



Edmond Public School District
Special Education & Related Services
Procedures
2020-2021 Revised

Edmond Public Schools

Special Education Initial Evaluation Process Step-by-Step

This guide explains each step in the special education process. In each step, learn what happens, who is involved, and the timelines associated. While it is important to understand the process, it is just as important to communicate effectively and build relationships with parents so that they understand this process throughout the evaluation. Be sure to check out the district's RtI manual that includes the special education services and child find procedures.

Step 1: Request for Evaluation

If someone (The request can be made by parent, teacher, counselor, principal, or other individual involved in the education or care of the student) thinks a child has a disability AND needs special education or related services to be involved in and make progress in the general education curriculum, then a request for an evaluation will begin that process.

What happens?

- Student is referred for an individualized “initial” evaluation to determine whether or not there is a need for special education and related services because the student is
 - a. not developing at the same rate in cognitive, communication, motor, adaptive behavior, social/emotional or academic achievement as other children;
 - b. experiencing unusual or prolonged difficulties with general education curriculum and instruction; in addition to, varied intervention strategies have been tried and documented before request is initiated.
- Gather data to enter into the Review of Existing Data (RED) form.
- Contact the parent to notify them of proposed initial evaluation and schedule a meeting with the parent to go over the RED and obtain parent consent for an initial evaluation. Send an invitation of meeting form to the parent.

What if there is not a parent?

Each school district should ensure that the rights of a child are protected. When there is no parent, meaning no biological parent can be found, no guardian is legally determined, but is a Ward of the State then the school district must assign a “surrogate parent” to the child’s case to sign all special education determination/paperwork. The surrogate parent cannot be an employee of the school district nor of the Oklahoma State Department of Education, nor any other agency (e.g., Department of Human Services).

Each Surrogate Parent must be trained in understanding all special education forms and procedural safeguards. There is a Surrogate Parent form that must be completed after this training. Please contact Special Services Center for more information.

Who is involved in the RED/Consent meeting?

- The parent (who is involved at all stages).
- The general education teacher
- The principal
- School Psychologist and/or Speech Language Pathologist depending on the suspected disability
- Additional evaluators, if possible, such as an Occupational Therapist, Physical Therapist, etc.

The RED does not require a formal meeting as listed above but it is strongly recommended that all members attend in order to provide informed consent. At the very minimum, have an administrator and evaluators with the parent. Never mail home a consent form. Always meet with the parent to go over the components of the evaluation.

At the RED/Consent Meeting

- Go over the RED form with the parent to make certain all current data has been gathered and that previous data is accurate information regarding the child's history.
- On the basis of the current data gathered within one calendar year to date, make a determination of whether or not specific existing data can be utilized for the initial evaluation or if additional data/evaluation is necessary.
- It is important to go into detail about the specific components that make up a comprehensive evaluation based on the suspected disability or disabilities in order to have "informed" written consent of the parent. With input from the parent and school personnel determine any new additional data the team needs and check those specific boxes on the parent consent form.
- Informed parental consent is required before the child is evaluated for the first time.

If the parent declines to sign consent for the initial evaluation, then school personnel will not be able to assess the child for determination of a disability nor for the determination for special education and related services. Copies of the RED and a Written Notice to the parent explaining the proposal for the initial evaluation and documentation the parent declined to consent for the initial evaluation. Provide the parent a copy of the Procedural Safeguards (aka Parent Rights).

If the parent signs consent for the initial evaluation, then what happens? What is the time line?

- Once school personnel have decided to evaluate the student AND have received written consent from the parent, they must conduct a full individual initial evaluation within 45 school days from the date receiving parental consent to the date the team meets again to go over the results (aka MEEGS meeting).
- Provide the parent a copy of the Procedural Safeguards (aka Parent Rights), along with a copy of the RED and a copy of their signed parent consent form for the initial evaluation.

Step 2: Explain Procedural Safeguards (aka Parent Rights)

IDEA says the school district must give parents notice of their rights and must make sure they understand them. Explain in detail to the parent their rights under IDEA:

- Procedural Safeguards Notice: When a student is referred for special education services, the school district must give parents written information about their rights and options for resolving disputes.
- Rights will include information on Independent Educational Evaluations (IEE), Parental Consent, Access to Educational Records, and Prior Written Notice.
- Options for Resolving disputes will include time lines for complaints, mediation options, placement during due process hearings, placement in alternative educational settings, private school placement, state level appeals process, civil actions and related time lines, and attorney's fees.

