

| OPERATING PROCEDURES                |  |
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| DISABILITIES CATEGORIES             |  |
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#### Related Resources:

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Broad Category: EVALUATION

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## PROCEDURES:

### Autism

When assessing a student with autism, the evaluation staff will give an intelligence test and achievement test to determine current levels of intellectual and academic functioning. When a student with autism is being assessed, who have other known conditions, such as visual impairment, hearing impairment, lack of verbal skills, etc., careful consideration should be given to the choice of evaluation instruments. In addition, a formal measure of adaptive behavior is often valuable in identifying student's competencies. If a student's intellectual scores are in the mentally deficient range, a formal measure of adaptive behavior is always required. A Functional Behavior Assessment should be considered as part of the initial referral.

A multidisciplinary team must complete the assessment to determine eligibility for Autism. Members of the multidisciplinary team include:

- Educational Diagnostician and/or LSSP
- Speech Therapist

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- AT, OT, or PT

### Deaf-Blindness

Deaf-Blindness means concomitant hearing and visual impairment, the combination of which causes severe communication and other developmental and educational needs that cannot be accommodated in special education programs solely for children with deafness or children with blindness. The teacher for the visually impaired, including the orientation and mobility teacher, and the teacher for the deaf and hard of hearing will be part of the evaluation team. NFPS will obtain consent for release of information to gather the appropriate information from the physicians treating the student.

### Deaf or Hard of Hearing

When assessing students who are deaf or hard of hearing, a non-verbal I.Q. test may not always be the best choice. On initial referrals if the student can hear enough to respond in the testing environment, it is preferable to give an I.Q. test with verbal and performance sections. If the student cannot hear enough to respond in the testing environment, a non-verbal I.Q. should be administered. By administering a test with verbal and performance sections, a more complete picture of how the student functions is obtained.

In addition to intellectual testing, formal academic achievement tests should be administered.

The teacher of the deaf or hard of hearing and speech therapist will also address best mode of communication in the report.

Speech pathologists will administer their batteries of assessments.

Otological (ENT) Examination Report - REQUIRED on initial identifications  
Audiological Evaluation- REQUIRED on initial identifications

Auditory Impairment- REQUIRED on initial identifications

Students who are deaf or hard of hearing require otological and

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audiological evaluations for eligibility. The REED may determine a new otological or audiological are not required for continued eligibility at the three-year evaluation. Collaboration between school nurse and/or the teacher of the deaf or hard of hearing to make this determination will be necessary.

A teacher of the deaf or hard of hearing is required to attend all ARDs for deaf or hard of hearing students, regardless of the type, including a brief ARD for schedule changes, testing, related services, etc. The teacher of the deaf or hard of hearing will be responsible for servicing hearing aids.

When assessing a student who meets the eligibility criteria for Deaf or Hard of Hearing, have your report co-signed by a person certified to teach students who are D/HH. Assessment specialists will forward a copy of your report to this person for their review prior to the ARD meeting.

### Emotional Disturbance

When a student is suspected of having an emotional disturbance, the evaluation staff should give an intelligence test and an achievement test to determine current levels of intellectual and academic functioning. The LSSP will complete the psychological portion and report their findings in the FIE. A Functional Behavior Assessment will be completed as part of the initial referral to determine any behavior(s) that impede learning, and the IEP committee will determine if a behavior intervention plan(BIP) will be established.

### Intellectual Disability

The Texas commissioner's rules have refined the process for which we will be determining ID in the state of Texas. The following is a direct excerpt from the commissioner's rules:

- (a) has been determined to have a significantly sub-average intellectual functioning as measured by a standardized individually administered test of cognitive ability in which the overall test score is at least two standard deviations below the mean, when taking into consideration the standard error of

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measurement of the test, **and**

- (b) Concurrently exhibits deficits in at least two of the following areas of adaptive behavior: communication, self-care, home living, social interpersonal skills, and use of community resources, self-direction, functioning academic skills, work, leisure, health and safety.

When assessing students suspected to have ID, the evaluation staff must administer a full-scale intelligence test. If the student's cognitive functioning is too severe to allow for such a measure, documentation of an attempt to administer a formal assessment must be made. The student's full-scale IQ must be two or more standard deviations below the mean, when taking into consideration the standard error of measurement of the test instrument that was used. The parent must be involved in initial diagnosis of ID. The current version of an adaptive behavior assessment will be used to gather the adaptive behavior information from the parent. For initial diagnosis of ID, there must be two areas of adaptive behavior in which the student shows significant deficits. For reevaluation, there must be a significant deficit (more than one standard deviation) in adaptive behavior.

