



Arizona Department of Education  
Tom Horne, Superintendent of Public Instruction

# **AZ-TAS**

## **EVALUATION AND ELIGIBILITY**

### **Processes and Procedures From Referral to Determination of Eligibility**

Exceptional Student Services  
Revised July 2009

## Table of Contents

<i>Introduction</i> .....	3
<i>Child Find</i> .....	3
<i>Response to Intervention</i> .....	5
<i>Referral</i> .....	5
<i>Review of Existing Information</i> .....	5
<i>Parent Consent for Evaluation</i> .....	6
<i>Initial Evaluation</i> .....	7
<i>Determination of Eligibility</i> .....	8
<i>Additional Procedures for Identifying Specific Learning Disabilities</i> .....	9
<i>Reevaluations</i> .....	13
<i>Final Steps Following Reevaluation</i> .....	14
<i>Appendix A: Sample Forms</i> .....	15
Review of Existing Data for Evaluation.....	16
Parent Consent for Evaluation.....	18
Evaluation Report.....	19
Evaluation Checklist.....	19
Child with Autism (A).....	20
Child with Emotional Disability (ED).....	21
Child with Hearing Impairment (HI).....	22
Child with Mild Mental Retardation (MIMR).....	23
Child with Moderate Mental Retardation (MOMR) .....	24
Child with Multiple Disabilities (MD) .....	25
Child with Multiple Disabilities with Severe Sensory Impairment (MDSSI).....	26
Child with Orthopedic Impairment (OI) .....	27
Child with Other Health Impairment (OHI) .....	28
Child with Severe Mental Retardation (SMR) .....	29
Child with Specific Learning Disability (SLD).....	30
Child with Speech or Language Impairment (SLI) .....	32
Child with Traumatic Brain Injury (TBI).....	33
Child with Visual Impairment (VI) .....	34
Child with Preschool Moderate Delay (PMD) .....	35
Child with Preschool Severe Delay (PSD).....	36
Child with Preschool Speech/Language Delay (PSL).....	37
Non-Eligible Child .....	38
<i>Appendix B: Federal and State Statutory and Regulatory References</i> .....	39
<i>Appendix C: Categories of Eligibility</i> .....	40
<i>Appendix D: Evaluation Definitions</i> .....	41
<i>Appendix E: Evaluation Considerations</i> .....	43

## **Introduction**

Evaluation is an essential element in the special education process. The IDEA '04 regulations set specific requirements for conducting both an initial evaluation as well as any reevaluation. It is vital that public education agencies (PEAs) and parents of children suspected of having disabilities be knowledgeable about those requirements.

This document was developed to assist school personnel and parents in navigating through the multidisciplinary evaluation process. The included sample forms may be used as a guide in documenting the review of existing data, obtaining parental consent, conducting the individual evaluation, and documenting eligibility. It is vital that all of the required components under the IDEA '04 and Arizona statutes and rules be included in the evaluation report when it is appropriate to do so.

This document will provide a step-by-step guide to decision making and procedures throughout the evaluation process, including reviewing existing data, determining the need for additional data, obtaining parent consent, conducting the assessment, and determining eligibility, including the use of response to intervention (RTI) as a means of determining eligibility for a student with a specific learning disability.

Included in this technical assistance manual are:

- step-by-step procedures from referral to review of existing data, including the use of RTI, through consent and evaluation to eligibility determination;
- sample documentation forms for parent consent, the review of existing data, the evaluation report summary, and the determination of eligibility;
- a checklist to guide schools in creating a multidisciplinary evaluation report using any format;
- applicable federal regulations, Arizona Revised Statutes (A.R.S.), and Arizona Administrative Code (A.A.C.) citations to assist in understanding the legal requirements of the evaluation process;
- reference pages to assist in identifying appropriate categories of eligibility and citations from federal regulations and Arizona Revised Statutes; and
- evaluation definitions and considerations.

