severe disabilities often identified at birth
- Students with LD may not show problems until 3rd grade or when content gets more difficult (e.g., middle school)