When diagnosing ID for the first time, it is of utmost importance to communicate this information to parents at least 5 school days before the ARD committee meets. A conference with the parents prior to the ARD meeting will give them the opportunity to hear this information in a less stressful setting than a formal ARD meeting.

Guidelines for considering the Standard Error of Measurement (SEM):

The new commissioner's rules have indicated that an evaluator must consider the standard error of measurement of the full-scale intellectual abilities test.

When taking into consideration the standard error of measurement, this would mean that a student with a full-scale IQ of 72 could be considered ID if all the other data supported the diagnosis. This also means that a student with a full-scale IQ of 68 might not be diagnosed with ID if there is not enough data to support the diagnosis.

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### **Multiple Disabilities**

Multiple Disabilities means concomitant impairments (such as ID-blindness, ID-orthopedic impairment, etc.). The combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple Disabilities does not include deaf-blindness. The child must be assessed in all areas of suspected disability. The multidisciplinary team (MDT) that collects, or reviews evaluation data, must include, but is not limited to the members of the team that is required to establish the two or more disabilities that are the basis of the multiple disabilities.

The child has a combination of disabilities and they are expected to continue indefinitely, and must severely impair performance in two or more of the following areas:

- Psychomotor Skills
- Self-care skills
- Communication
- Social and emotional development
- Cognition

The MDT must determine that by reason of the multiple disabilities, the child needs special education and related services. The student will be coded as a child with multiple disabilities in withing NFPS reporting. This information is uploaded into NFPS SIS for PEIMS reporting.

### **Noncategorical Early Childhood**

NFPS uses a play-base assessment approach to assess children ages 3-5 years of age. The play-base assessment team consists of the LSSP, SLP, OT, and when appropriate, the PT or AT specialist. For those children that meet the eligibility criteria for NCEC a reevaluation must be conducted prior to their 6th birthday to determine the appropriate disability. BISDs evaluation staff and campus/district coordinators track those students with a NCEC eligibility to ensure reevaluation occurs prior to their 6th birthday.

### **Orthopedic Impairment**

When assessing a student with orthopedic impairments, the evaluation

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team will give an intelligence test and an achievement test to determine current levels of intellectual and academic functioning. To establish eligibility as orthopedically impaired, a licensed physician must complete the OI Disability Report. NFPS will obtain consent for release of confidential information to gather the necessary information from the physician.

All sections of the FIE must be completed. In addition to information from the nurse evaluation, information from the physician should be reported in the physical section of the FIE.

Common conditions that may be included in this disability are impairments caused by congenital anomaly (clubfoot, absence of some member, etc.), impairments caused by disease (poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (cerebral palsy, amputations, and fractures or burns which cause contractures).

### **Other Health Impairment**

When assessing a student suspected of having health problems that interfere with their education, the evaluation team will give an intelligence test and an achievement test to determine current levels of intellectual and academic functioning. If information indicates the student has a health condition that may interfere with education, the OHI disability report should be obtained. A licensed physician must complete this form. NFPS will obtain consent for release of confidential information to gather the necessary information from the physician.

The evaluation team will be responsible to ensure the diagnosis meets the criteria of chronic or acute health problems. All sections of the FIE must be completed. In addition to information from the nurse, information from the physician should be reported in the physical section of the FIE.

Although there are many conditions that may cause a student to be eligible for special education under this disability, some of the more common conditions include asthma, heart conditions, attention deficit/hyperactivity disorder, diabetes, etc. Remember that the student must have a need for specially designed instruction to be eligible for

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special education regardless of health conditions that may be present. The ARD committee makes the determination of eligibility.

**Specific Learning Disability**  
**For Initial Evaluations:**

- (a) Except as otherwise provided in this section, a written report of a full individual and initial evaluation of a student must be completed as follows:
  - (1) not later than the 45th school day following the date on which the school district receives written consent for the evaluation from the student's parent, except that if a student has been absent from school during that period on three or more school days, that period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent; or
  - (2) for students under five years of age by September 1 of the school year and not enrolled in public school and for students enrolled in a private or home school setting, not later than the 45th school day following the date on which the school district receives written consent for the evaluation from the student's parent.
- (b) The admission, review, and dismissal (ARD) committee must make its decisions regarding a student's initial eligibility determination and, if appropriate, individualized education program (IEP) and placement within 30 calendar days from the date of the completion of the written full individual and initial evaluation report. If the 30th day falls during the summer and school is not in session, the student's ARD committee has until the first day of classes in the fall to finalize decisions concerning the student's initial eligibility determination, IEP, and placement, unless the full individual and initial evaluation indicates that the student will need extended school year services during that summer.
- (c) Notwithstanding the timelines in subsections (c) and (d) of this section, if the school district received the written consent for the evaluation from the student's parent at least 35 but less than 45 school