## **Child Find**

(34 C.F.R. §300.111)

Under the child find provisions of the IDEA '04 regulations, each PEA must ensure that all children with disabilities who are in need of special education and related services are identified, located, and evaluated. This includes enrolled students as well as others within the boundaries of responsibility of a district (privately schooled, home-schooled, highly mobile, migrant, and homeless children). It also includes students suspected of having a disability who are in need of special education, even though they are advancing from grade to grade. Therefore, the responsibility for child find rests with each staff member who has contact with students.

Once a student is identified as having difficulty in progressing or achieving in any areas of expected growth or learning (academic, social/emotional, behavioral, cognitive, language, or motor skills), the student should be referred for intervention. This may be in the form of a student-study/teacher-assistance team, an RTI process, or some other systemic method for providing early intervening services to assist the student in attaining expected learning or behavioral growth. This initial process is called *pre-referral intervention*.

The goal of pre-referral intervention is to provide appropriate targeted strategies and interventions to improve the child's rate of learning. This process, available to any student birth through age 21, usually involves general education staff as the primary source of the intervention and uses some system of progress monitoring. When the process is successful, the student gains the targeted skills and continues to progress in the general classroom without needing additional evaluation or special education.

The purpose of pre-referral intervention is underscored in the IDEA '04 requirements for determination of eligibility (§300.306):

*A child must not be determined to be a child with a disability under this part if the determinant factor for that determination is:*

- *Lack of appropriate instruction in reading, including the essential components of reading instruction;*
- *Lack of appropriate instruction in math; or*
- *Limited English proficiency.*

Pre-referral intervention helps to eliminate these possible causes of underachievement. However, if the student fails to meet the expected learning or behavioral changes despite the targeted interventions OR the student's academic or behavior difficulties are obvious and significant; the student should be referred for an individual evaluation without undue delay.

To be valid, pre-referral intervention strategies must involve peer-reviewed, research-based interventions. A process known as Response to Intervention (RTI) is one effective research-based strategy.



## **Response to Intervention**

(§§300.307–300.311)

Response to intervention (RTI), in its broadest sense, is a multi-tiered early intervention model for supporting school success for all children. This model involves school professionals conducting focused assessments to enable them to prescribe appropriate interventions. This process identifies students' specific instructional needs; provides targeted scientific, research-based interventions based on the needs identified; uses progress monitoring to measure students' response to interventions and verify their effectiveness; and measures students' success in achieving academic or behavioral standards. An important part of RTI is involving parents in understanding their student's instructional needs for academic and/or behavioral interventions.

While the IDEA '04 only addresses the use of RTI in determining the existence of a specific learning disability, the process is highly effective for intervening with any concern involving academics or behavior prior to the consideration of an individual evaluation to determine eligibility for special education. Thus, the use of a response to intervention (RTI) process is highly recommended as an *intervention strategy*.

Before beginning any RTI process as *a method for identifying students with specific learning disabilities under the IDEA*, a school must have in place a robust tiered intervention system within general education. An assurance that such a system is in place must be submitted to the ADE/ESS prior to use of RTI for SLD identification. Additional information regarding the establishment of an RTI model for general education may be obtained from the ADE through the School Effectiveness Division at [www.ade.az.gov/azrti](http://www.ade.az.gov/azrti).

## **Referral**

Despite the best efforts of schools to remedy deficiencies by using pre-referral intervention, some students may not be able to attain the skills needed to make adequate progress in the general curriculum. If a disability is suspected as the underlying reason for this, a student is referred for a full and individual evaluation. An evaluation must occur before the provision of special education and related services. Either a parent of a child or PEA staff may request an evaluation to determine if the student is a child with a disability.

## **Review of Existing Information**

(§300.305)

A PEA must promptly initiate the review of existing data if a child has not made adequate progress after an appropriate period of instructional time or if a parent requests an evaluation.

