



Special Education

Child Find & Evaluation Procedures

Ages 2.6 - 25

Responsibility for Public Awareness

As part of our child find responsibility, districts must inform the public about available special education programs and services and how to access those programs and services. Information about the local Intermediate School District (ISD) outreach methods as well as availability of special education programs and services can be found at the link provided from the [Berrien RESA](#).

Procedure for Responding to a Request for an Evaluation:

Requests for evaluation can be made verbally or in writing. If a verbal request for evaluation is made, school staff will aid the requesting party in also submitting a written request.

A request for a special education evaluation can come from a parent or guardian, or other appropriate educational service agency staff whose training and relationship to the student provides knowledge to reasonably suspect that the student has a disability.

When a request is received by any person in the district, that person must submit the request to the **Director of Special Education or Building Administrator** who will then date stamp the request with the date of receipt and the request will be sent immediately for processing.

When making a decision whether to move forward with a REED, **Response to Intervention (RTI) or Multi-Tier System of Supports (MTSS)** does not diminish a district's obligation under the IDEA to obtain parental consent and evaluate a student in a timely manner should there be a suspicion of eligibility. When there is reason to suspect that a student might



have a disability and needs special education and related services as a result, the IDEA's initial evaluation provisions begin, regardless of whether the district plans to or is currently utilizing RTI strategies with the student. (Memorandum to State Directors of Special Education [OSEP 2011])

Procedure for Providing Notice and Obtaining Consent for Initial Evaluation

When a request for an initial evaluation is received, the **Director of Special Education** must provide notice within 10 school days. The notice must include:

- A description of the action proposed or refused by the district.
- An explanation of why the district proposes or refuses to take the action.
- A description of each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action.
- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part.
- Sources for parents to contact to obtain assistance in understanding the provisions of the Individuals with Disabilities Education Act (e.g., Michigan Alliance for Families Services, intermediate school district representative, and local supervisor or director).
- A description of other options that the IEP team considered and the reasons why those options were rejected.
- A description of other factors that are relevant to the district's proposal or refusal.

Procedure for Review of Existing Educational Data (REED)

The **Director of Special Education or Building Administrator** coordinates the members of the IEP team and other appropriate members to review:

- Evaluations and information provided by the parents of the child,
- Current classroom-based, local, or state assessments, and classroom-based observations,
- Observations by teachers and related service providers, and
- Areas of suspected disability.



On the basis of that review and input from the child's parents, the team will identify what, if any, additional data are needed to determine whether the student is a student with a disability and if the student needs special education and related services.

The **Director of Special Education or designee** documents the review of the existing evaluation data as well as the need for any additional information on the REED form.

If additional information is needed the **evaluation team** will develop an evaluation plan.

If the team has determined additional evaluations are necessary through a REED process, written consent is required. If written consent is not provided after the first attempt, the **Director of Special Education or designee** will make and document multiple attempts on the **Illuminate**/REED form. Attempts to obtain consent should be made using multiple methods with multiple attempts (at least two times).

If the parent provides no response to multiple attempts to obtain written consent for evaluation or denies consent, the **Director of Special Education or designee** will provide notice that the district will not conduct an evaluation due to lack of parental consent.

Conduct an Evaluation and Schedule an IEP Meeting

If parental consent to evaluate is obtained, the **Director of Special Education or designee** coordinates the evaluation and schedules the appropriate evaluators to begin the evaluation. See chart 1 for required evaluators.

The **Director of Special Education** will ensure that within 30 school days from the receipt of consent, the evaluators will conduct the evaluations and develop the multidisciplinary evaluation team report. The **Director of Special Education or designee** will schedule an IEP team meeting to be held within the 30 school-day timeline. The timeline may be extended if agreed upon by the district and the parent. If necessary, the **Director of Special Education or designee** will complete the **Illuminate** REED form to document the extension which shall be in writing and measured in school days.