Ask the parent if they understand their rights and if they have any questions about the evaluation process.

- Before the parent leaves the RED/Consent meeting, schedule an initial MEEGS meeting date with the parent. Find a mutually agreed upon date/time for the MEEGS (this date must be set up within 45 school days from the date (aka Today's Date) the parent signed consent for the initial evaluation to the date to review the results of the evaluation). NOTE: Please set up this date earlier than the 45 school days in case of a need to reschedule the MEEGS meeting. By scheduling the initial MEEGS meeting date after obtaining consent, it will give the parents an understanding of the length of time it will take to complete the evaluation. Also, let the parent know that school personnel will continue with targeted interventions throughout the evaluation process, as well as changing up the interventions if the current interventions continue to not show progress.

What additional steps are necessary?

In addition to the Procedural Safeguards (aka Parent Rights), the school district must give specific notice in writing which is called a Written Notice to Parent.

After the RED/Consent meeting, send the parent a Written Notice regarding a summary of what was discussed within the RED/Parent Consent meeting. **For example:**

- Description of the proposed evaluation: School personnel propose to initiate an initial evaluation
- Explanation why the district proposes to conduct the evaluation: Because the student has not made an appropriate rate of progress to meet the end of the year target. The child's current rate of improvement is insufficient to close the gap of their peer's rate of improvement by the end of the school year.
- Description of any other options the district considered before proposing the evaluation and the reasons why those options were rejected: The school personnel could continue with the targeted interventions and not evaluate for special education; however, after reviewing the data and the trend line indicates a more intensive intervention is necessary. Hence, additional testing is necessary to help drive decisions in how to improve the student's rate of improvement.
- Description of each evaluation procedure, test, record or report the district used as a basis for the proposed evaluation: Intervention data, RED, input from parent and input from school personnel

- Description of any other factors that are relevant to the district's proposal to evaluate: The initial evaluation will be completed within 45 school days from today's date. Parent agreed to meet back on XYZ date/time to go over the results of the initial evaluation.

What if the parent speaks another language besides English?

Make certain an interpreter is at the RED/Parent Consent meeting. If the native language or other mode of communication of the parent is not a written language, provide written evidence (In EdPlan, under the Personal tab, change document language to the family's native language so forms will translate to their native language :

- That the notice was translated orally or by other means to the parent in his or her native language or other mode of communication.
- That the parent understands the content of the notice.

NOTE: Should the school refuse to provide an initial evaluation, then provide a Written Notice of Refusal to initiate or change the identification, evaluation, or placement of the child in special education. This notice should be written in the native language of the parents, if feasible, or interpreted orally and written in an easy to understand manner. For more information, contact the Director of Special Services.

Step 3: Initial Evaluation

IDEA 2004 made changes in the request process for a student suspected of having a learning disability. Prior to the request process, the school must assure the student has been provided appropriate, high quality, research based instruction in a regular classroom, delivered by qualified personnel. The school may use a process that shows a student responds to scientific, research based interventions (usually in a general ed. Classroom), delivered by highly qualified personnel. This process is called Response to Intervention (RtI) or Multi-Tiered System of Supports (MTSS). Congress made this change in the request process because it is believed that too many students are being referred to special education when they have not been provided with adequate instruction or targeted interventions to specific skill deficits. For more information on the Identification of Specific Learning Disabilities per IDEA 2004, visit the U.S. Department of Education and/or the Oklahoma State Department of Education website under the Special Education Handbook, as well as the Edmond PS Response to Intervention (MTSS) & Child Find Procedures and Special Education Services manual for more information.

What happens during the evaluation?

- The student is evaluated using a variety of assessment tools and strategies to gather relevant functional, academic and developmental information, including information provided by the parent, that may assist in determining whether the child meets the federal definition of a "child with a disability." Special education eligibility cannot be determined based on one set of data alone. It must be looked at globally for all data. If data gathered is inconsistent, administer another instrument that measures the same component in order to help the team in determining whether or not the student is eligible for special education and related services.