As part of an initial evaluation, the group of people who would comprise a child's individualized education program (IEP) team and other qualified professionals (as appropriate) review all relevant existing information about a child. Parent consent is not needed to conduct a review of existing data. When reviewing existing data, the team must consider the validity and reliability of the information and the resulting interpretations. When completing the review of existing data, documentation of the information must be provided in each of the following areas in an evaluation report:

- Evaluations and information provided by the parents of the child, including current medical, developmental, and functional status and history and any parentally-obtained evaluations;
- Results of any prior special education evaluation(s) and an analysis of that data;
- Current classroom-based, PEA and statewide assessments, including language proficiency assessments, where applicable;
- Classroom-based observations and pre-referral interventions; and
- Observations and input by teachers and related service providers.

Based on the review and input from the child’s parents, the IEP team must decide if additional data are needed to determine:

- Whether the child has a disability;
- The educational and developmental needs of the child;
- The present levels of academic achievement; and
- Whether the child needs special education and related services.

While the team may conduct its review without a meeting, input and decision-making by all members is essential. If the team determines that additional information is needed, parent consent to collect the additional information must be obtained. The additional information may be in the form of assessment(s), observations, medical reports, or other types of information.

## **Parent Consent for Evaluation**

(§300.300)

The PEA must make reasonable efforts to obtain the informed consent of the parent in order to collect any additional evaluation information after the review of existing data. Each PEA must provide parents with prior written notice and notice of procedural safeguards when proposing to collect additional data.

If the parent of an enrolled student or of a student seeking enrollment in a PEA refuses consent for initial evaluation or fails to respond to a request for consent to evaluate, the PEA may, but is *not required* to, pursue the initial evaluation of the child through due process procedures. The PEA will not violate its obligation under child find and evaluation regulations if it declines to pursue an evaluation.



## **Ward of the State**

If the child is in the custody of the State and the parents’ educational rights have been suspended or all rights have been terminated, consent may be given by another adult who meets the definition of parent found in §300.30. If no other adult meets the definition of parent, the PEA should petition the Arizona Department of Education to appoint a surrogate parent. In these

cases, the surrogate parent appointed to represent the child then makes the educational decisions regarding consent for special education evaluation.

### **Parent Cannot Be Identified or Located**

If a PEA cannot identify or discover the whereabouts of a child's parents despite reasonable efforts to do so or if the child meets the criteria of an unaccompanied youth as defined in the McKinney-Vento homeless act (42 U.S.C. §11434 a (6)), a PEA should petition the Arizona Department of Education to appoint a surrogate parent. In these cases, the surrogate parent appointed to represent the child then makes the educational decisions regarding consent for special education evaluation.

### **Initial Evaluation**

(§§300.301; 300.304; A.R.S. §15-766; A.A.C. R7-2-401.E)

Once informed parent consent to gather additional data has been obtained, an evaluation and eligibility determination must be completed within 60 calendar days of the date of the consent. This time period may be extended for an additional 30 days if the school and the parent agree in writing that the extension is in the child's best interest.

If a parent repeatedly fails or refuses to produce the child for evaluation or if a child enrolls in a school of another PEA after the timeline has begun, the 60-day timeframe does not apply. In the latter instance, the parent and the subsequent PEA may agree to a specific time when the evaluation will be completed.

The initial evaluation shall include all aspects of evaluation determined necessary by the IEP team as a result of the review of existing evaluation data. It should also include all components required under A.A.C. R7-2-401.E.6, as appropriate.

In conducting the evaluation, the PEA must:

- Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent that may assist in determining eligibility and deciding upon the content of the IEP (including information to enable involvement and progress in the general education curriculum and participation in appropriate activities);
- Not use any single measure or assessment as the sole criterion for determining whether the child has a disability and for determining an appropriate educational program; and
- Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

The team must ensure that tests and other evaluation materials:

- Are selected and administered so as not to be discriminatory on a racial or cultural basis;
- Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so;
- Are used for the purposes for which the assessments or measures are valid and reliable;

- Are administered by trained and knowledgeable personnel; and
- Are administered in accordance with any instructions provided by the producer of the assessments.