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days before the last instructional day of the school year, the written report of a full individual and initial evaluation of a student must be provided to the student's parent not later than June 30 of that year. The student's ARD committee must meet not later than the 15th school day of the following school year to consider the evaluation. If, however, the student was absent from school three or more days between the time that the school district received written consent and the last instructional day of the school year, the timeline in subsection (c)(1) of this section applies to the date the written report of the full individual and initial evaluation is required. If an initial evaluation completed not later than June 30 indicates that the student will need extended school year services during that summer, the ARD committee must meet as expeditiously as possible.

(d) If a student was in the process of being evaluated for special education eligibility by a school district and enrolls in another school district before the previous school district completed the full individual and initial evaluation, the new school district must coordinate with the previous school district as necessary and as expeditiously as possible to ensure a prompt completion of the evaluation in accordance with 34 CFR, §300.301(d)(2) and (e) and §300.304(c)(5). The timelines in subsections (c) and (e) of this section do not apply in such a situation if:

- (1) the new school district is making sufficient progress to ensure a prompt completion of the evaluation; and
- (2) the parent and the new school district agree to a specific time when the evaluation will be completed.

(e) For purposes of subsections (b), (c), and (e) of this section, *school day* does not include a day that falls after the last instructional day of the spring school term and before the first instructional day of the subsequent fall school term.

(f) For purposes of subsections (c)(1) and (e) of this section, a student is considered absent for the school day if the student is not in attendance at the school's official attendance taking time or at the alternate attendance taking time set for that student. A student is considered in attendance if the student is off campus participating in an

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activity that is approved by the school board and is under the direction of a professional staff member of the school district, or an adjunct staff member who has a minimum of a bachelor's degree and is eligible for participation in the Teacher Retirement System of Texas.

(g) If a parent submits a written request to a school district's director of special education services or to a district administrative employee for a full individual and initial evaluation of a student, the school district must, not later than the 15th school day after the date the district receives the request:

- (1) provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 Code of Federal Regulations (CFR), §300.503; a copy of the procedural safeguards notice required by 34 CFR, §300.504; and an opportunity to give written consent for the evaluation; or
- (2) provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 CFR, §300.503, and a copy of the procedural safeguards notice required by 34 CFR, §300.504.

### **For Re-evaluations:**

Special education students must be re-evaluated at least every three years. Current regulations require that the ARD committee review existing evaluation data, and based on that review, determine the scope of the re-evaluation to be completed. Evaluation Staff are required to complete all paperwork and to attend ARD meetings in which planning for three-year re-evaluations are being discussed. Following this planning ARD meeting, it is the responsibility of the Evaluation Staff to see that all required paperwork is completed, and the evaluation done within timelines.

### **MATERIALS:**

Federal law requires that any standardized tests given to the student must be validated for the specific purpose for which they are used and

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must be administered by trained personnel in conformance with the instructions supplied by their producer. The Evaluation Staff determines the degree of evaluation needed in each area depending on the eligibility criteria for the suspected disability. The area of language dominance is evaluated first to determine the language that will be used in further evaluation.

Evaluation instruments must not be culturally or racially discriminatory and must be administered in accordance with standardized procedures in order to prevent inappropriate evaluations for specific cultural groups. A variety of evaluation instruments and strategies are used to gather relevant functional and developmental information about the student, including information provided by the parent. All data is reviewed, interpreted, and compiled into a Full and Individual Initial Evaluation (FIIE) report.

Tests and other evaluation materials include those tailored to evaluate specific areas of educational need and not merely those designed to provide a single general intelligence quotient. Tests are to be selected and administered so as to ensure that the test results of a student who has impaired sensory, manual, or speaking skills, will accurately reflect his or her aptitude or achievement level or whatever other factors the test purports to measure. Only tests approved by the Special Education Department will be used for evaluations.

### **METHODS:**

Evaluation of the student covers all areas related to the suspected disability, including (where appropriate):

Health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, motor abilities  
The evaluation must be sufficiently comprehensive to identify the student's special education and related service needs. The instruments used and strategies must provide relevant information that directly assists persons in determining the educational needs of the student.