- Gather data such as rating evaluations and information provided by the parents; - current classroom - curriculum based measurement-progress monitoring and - observations by school psychologist, teachers and related service providers. The child is assessed in all areas related to suspected disability, including: - health, vision and hearing, & motor abilities - language dominance and communicative status - sociological and emotional status - academic (ALL academic areas listed on the MEEGS) - general intelligence. Screening assessments alone may not be used to determine eligibility. Standardized assessments must be administered or attempted in addition to the screening assessments. Results of these assessments are compiled into a written report interpreting all of the data, plus completing the MEEGS form.

NOTE: The 45 school-day timeline does not apply to a public agency if: 34 CFR §300.301(d) and (e).

1. The parent of the child repeatedly fails or refuses to produce the child for the evaluation; or
2. If a child enrolls in a new district after the evaluation has begun and before the determination of eligibility; however, the new district is required to make sufficient progress to ensure a prompt completion of the evaluation, and the parent and the school district must agree to a specific timeline for completion; and If the parent and the school agree in writing to extend the timeline. LEAs may use a district form, an OSDE form, or other documentation to record the agreement and upload it to the online IEP system. The time between eligibility determination and implementation of the individualized education program (IEP) cannot exceed 30 calendar days.

After the Evaluation

- Schedule a staffing with school personnel at least a week prior to the MEEGS meeting.
- Conduct a staffing with school personnel to go over all of the testing and the additional data gathered. If school personnel believe they need to propose an initial placement for a special education program, then the assessment data will provide the special education teacher baseline information to create a draft IEP with targeted goals/objectives.
- If the special education program is not offered within the neighborhood school site, please contact Special Services Center.
- Contact the parent to remind them of the MEEGS meeting date/time and provide them some information from the staffing. Notify the parent that a DRAFT of the MEEGS; and if proposing eligibility, a DRAFT of the IEP proposal will be sent home prior to the MEEGS meeting.
- Send the parent an Invitation of Meeting form along with a DRAFT copy of the MEEGS and a DRAFT copy of the proposed IEP (if proposing special education and related services placement).

Step 4: Initial MEEGS meeting

Who is involved in the MEEGS meeting?

- The parent (may invite student, if parent provides permission for student to attend—not required)
- Qualified examiner personnel such as the school psychologist, speech language pathologist, and other related service personnel (OT, PT, etc.) may be involved depending upon the suspected disability and other evaluations.
- Administrator
- General Education Teacher
- Special Education Teacher
- Any additional individuals knowledgeable about the student as appropriate

What if the parent does not show to the scheduled meeting?

If there is documentation of parent logs providing the parent multiple dates/times at the RED/Parent Consent meeting, in addition to the reminder phone call a week prior to the meeting, plus the Invitation of Meeting form, then go forward with the meeting. Have all school personnel sign the MEEGS and send the parent a Written Notice regarding the team's decision regarding eligibility, along with a copy of the MEEGS and all written evaluation reports. If the team is proposing special education and related services placement, then also send home a copy of the DRAFT IEP with the Written Notice. Within the Written Notice let the parent know they have 30 calendar days to get back with the school personnel to notify whether or not they want to meet again to discuss the eligibility and the placement options the school district wants to propose. Along with the Written Notice and copies of all documents reviewed in the meeting, also include a copy of Procedural Safeguards (aka Parent Rights).

If the parent attends the meeting, then go over the interpretation of the evaluation in detail. Ask the parent if they have any questions. Make certain it is informed consent.

- If the parent agrees, then have them sign the initial MEEGS and mark the box yes.

Provide a Written Notice as a summary of the meeting. The Written Notice should be sent to the parent after the meeting with detailed information of the discussion of the determination, plus copies of all documents discussed.

- If the parent disagrees, then have them sign the initial MEEGS and mark the box no. Ask the parent to provide in writing why they disagree with the MEEGS. Notify the Director of Special Services attaching the parent's written statement regarding why the parents disagree with the MEEGS.

Send the parent a Written Notice as a summary of the proposal and document that the parent declined the proposed MEEGS. If offering special education and related services placement, document that the parent declined special education and related services as well.

NOTE: Provide the parent the name and contact information of the Director of Special Services to discuss the option of an Independent Educational Evaluation.