The team must also ensure the following:

- Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient;
- Assessments are selected and administered to ensure that if they are administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child’s aptitude or achievement level (or whatever is meant to be measured) rather than reflecting the child’s impaired skills (unless those are the skills being measured);
- If the child is limited English proficient, the assessments measure the extent to which the child has a disability and needs special education rather than measuring the child’s English language skills;
- The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- Assessments of children who transfer from one PEA to another within the same school year are coordinated with the prior school to ensure prompt completion of full evaluations;
- The evaluation is sufficiently comprehensive to identify all of the child’s special education and related service needs, whether or not they are commonly linked to the disability category in which the child has been classified; and
- Assessment tools and strategies provide relevant information that directly assists a team in determining the child’s educational needs.



## **Determination of Eligibility**

(§300.306; A.R.S. §15-761; A.A.C. R7-2-401.E)

When the review of existing data, administration of any assessments and other evaluation measures are complete, the final step in the evaluation process is to review and discuss all evaluation information. A group of qualified professionals and the parent determine whether the child has a disability, as defined in §300.8 and A.R.S. §15-761. The team must:

- Draw upon information from a variety of sources, such as aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child’s physical condition, social or cultural background, and adaptive behavior;

- Ensure that information obtained from all these sources is documented and carefully considered; and
- Provide a copy of the evaluation report to the parent at no cost.

A child may not be determined eligible if the determinant factor for that determination is:

- Lack of appropriate instruction in reading, including the essential components of reading instruction;
- Lack of appropriate instruction in math; or
- Limited English proficiency.

A child can only be determined eligible for special education services if the child's disability meets the eligibility criteria in the definition of a child with a disability. The team must document this eligibility by describing the applicable criteria within the body of the report or by using an appropriate eligibility form. (Eligibility forms for all disabilities are included in this technical assistance document in Appendix A.) At a minimum, there must be clear evidence that the team made the determination after careful consideration of all information obtained and that the child meets the appropriate eligibility criteria.

### **Additional Procedures for Identifying Specific Learning Disabilities**

(§§300.307–300.311)

The reauthorization of the Individuals with Disabilities Education Act of 2004 (IDEA) provides for a variety of decision-making options for the identification of children with specific learning disabilities (SLD). The procedures identified in 34 CFR. §300.307 for SLD identification include:

- Following state criteria consistent with 34 CFR §§300.301-300.311;
- Prohibiting a state requirement to use a severe discrepancy between intellectual ability and achievement;
  - Arizona neither requires nor prohibits the use of a discrepancy model for the identification of SLD.
  - Arizona does require each public education agency to establish criteria for the identification of SLD regardless of the method(s) of identification used within the agency.
- Permitting the use of a process which is based on a child's response to scientific, research-based intervention, also known as response to intervention (RTI);
  - Arizona requires the submission of an RTI Statement of Assurance signed by the chief administrative officer and special education director prior to the use of RTI as a component of an evaluation to identify students with specific learning disabilities.
- Permitting the use of other alternative research-based procedures.

Therefore, the process options for the identification of SLD include the identification of a pattern of child's strengths and weakness through:

- Determination of failure to respond to intervention (RTI) when provided through a tiered instructional approach and other appropriate measures;
- Determination based on individual assessment data (including but not limited to an Ability-Achievement discrepancy) and other appropriate measures;
- A combination of options 1 and 2, or;
- Use of other alternative research-based procedures.

No decision regarding SLD eligibility can be made by an IEP/Evaluation team without substantial information about a student's achievement levels in the areas of:

- Oral expression;
- Listening comprehension;
- Written expression;
- Basic reading skills;
- Reading fluency skills;
- Reading comprehension;
- Mathematics calculation;
- Mathematics reasoning.

If an education agency has a general education process based on a child's response to progressively intense interventions (RTI) in place and can demonstrate that a child is not making adequate progress in spite of those interventions, the agency may have sufficient data to support a determination of a specific learning disability without any standardized testing of ability and achievement.

However, it should be noted that IDEA requires that:

- A student be evaluated through multiple measures;
- The evaluation cover all areas related to the suspected disability;
- The team making the eligibility decision finds that the deficits are not primarily the result of another disability, cultural factors, environmental or economic disadvantage or limited English proficiency.

