

**MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
DIVISION OF YOUTH SERVICES
JUVENILE INSTITUTIONS**

Subject: Special Education: Initial Evaluation	Policy Number: 6
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Attachments Initial Parent Contact Form Parental Consent for Evaluation/Reevaluation Form Initial Placement Timeline Form Parent Notification of Special Education Eligibility Committee Meeting Form Second Parent Notification of Special Education Committee Meeting Form Consent for Placement for Special Education Services Form Initial Evaluation Tracking Log Telephone Contact Log IEP Initial Evaluation Tracking Log	Related Standards & References Individuals with Disabilities Education Act (IDEA '97) and Regulations Individuals with Disabilities Education Improvement Act (IDEIA '04) Mississippi Nonpublic School Accountability Standards, 2004 Mississippi Department of Education, Office of Special Education Policies and Procedures (2003)
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I. POLICY

It is the policy of the Mississippi Department of Human Services, Division of Youth Services (MDHS/DYS) to provide a comprehensive evaluation to determine eligibility for special education services for all students suspected of having a disability.

II. DEFINITIONS

As used in this policy, the following definitions apply:

- A. Assessment Team or Multi-disciplinary Evaluation Team** – The Assessment Team or the Multi-disciplinary Evaluation Team is a group of mandated evaluators responsible for evaluating a student and making a recommendation of eligibility to the IEP Team. According to standards outlined by Mississippi Department of Education, the team will consist of, at minimum, the following qualified professionals (except as noted below for a Language/Speech only disability: an individual qualified to administer and interpret a standardized intelligence test; an individual qualified to administer and interpret standardized assessment instruments that indicate present levels of performance, educational programming needs and the presence of a disability; one or more individuals who have knowledge of the suspected disability; typical child development and functioning and intervention design and general education curriculum. When only language speech delays are noted, the language/speech examiner and at least one individual qualified to administer and interpret

standardized intelligence tests or standardized assessment instruments that indicate present levels of performance, educational programming needs and the presence of a disability are required. The mandated evaluators are specified in the Mississippi Revised Special Education Policies for each disability area. In addition to the mandated evaluators, the team also includes parent(s)/legal guardian, student and other qualified professionals.

- B. Assessment Team Report/ Multidisciplinary Team Report** – The Assessment Team Report/Multidisciplinary Team Report is a compilation of all assessment data that documents whether or not the student meets state criteria for eligibility for special education services. State rules require specific information for each area of disability that must be included in the Assessment Team Report to support a decision of eligibility or ineligibility for special education services. Data from the five following areas must be included: physical, including hearing and vision, general physical condition, orofacial examination and gross and fine motor; language/speech; social/behavioral, including interpersonal relationships and adaptive behavior; emotional and education, including visual and auditory perception, achievement and cognitive abilities.
- C. Individualized Education Plan (IEP)** – An individualized education program that is written for a student with a disability. The IEP is developed, implemented, reviewed, and revised at least annually and in accordance with Mississippi Special Education Rules and required procedures of the Mississippi Department of Education. The IEP evidences that the student is receiving a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) and that it provides for the student to receive educational services – regular and special education – that may be reasonably predicted to benefit the student.
- D. Individualized Education Program Committee** – The Individualized Education Program Committee is the group responsible for the determination of a student’s special education programming. Members of the team include the following individuals: at least one special education teacher, a regular education teacher (if the student is participating in the general education curriculum), parent/ guardian, and an agency representative. Other disciplines including counselors, representatives from community agencies, and related service providers may be included on the IEP Team/Committee. The team designs the student’s educational program to address specific educational needs, accommodations and modifications needed, and transition goals. The committee is responsible for determining the student’s least restrictive environment, whether the student will participate in state testing and to what degree and related services needed. The IEP Committee utilizes information documented in the Assessment Team Report, state testing reports, classroom observations and parental input to develop an IEP.
- E. Section 504** – Section 504 is a part of the Rehabilitation Act of 1973 that prohibits discrimination based upon disability. Section 504 is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled are met. An individual with a disability means a person who has a mental or physical impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. Major life activities include, but are not limited to self-care, manual tasks, walking, seeing, speaking, sitting,

thinking, learning, breathing, concentrating, interacting with others, and working.

Teacher Support Team (TST): TSTs are collaborative, problem-solving teams that help students to progress in the general education program and that serve as a screening mechanism for Special Education. The teams analyze student problems, develop and implement appropriate interventions, and monitor the effectiveness of those interventions.

III. PROCEDURE

Parent(s)/legal guardian and the student shall be invited to participate in initial evaluation activities and provide input.