Independent Educational Evaluation

If a parent disagrees with an evaluation conducted by the school district, the parent must inform the district in writing of the disagreement and request an independent educational evaluation. Upon receipt of a parent request for an independent educational evaluation (IEE), the district will provide the parents with information about how an IEE may be obtained at public expense and the applicable criteria for the evaluation. An evaluator for the IEE must not be a regular employee of the district responsible for the education of the child, must conduct evaluations in accordance with all requirements of federal and state law, and be appropriately credentialed and/or licensed to administer the specific assessment instruments. The Director of Special Services will provide the parent a list of credentialed and/or licensed providers who can assess their child. The parent can choose someone from this list to conduct the evaluation.

Parent agrees with the MEEGS and the testing but not sure about the IEP placement

What if the parent agrees with the MEEGS that the child is eligible, but wants to think about the “Initial Placement” and does not want to sign the Initial IEP for special education and related services?

- If the parent is unsure, then let them know the team has 30 “calendar days” from the date the team signed the MEEGS to the date the IEP needs to be signed, before the MEEGS and IEP are considered null and void. Go ahead and finalize the MEEGS, but keep the IEP as a DRAFT.

What if the parent goes over the 30 calendar days from the date the team signed the MEEGS eligibility form?

- If the school personnel are not able to get the parent to respond in a timely manner by emailing, calling and sending reminders home in the mail, then the following steps should take place:

1. Mark “no” on the parent consent line of the IEP and finalize the IEP
2. Create a new MEEGS with all the existing information, but click the box that states, “This student is Eligible for Special Education because s/he meets the State of Oklahoma's eligibility standards for the following disabilities; however, the student's parent/guardian is declining services.”
3. Finalize the MEEGS which will indicate the MEEGS is terminated
4. Send a Written Notice stating that their refusal to respond to phone calls, emails and other correspondences that school personnel have determined that the parent is declining services.

Please reach out to Special Services Center staff for more instruction and support.

IEP PROCESS Step-by-Step

NOTE: For additional information about EdPlan, please follow the EPS Special Education Procedures in EdPlan Main Menu under the Documents tab labeled "District".

Step 1: Setting up IEP meetings

In August of every school year prior to students starting school, have a meeting with the building site administrators, general education teachers, other special ed teachers involved with this student, and related service personnel (e.g., Speech Language Pathologists, School Psychologists, OTs, PTs, LPCs, Counselors, etc.). Use a master calendar to schedule all subsequent IEPs and three-year re-evaluations that are due in that school year. Set up several tentative dates for each student that all school personnel could possibly meet at least two weeks prior to the IEP due date. Then contact all parents on the caseload of each Teacher of Record (TOR) to offer several dates and times. Once the parent confirms the date and time, then document all the various dates/times offered to the parent and that the parent agreed to a specific date/time in the Contact Log within EdPlan. Then reach back out to all school personnel to confirm the specific agreed upon date/time. Finally, record this meeting on the building site calendar for booking the conference room.

What if the parent asks to meet before or after our school day contract hours?

Section 300.322 (a)(2) of the IDEA Federal Regulations states, "Scheduling the meeting at a mutually agreed on time and place." We do not have to meet outside of the school contract hours for certified school personnel. We do want to be mindful of the parent's schedule and do our very best to meet their scheduling needs as well, but within a reasonable time of day.

What if the only the parents are divorced?

We should take steps to ensure both parents are invited to the IEP meeting and that both parents are provided copies of the paperwork after the meeting is completed even if only one parent has full custody. The non-custodial parent still has rights to copies of their child's educational records. Unless there is a restraining order, the non-custodial parent should also be invited to the meeting along with the custodial parent.

Are there any other individuals that need to attend an IEP meeting?

Starting in 8th grade invite the student to the IEP. The student does not need to stay the entire meeting but needs to provide the team members their input regarding what their plans are after high school so that the team can help plan and prepare course work to meet this student's post-secondary goals. Students younger than 8th grade should also be encouraged to attend their IEP meetings, but it is required that the student starts attending their IEP meeting starting in 8th grade and every year after until they graduate.

There might be situations, especially at the high school level, that the IEP team would want to invite staff from the Technology Center, or the Department of Rehabilitation Services Counselor, or a representative from a transition program (e.g., shelter workshop). Anyone else the parent would want to invite or the school personnel would want to invite who have knowledge or special expertise regarding the student.