In other words, all of the evaluation requirements of the IDEA exist regardless of the data collection option used for SLD determination.

There are specific points that must be included when reviewing existing data. When the eligibility decision is based primarily on a child's response to intervention, it is vital that this review and documentation be particularly robust. The requirements are noted below along with suggestions for information that would meet the requirements.

### **Information provided by the parents of the child:**

- Current developmental, social, medical, and functional status of the child and other information regarding the child considered relevant by the parent;
- The language and culture of the home and any family history that might have an impact on the child's success in school;
- Student success or frustration with homework and class assignments;
- Level of parent support required for the student to complete assignments.

### **Information provided by teachers and related service providers:**

- Information related to the child's peer relationships, work habits, organizational skills, motivation, behavior and/or self-esteem;
- Educational history including attendance, school transfers, and/or educational opportunity;
- Descriptions of the research-based instruction and tiered interventions that were implemented with the whole group and with targeted populations that included the child;
- Documentation that the instruction and interventions were implemented with fidelity and for sufficient periods of time to ascertain effectiveness.

### **Current classroom-based assessments**

- Performance on teacher-made tests, grades, homework assignments, portfolio information, and other general classroom evaluations;
- Comparative results of progress monitoring from each tier of the instruction/intervention model with comparisons regarding one or more of the following:
  - Level of performance differences<sup>1</sup> against national norms, local (LEA or classroom) norms, or grade-level benchmarks such as provided within DIBELS;
  - Rate of progress differences<sup>2</sup> measured against relevant peer group with similar interventions;
  - Retention of knowledge differences<sup>3</sup> measured against relevant peer group;
  - Intensity of intervention differences<sup>4</sup> measured against relevant peer group.

### **Formal assessments**

- Performance on State and LEA-wide assessments including the AIMS, TerraNova, AIMS-A, and, if appropriate, language proficiency tests.

---

<sup>1</sup> Level of performance differences means the child is not learning age/grade-level content in spite of multiple opportunities to learn.

<sup>2</sup> Rate of progress differences means the child is learning age/grade-level content but progress is substantially slower than expectations and/or that of peers.

<sup>3</sup> Retention of knowledge differences means that the child seems to learn the age/grade-level content but cannot retain the information/skill for an expected length of time.

<sup>4</sup> Intensity of intervention differences means that, while the child is making progress, the amount or nature of the intervention required to make progress is not sustainable within general education.

As is true for any disability consideration, once the evaluation team has reviewed all existing data, they must decide if the information is sufficient to make an eligibility decision and to develop an appropriate IEP. In many cases, additional data will need to be collected in order to satisfy all of the IDEA requirements even when the RTI information related to SLD seems definitive. In some cases, the team may decide that additional testing should be completed in order to support the RTI findings or to assist in selecting IEP goals and services. When the team decides that additional information is necessary, informed parental consent must be obtained.

### **Eligibility Considerations and Documentation**

In addition to the general evaluation requirements, the IDEA '04 regulations are highly specific in the requirements related to determining and documenting the existence of a specific learning disability. These requirements, found in 34 CFR §§300.307-311, include:

- Additional team membership;
- Criteria for the determination of SLD;
- Classroom observations;
- Documentation of a pattern of strengths and weaknesses relative to age, State-approved grade level standards, or intellectual development;
- Documentation that the weaknesses are not a result of other factors;
- For a child who has participated in an RTI process, the instructional strategies, data collected, and parent notification, and;
- Team certification of agreement/disagreement with the eligibility determination.

Evaluation teams that are considering a determination of a specific learning disability should pay particular attention to these sections of the regulations.

In summary, IDEA requires that public education agencies have in place the following documentation when determining a child is a child with a specific learning disability:

- The child is not achieving adequately for his/her age or to meet state standards;
- The child exhibits a pattern of strengths and weakness relative to age and state standards using an RTI approach, a discrepancy model, or a combination of both;
- The child has been evaluated in all areas related to the suspected disability;
- The child's difficulties are not primarily a result of another disability or cultural, environmental, economic disadvantage, or limited English proficiency; and
- The child was provided with appropriate instruction within general education, including documented assessment of achievement over time.