Upon receipt of a referral for evaluation for special education services, the principal or designee will:

- A. Contact parent(s)/legal guardian and:
 1. Explain the referral process.
 2. Mail a Parental Consent for Evaluation-Reevaluation Form to the parent(s)/legal guardian via certified mail with return receipt. An original parent signature is required for an initial evaluation. The consent for evaluation shall not be construed as consent for placement into any special education program. Approval is a voluntary act. The parent/legal guardian may revoke their approval prior to the administration of assessment measures. The Parental Consent for Evaluation-Reevaluation is time limited and shall not exceed sixty (60) calendar days per state rules. This contact shall be documented on the Initial Parent Contact Form.
 3. Encourage parental input and involvement in the evaluation process.
 4. Provide parent(s)/legal guardian with copy of Procedural Safeguards when Parental Consent for Evaluation-Reevaluation is requested. If a parent(s)/legal guardian refuse consent for an initial evaluation, the student shall not be evaluated.
 5. Notify the MDHS/DYS Special Education Coordinator if a parent refuses to sign the consent to evaluate. MDHS/DYS may pursue an evaluation through mediation or due process.
 6. If the Parental Consent to Evaluate Form is not received within 10 calendar days, the principal or designee will send a second request to the parent(s)/legal guardian by certified mail. Additionally, a phone call will be placed to the parent notifying them of the mailing of the second request. All attempts to contact the parent(s)/legal guardian will be documented on a Telephone Contact Log.
 7. A detailed Tracking Log will be maintained on each student referred for evaluation.
- B. Coordinate the evaluation process through the Assessment Team/ Multi-Disciplinary Team
 1. Document the evaluation process using the Evaluation-Reevaluation Tracking Log that identifies the date of Assessment Team Reports and adherence to state required timelines for all students who are admitted to the facility.
 2. Document information from the referral source (i.e. TST, parent, teachers, and facility staff) and submit information to the IEP Team for inclusion in the eligibility decision

making process.

3. Request a hearing and vision screening – Hearing and vision screening is required before educational and/or psychological testing for a suspected disability.
 - a. Vision and hearing screening is current for one calendar year from the day of screening.
 - b. MDHS/DYS facility’s medical staff is responsible for completing required vision and hearing screenings. If problems are denoted, medical call will be required to make follow up referrals.
 - c. Licensed ophthalmologists or optometrists conduct vision re-screening.
 - d. Licensed audiologists or medical practitioners conduct hearing re-screening
 - e. A hearing and vision screening report is submitted by the facility medical staff or licensed practitioners to the Assessment Team within seven (7) calendar days of the referral.
4. Coordinate the completion of the mandated assessments/evaluations for a specific disability area as established by the Mississippi Special Education Policies. All examiners must be qualified in their discipline and must adhere to evaluation protocol as outlined in the evaluation guidelines of a specific instrument or the Mississippi Special Education Policies.
5. Compile information for the Assessment Team Report using the mandated Assessment Team Report form as provided by the Mississippi Department of Education Office of Special Education.
6. Obtain parent/guardian permission to place utilizing the Consent for Placement for Special Education Services Form.
7. The MDHS/DYS facility is responsible for providing supplementary data including work samples and observations, for inclusion into the Assessment Team Report.
8. An Assessment Team Report is required for every suspected disability that the student may evidence.
9. Medical statements are required to establish eligibility for certain disability areas must be stapled to the Assessment Team Report.
10. Seek input from parent(s)/legal guardian concerning social, emotional, medical, and education problems student may have exhibited.

C. Convene Individualized Education Program Team Meeting

1. At the convenience of the parent, schedule an IEP/Placement/Eligibility Meeting to review the findings of the initial evaluation and the Assessment Team Report. A Parent Notification of Special Education IEP/Placement Committee Meeting Notice as well as all evaluation reports must be mailed to parent(s)/legal guardian via registered mail ten (10) days prior to the meeting. If the parent does not respond within the specified time period, a Second Parent Notification of Special Education Committee Meeting Form will be mailed to the parent.
2. At the scheduled meeting, present the findings of the Assessment Team Report. The findings either:
 - a. Determine the student eligible for special education services, at which point the IEP Team must determine the type and level of special education services that are required in order for the student to receive a free and appropriate education through the development of an IEP.

- b. Determine the student ineligible for special education services because the student does not meet the eligibility criteria for a specific disability, determinate factor was a lack of instruction in reading or math, or the student exhibits limited English proficiency.
- c. If the student is found ineligible for special education services, the Assessment Team can refer the student for Section 504 eligibility or continued support from the TST.
- d. Inform parent(s)/legal guardian of their right to contest recommendations that may be made regarding the evaluations that are provided to their son/daughter as part of the eligibility determination process.
- e. Provide parent and community counselor with a copy of the signed IEP, Assessment Team Report, and the meeting minutes.
- f. Insert a copy of the IEP, Assessment Team Report, IEP committee meeting minutes and the into the student's educational records file.