For a student enrolled in NFPS, referrals will have been through a pre-referral intervention system. The use of a pre-referral intervention

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system cannot be used to delay or deny the provision of a full and individual evaluation. Student progress in the pre-referral intervention system will be monitored on a regular basis. Students who do not demonstrate adequate progress under pre-referral intervention system will be referred for a special education evaluation in a timely manner.

For those students whose primary language is other than English, language dominance testing must be completed to determine the most appropriate language to use when assessing the student. If it is determined a language other than English is necessary for assessment NFPS will contract with an evaluation staff member that can complete the assessment in the native language.

### **NFPS GUIDELINES FOR EVALUATING STUDENTS WITH LEARNING DISABILITIES**

The evaluation of a child suspected of having a SLD, must include a variety of assessment tools and strategies and cannot rely on any single procedure as the sole criterion for determining eligibility for special education and related services.

Evaluation Staff will use systematic, valid, and up-to-date interpretations of intelligence batteries and achievement tests.

Document the observation of the student:

- By at least one team member, other than the child's regular teacher.
- Describing the child's academic performance in the regular classroom setting.
- Or, in the case of a child less than school age or out of school, by a team member in an environment appropriate for the child of that age.

Determine if the student exhibits a pattern of strengths and weakness in performance, achievement, or both, (processing deficit) relative to age, grade-level standards, or intellectual ability, as indicated by significant variance among specific areas of cognitive function.

- Areas of cognitive functioning include: crystallized knowledge, fluid

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reasoning, short term memory, visual processing, long-term retrieval, auditory processing, and processing speed.

- Areas of academics include: oral expression, listening comprehension, written expression, basic reading, reading fluency, reading comprehension, mathematics calculation, and mathematics problem solving

Determine that the deficit is not the result of:

- A visual, hearing, or motor disability
- Intellectual disability
- Emotional disturbance
- Cultural factors
- Environmental or economic disadvantage
- Limited English proficiency
- Students may not be identified as SLD solely on pre-referral intervention information

Ensure that underachievement in a child suspected of having a SLD is not due to lack of appropriate instruction in reading or math by using the following data:

- Data that demonstrates that prior to, or as a part of, the referral process, the child was provided the appropriate instruction in regular education settings, delivered by qualified personnel.
- Data based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction; which was provided to the child's parents.

Documentation of the determination of eligibility must include:

- Whether the child has a specific learning disability.
- The basis for making the determination.
- Assurance that the determination has been made in accordance with the documented evaluation procedures.
- Any relevant behavior noted during the observation of the child and the relationship of that behavior to the child's academic functioning.
- Any educationally relevant medical findings.
- Whether the deficit is not correctable without special education

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and related services.

- The determination of the team concerning the effects of environment, cultural, or economic disadvantage.

### **Speech or Language Impairment**

When assessing a student with speech language impairment, the SLP will give a battery of assessments to determine what, if any, articulation or language deficits are noted.

If a child is being evaluated for a disability other than speech impairment, and the evaluation staff suspects a speech impairment, they must include the speech language pathologist in the completion of the evaluation. Notification to the parent about the additional suspect of a disability must be made.

### **Traumatic Brain Injury**

When assessing students suspected of having a traumatic brain injury (TBI), the Evaluation staff will give an intelligence test and an achievement test to determine current levels of intellectual and academic functioning. To establish eligibility as having a TBI, Traumatic Brain Injury Disability Report must be obtained from a licensed physician. Remember that a TBI is an acquired injury caused by an external physical force resulting in total or partial functional disability and/or psychosocial impairment. It cannot be a brain injury that is congenital or degenerative or the result of a birth trauma. All sections of the FIE must be completed. In addition to information from the nurse, information from the physician should be reported in the physical section of the FIE. NFPS will obtain consent for release of confidential information to gather the necessary information from the physician.

### **Visual Impairment**

When assessing students who are visually impaired, it is essential that the Campus Staff consult with a teacher certified to teach the visually impaired to determine appropriate evaluation instruments and/or techniques. The certified teacher of the visually impaired must complete the Functional Vision Evaluation/Learning Media Evaluation before the evaluation by the assessment specialist. The initial full and individual evaluation (FIE) of a child with a visual impairment must include an

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Orientation and Mobility evaluation performed by a certified Orientation and Mobility Specialist in a variety of lighting conditions and settings. NFPS will obtain consent for release of confidential information to gather the necessary information from the physician.

The Full Individual Evaluation Report and the REED FIE **must** be reviewed and co-signed by the teacher of the visually impaired.