

## Determining Special Education Eligibility

IDEA requires that every school district engage in various "child find" activities to alert parents and others to the right to have children evaluated if they suspect a disability and, if eligible, be provided special education programs and/or services. The South Haven Community School District meets this obligation through numerous Public Service Announcements; information sent to hospitals, pediatricians, other health care providers and clinics; flyers sent to area agencies and child care agencies. These activities are coordinated by the Van Buren Intermediate School District.

Building Teams also serve to meet this obligation. Each building in the South Haven Community School District has either a Child Study Team or an Instructional Consultation Team to assist staff and parents in meeting the academic, behavior, and emotional needs that our students may have. These teams are comprised of general and special education staff who collaborate to develop strategies to assist students in improving their achievement. These interventions usually result in improved school performance.

Each local educational agency and public school academy in Michigan is required to publicly post the process used to determine the existence of a [Specific Learning Disability \(SLD\)](#).

Consistent with this requirement, South Haven Community School District reports the following:

A [Pattern of Strengths and Weaknesses \(PSW\)](#) process will be used to determine the existence of SLD for students in kindergarten through 12<sup>th</sup> grade across all areas of SLD including Oral Expression, Listening Comprehension, Written Expression, Basic Reading, Reading Comprehension, Reading Fluency, Math Calculation, and Math Problem Solving.

It is noted that regardless of the process used, all schools must follow all of the regulatory requirements in the IDEA, the MARSE, and Michigan laws, policies and procedures for special education.

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What is a SLD?

A Specific Learning Disability is "a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia that adversely affects a student's educational performance. A SLD does not include learning problems that are primarily the result of visual, hearing, or motor disabilities; mental retardation; emotional disturbance; or of environmental, cultural, or economic disadvantage." (34 CFR300.8(c)(10)).

What is a PSW?

Pattern of Strengths and Weaknesses is a process that is used to determine if a student has a SLD. This process involves the collection of data to determine the following:

- The student does not achieve adequately for the student's age or to meet State approved grade-level standards in one or more of the areas identified at 34 CFR 300.309(a)(1)(i) when provided with learning experiences and instruction appropriate for the student's age or State-approved grade-level standards.

- The student exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development, that is determined by the Multi-disciplinary Evaluation Team (MET) to be relevant to the identification of a SLD, using appropriate assessments, consistent with the IDEA Evaluation Procedures and Additional Requirements for Evaluations and Reevaluations.

Source: Michigan Department of Education Office of Special Education and Early Intervention Services (2010). *Michigan criteria for determining the existence of a specific learning disability*. Lansing, MI: Author.

If after diligent efforts over time to match strategies and interventions to a student's needs, the student does not show progress, the Team should consider doing a REED or Review of Existing Educational Data and determine if a special education evaluation is needed. The REED process requires the parent's input and participation. A special education evaluation is to determine eligibility for special education programs and/or services and should be pursued only for that purpose.

Parents who have a concern about their child's progress in school and suspect a disability that may result in the need for special education programs and/or services, should contact their building principal in writing to express their concerns. After the Team reviews the strategies and/or interventions already implemented, a Special Education Diagnostic Team member, such as a school psychologist or speech therapist, may contact the parent to schedule a Review of Existing Educational Data during which it will be determined if additional evaluation is needed. Or the parent may request in writing an evaluation for special education eligibility.

During the REED and evaluation processes, the Diagnostic Team must show that the lack of progress in school is not due to economic, cultural or environmental disadvantage; lack of instruction in reading or math; or limited English proficiency.

When the evaluation is completed, the Individual Education Planning (IEP) Team meets to:

Review all evaluation results and recommendations from the Diagnostic Team;

Review information provided by the parents of the child, current classroom-based assessments and observations, and observations by teachers and related services providers;

Determine if the child is eligible for special education programs and/or services, according Michigan rules for special education;

If the child is eligible, review the Present Level of Academic and Functional Performance including the impact of the child's disability on progress and participation in the classroom and the resulting educational needs;

Determine the special education programs and/or services that will best meet the child's educational needs;

Determine the least restrictive environment in which the child's needs can be met.

Evaluation results will be provided to parents via written report or phone conference prior to the IEP Team meeting.

### **Initial Referrals**

Each building at South Haven Community School District has a Child Study team to assist staff and parents in meeting the academic, behavior, and emotional needs that our students may present. The team is comprised of general and special education staffs that confer to develop strategies to assist students in improving their achievement. The result of the intervention may be improved school performance or a referral for a special education evaluation. Parents who have a concern about their child's progress in school, suspect that their child might have a disability, or needs special education or related services, should contact their building principal in writing to express their concerns. After reviewing the information and/or interventions designed by the Child Study team that have been tried, the principal may ask the parent to sign consent for the special education evaluation, or the parent may request the special education referral in writing.

#### **When the evaluation is complete, the IEP team meets to:**

1. Review existing evaluation data on the child including evaluations and information provided by the parents of the child, current classroom-based assessments and observations, and observations by teachers and related services providers and determine:
  - a. Whether the child has a particular category of disability, the present levels of performance and education needs of the child, and whether the child needs special education and related services.
  - b. A copy of all evaluation reports must be provided to the parent prior to the IEPT meeting.