

Special Education Services and Programs

EHB

Referrals and Eligibility Determination (45 Day Timeline) Compliance

Eligibility Determination Period Policy:

The initial eligibility determination must be completed within 45 school days of receiving parental consent for the evaluation. The time frame does not apply if the parent of a child repeatedly fails or refuses to produce the child for the evaluation. It also does not apply if the child enrolls in a school of another LEA after the relevant timeframe has begun prior to a determination by the child's previous LEA as to whether the child is a child with a disability. However, the subsequent LEA must make sufficient progress to ensure a prompt completion of the evaluation and the parent and the LEA must agree to a specific time when the evaluation will be completed.

Teacher Referral Process:

1. Observe students and document oddities/deficiencies that are evident in a student's work/classroom behaviors. Discuss the student with previous teachers to see what they have done. Check state testing history. If they pass the tests, they are not likely to have a learning disability.
2. Spend a minimum of two weeks doing interventions. The special education department will work closely with the general education teachers to ensure that effective interventions are in place. Every intervention and outcome should be documented and reported.
3. Fill out a referral form, and submit it to the special education teacher.
4. Within a week (ideally), 1 to 2 classroom observations will be conducted by the special education teacher. We will make determinations from there as to whether or not the student should be evaluated for special services. (5-10 school days)

NOTE: Teachers are encouraged NOT to discuss special ed as an option to parents until steps 1-4 are completed. Placement in special education can be devastating to families. Sensitivity and confidentiality are of the utmost importance.

45 Day Timeline Process:

Within a week of observations, parents will be contacted to give consent. Once consent is obtained, the following process will take place:

1. The psychometrist will be contacted immediately to set up an initial evaluation within 3 weeks of consent. (5 school days)
2. Pre-screening will take place during that waiting period, in order to give the psychometrist some idea of what we are looking for in the evaluation. And completed RED will be sent to the psychometrist. (5 school days)
3. The Initial Evaluation will take place, and the psychometrist will return a report to the special education department within one week of the evaluation. During this time, an Initial Evaluation meeting will be scheduled with the parents for 2-3 weeks after the evaluation. (15 school days)
4. After the report is received, the special education teacher will prepare a MEEGS and if necessary, an Initial IEP within one week. (5 school days)
5. Initial Eligibility and IEP meeting will take place, and special education eligibility begins.

If this entire process is conducted according to the timeline, it should be completed within 35 school days; leaving an extra 10 days, in case of unforeseen circumstances, to remain in compliance with IDEA and OSDE regulations.