NOTE: If school personnel invite outside agency personnel to the IEP meeting, then make certain to complete a Parent Consent form and check the box for the reason consent is being requested for the following: “**Members of outside agency(ies) paying for or providing secondary transition services to attend IEP meetings**”

Step 2: Staffing

Two weeks prior to the IEP formal meeting with the parent, a staffing should take place with just the school personnel involved with this specific student to review the proposed DRAFT IEP.

Can we meet and discuss the IEP without the parent?

Yes. IDEA Federal Regulations 300.501(b)(3) states, “A meeting [meaning a formal IEP meeting] also does **not** include preparatory activities that public agency personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

If this is an initial placement, the school psychologists, speech language pathologist, OT, PT and any other evaluator will bring their data to this meeting to assist the development of the proposed draft IEP. If this is a subsequent IEP then any current assessment data and other information needing to be reviewed at the IEP staffing (e.g., AIMSweb+ CBM, Grades, work samples, observation information, behavior data, etc.). Make certain the general education teacher(s) are present to hear about the accommodations and educational needs of the student.

Step 3: After the Staffing

Send the parent a copy of all documents reviewed in the staffing (e.g., Initial DRAFT MEEGS, DRAFT IEP or a Subsequent DRAFT IEP, including other documents behavior graph, AIMSweb+ academic graphs, Re-Evaluation DRAFT MEEGS, etc.). Along with these documents, include the Invitation of Meeting form with the specific date/time, as well as the location of the meeting, including whether or not it will be in-person, virtual or by phone conference (depending on what the parent determine when the initial parent contact occurred in August or when setting up the IEP meeting). Make certain to include the student’s name if in 8th grade or high school.

Also, send the parent a Parent Concerns input sheet and request the parent send any concerns or questions to the TOR prior to the formal IEP meeting so that the school personnel can review the concerns and be prepared to respond to any concerns or questions they may have about their child’s special education and related services.

These draft documents and supporting documents need to be either mailed or emailed to the parent at least one week prior to the formal IEP meeting. This advance notice of the proposal (either eligibility or IEP proposal) allows the parent to review the documents ahead of the formal eligibility and/or IEP meeting. The parents also are afforded the opportunity to participate fully in the discussion with background information being provided in advance.

Step 4: Day of the IEP meeting

It is recommended to hold all meetings with a computer, projector and printer in the room. Having the IEP on the projector for all IEP team members to see also makes it easy for the team members to make changes as everyone provides input to the development of the IEP.

What if the parent does not show up for the IEP meeting?

May we hold the formal “Initial” IEP meeting without the parent? No. Please reach back out to the parent and try to reschedule the meeting. If the parent does not respond then follow the procedures outlined above under Step 4 of the Initial MEEGS meeting when parent does not respond after 30 days of determining eligibility.

May we hold the formal “Subsequent” IEP meeting without the parent? Yes, but only if the school personnel are unable to convince the parents to attend in-person or virtually/video conference or through a phone conference. Keep detailed records of the multiple contacts and the parents agreement to attend the meeting on the specific date/time, including the Invitation of Meeting form, and any email correspondences.

IDEA Federal Regulations Section 300.501(c)(3)(4) states, *“A placement decision may be made by a group without the involvement of a parent, if the public agency is unable to obtain the parent’s participation in the decision. In this case, the public agency must have a record of its attempt to ensure their involvement.”*

All personnel sign the subsequent IEP and send the parent a Written Notice outlining the school’s proposal or refusal/declining to initiate or change anything discussed in the meeting (e.g., re-evaluation results, educational placement, and services). See EdPlan Main Menu under Documents tab labeled “District” for more information on how to complete a Written Notice.

Send the parent a copy of all paperwork completed and reviewed in the meeting (e.g., Subsequent IEP, Re-evaluation results, behavior data, grades, etc.). Also, send along with these documents the Written Notice to Parents, including Procedural Safeguards (aka Parent Rights), a copy of Lindsey Nicole Henry Scholarship information, the Parent Survey, as well as any other documents the parents might need.

What if the parent shows up with an advocate or family friend?

Parent has a right to bring anyone they feel is knowledgeable about the student or is a support to them in helping make decisions. Please notify Special Services staff if the parent states they are bringing and advocate or an attorney so they can also participate to support the team’s discussion.