Procedure for Convening the IEP Team

By the timeline indicated in the key data of the REED or extension, the **Director of Special Education or designee** contacts the parent to determine a mutually agreed-upon time and place for the IEP team meeting. The **Director of Special Education or designee** will document the attempts to contact the parent in the illuminate system.

The **Director of Special Education or designee** will send an IEP invitation to all required IEP team members. Required members include parent/guardian(s), not less than one general education teacher, not less than one special education teacher or provider, district designee, and a person who can interpret the instructional implications of evaluation results. Additional members may include related service providers and, whenever appropriate, the student with a disability.

The **Director of Special Education or designee** will provide notice of an offer of a free appropriate public education (FAPE) or determination of ineligibility. The **Director of Special Education or designee** will document the mode and date of delivery on Illuminate IEP form. Parents/guardians have up to 10 school days to accept/deny the offer of FAPE.

Procedure for providing Notice of a Free Appropriate Public Education

The notice of a free appropriate public education must include:

- A description of the action proposed or refused by the agency.
- An explanation of why the agency proposes or refuses to take the action.
- A statement that the parents of a child with a disability have protection under the procedural safeguards of the *Individuals with Disabilities Education Act* and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained.
- Sources for parents to contact to obtain assistance in understanding the provisions of this part (e.g., Michigan Alliance for Families, ISD representative, and local supervisor or director).



- A description of other options that the IEP team considered and the reasons why those options were rejected.
- A description of other factors that are relevant to the agency's proposal or refusal.
- Where the programs and services are to be provided.
- When the IEP will begin.

Procedure for When Consent is Not Obtained

If after 10 school days from the parent's receipt of the notice and initial offer of FAPE, the parent provides no response to multiple attempts to obtain written consent for provision of services or denies consent, the **Director of Special Education** will provide notice that the district will not implement the IEP.

Note: If the parent of a child fails to respond to a request for consent, or refuses to consent to the initial provision of special education and related services, the district will not be considered to be in violation of the requirement to make FAPE available.

Procedure for Implementing the IEP

Once consent for the provision of services is received by the district, the **Director of Special Education or designee** date stamps the consent and places it in the student's CA-60 (cumulative) file.

The **Director of Special Education, designee, or designated case manager** ensures the IEP is implemented as soon as possible, and not more than 15 school days after receipt of parent's consent to the initial provision of services. The parties may agree to a later initiation date if the later date is clearly identified in the IEP.



Chart 1—Required Evaluators

Cognitive Impairment R 340.1705	Psychologist
Emotional Impairment R 340.1706	Psychologist or psychiatrist and school social worker
Deaf Hard of Hearing R 340.1707	Audiologist and an otolaryngologist or otologist
Visual Impairment R 340.1708	Ophthalmologist or optometrist
Physical Impairment R 340.1709	Orthopedic surgeon, internist, neurologist, pediatrician, family physician, or any approved physician
Other Health Impairment R 340.1709a	Orthopedic surgeon, internist, neurologist, pediatrician, family physician, or any approved physician
Speech and Language Impairment R 340.1710	Teacher of students with a speech and language impairment or a speech and language pathologist
Early Childhood Developmental Delay R 340.1711	Evaluators are determined by a team
Specific Learning Disability R 340.1713	Student's general education teacher (or a teacher qualified to teach student's age) plus a person qualified to conduct individual diagnostic exams, such as a school psychologist, authorized provider of speech and language, or a teacher consultant
Severe Multiple Impairments R 340.1714	Psychologist and, depending upon the disabilities in the physical domain, evaluations required in: R 340.1707, R 340.1708, R 340.1709, R 340.1709a, or R 340.1716
Autism Spectrum Disorder R 340.1715	Psychologist or psychiatrist, authorized provider of speech and language, and a school social worker
Traumatic Brain Injury R 340.1716	Assessment from family physician or any approved physician
Deaf-blindness R 340.1717	Ophthalmologist, optometrist, audiologist, otolaryngologist, otologist, family physician or other approved physician; teacher of students with visual impairment; and a teacher of students with hearing impairment