What should I do at the beginning of the IEP meeting?

At the beginning of the meeting, send the Record of Access around the table for all participants to sign so that our district has a record of who attended the meeting. As the sign-in sheet is going around the conference table start with introducing all school personnel and ask the parents to introduce themselves along with any person the parent invited to the meeting.

Can a parent record the meeting?

Yes. If the parent states they want to record the meeting, then say yes, but we will also need to record the meeting. Please stop the meeting until school personnel can set up their own recording device. Then begin the meeting with both recording devices on the table.

May we ask a parent if they are recording a meeting but have not told us they are recording the meeting? Yes, you may ask a parent to reveal if they are recording the meeting if you suspect them of recording the meeting with a device they have placed on the conference table or if participating by video or telephone conference.

During the IEP Meeting

- Hand the parent the page of the IEP that lists the parent concerns. Have them hold on to that page as the school personnel go through the DRAFT IEP proposal of services, including goals and objectives to see if their concerns have been addressed.
- If the parent has any specific concerns they sent prior to the meeting, attempt to answer them at the beginning of the meeting. Make certain the parent concerns are addressed either within the IEP or within the Written Notice.
- At the end of the meeting, request that the parent write any existing concerns down on the IEP page. If the parent has concerns, then determine if the team has address the concerns or if there are additional discussions that need to take place or another meeting that needs to be held at a later date.
- If the parent has no concerns, then ask them to write in this section that they have no concerns. Also, if the parent states they are very pleased with the services, then ask them to write any comments in that section of the IEP.
- Ask the parent to sign or initial their statement within the parent concerns section and date it.
- Type in EdPlan the parent's concern or comment(s)
- Finalized the IEP document in EdPlan and print off a copy of the finalized IEP.
- Double check that all participants signed the IEP and either check yes or no that they were in agreement with the IEP. Also double check that everyone dated the IEP.
- Ask the parent if they want an electronic copy of the IEP or if they prefer a paper copy. If the parent prefers a paper copy, then make a copy of the signed IEP to provide them.
- Provide the parent a copy of their Parent Rights, a copy of the Lindsey Nicole Henry Scholarship information, and the Parent Survey.
- Provide a Written Notice to Parent regarding the summary of the IEP meeting proposal or refusal to initiate or change educational placement or services or identification of a disability or whatever was discussed. Every time there is a formal meeting with the parent, the school personnel should send the parent a Written Notice after the meeting.

After the IEP meeting

- Upload the signed IEP into EdPlan that has all of the team members' original signatures
- Upload into EdPlan any other documents the parent signed or the team members signed during the meeting (e.g., Release of Confidential Information, Eligibility – MEEGS, Record of Access – Sign-in-Sheet, etc.)

For more detailed information about IEP documentation and EdPlan procedures please go to the Main Menu under the Documents tab labeled District for EPS Special Education Procedures and for Written Notice to Parents.

Reevaluation (Three-Year Review)

All reevaluations are conducted within three calendar years of the last assessment or more frequently if requested by the student's parent or teacher. The reevaluation determines if the student continues to have a disability and if he/she continues to require special education services. It also determines how he/she is involved in and progressing in the general education curriculum. The district uses EdPlan to determine when student's reevaluations are due. School personnel will schedule IEPs and reevaluation meetings with the parent at the beginning of the school year in order to get them on a master calendar to make certain to meet the timelines. A list is then compiled of students whose three-year reevaluations are due in that school year. The list is sent to the appropriate personnel, which may include the school psychologist, the classroom teacher, and the special education teacher for monthly monitoring and follow-up. A completed three-year reevaluation is recorded in EdPlan to assure continued monitoring. The term "evaluation" is used synonymously with "assessment" to designate the process for identifying children with disabilities and conducting the triennial evaluations. Assessment data may include Curriculum Based Measurements (e.g., AIMSweb Plus), standardized assessments, observations, adaptive behavior ratings, etc. The team may review existing data and determine no additional data is necessary or obtain parent consent to collect new information. The Edmond School District has a procedure of reviewing existing data on all new move-in students to the district to make certain the previous district conducted a comprehensive evaluation. If the existing data is sufficient, then no additional assessments will be necessary. However, after reviewing existing data and the data is insufficient then the school team will request the parent's consent to conduct additional assessments