Appendix F contains additional information including frequently asked questions and the differences between traditional identification methods and RTI methods.

## **Reevaluations**

(§§300.303–300.311; A.R.S. §15-766; A.A.C. R7-2-401.E)

In accordance with IDEA '04, a PEA must conduct a reevaluation if the PEA determines that the educational or related services needs of the child warrant a reevaluation or if a parent or teacher requests a reevaluation. Consequently, a reevaluation must be done when a student improves significantly and may no longer need special education, when little or no progress is being made, or when a parent or teacher requests a reevaluation.

However, the IDEA limits reevaluations to not more than one a year, unless the parent and PEA agree otherwise. Reevaluations must be conducted at least once every three years, unless the parent and PEA agree that a reevaluation is unnecessary. If a reevaluation is unnecessary, even the first step of reviewing existing data is not required. However, the PEA should ensure that any decision not to reevaluate is mutual. The PEA should give the parent a prior written notice of the agreement and/or obtain a signed, dated agreement not to reevaluate the child. Evidence of this agreement should be retained in the child's special education file.

### **Reevaluation Considerations**

All of the considerations referenced in the initial evaluation procedures also apply to reevaluations.

### **Review of Existing Evaluation Data**

The review of existing evaluation data must be a part of any reevaluation. Using information from the review of data and input from the child's parents, the reevaluation team must identify what additional data, if any, are needed to determine:

- Whether a child continues to have a disability and the educational needs of the child;
- The present levels of academic achievement and related developmental needs of the child;
- Whether the child continues to need special education and related services; and
- Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP and to participate, as appropriate, in the general education curriculum.

The team may conduct its review without a meeting. Once the team has identified what, if any, additional data are needed, parent consent to gather the additional data must be obtained.

### **Requirements if Additional Data Are Not Needed**

There are occasions when the wealth of information contained in a child's file and reviewed by the IEP team provides ample documentation of the child's continued eligibility and the necessary content for the IEP. When no additional assessments are needed, the PEA must still notify the child's parents of:

- The determination that no additional data are needed and the reasons for the decision; and
- The parents' right to request any assessments to determine continued eligibility and educational needs.

## **Final Steps Following Reevaluation**

(§300.306; A.R.S. §15-761; A.A.C. R7-2-401.E)

When the review of existing data, administration of any assessments and other evaluation measures are complete, the final step in the reevaluation process is to review and discuss all evaluation information. The IEP team must determine eligibility in the same manner as that described in the initial determination.

## **Evaluations before a Change in Eligibility**

With the exception of the occasions noted below, a PEA must reevaluate a child with a disability before determining that the child no longer qualifies for special education. The evaluation may consist of a review of existing evaluation data, some additional assessment, or an entire comprehensive evaluation, based on the IEP team's decision as to what information is needed to make the decision.

Exceptions that do not require an evaluation to terminate services:

- Graduating from secondary school with a regular diploma;  
or
- Exceeding the age eligibility for FAPE under Arizona law.



For students whose eligibility terminates due to the exceptions above, the PEA must provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting his/her postsecondary goals.

## **Appendix A: Sample Forms**

The following sample forms can be used to document the evaluation process and all required components. Using the sample forms is one way IEP teams can document the review of existing data, parent consent to gather additional data, and after consideration of all data, the resulting decisions.



**Review of Existing Data for Evaluation**

**Student Name**\_\_\_\_\_ **DOB**\_\_\_\_\_ **SAIS#**\_\_\_\_\_

**Date Review Completed**\_\_\_\_\_ **Student's Language Proficiency**\_\_\_\_\_

**Vision Screening Date**\_\_\_\_\_ **Results**\_\_\_\_\_

**Hearing Screening Date**\_\_\_\_\_ **Results**\_\_\_\_\_

**Review of Existing Data by the Multidisciplinary Evaluation/IEP Team (§300.305(a)–(e); §15-766.B)**

Information provided by the parents, including **current** developmental, medical, functional information, and history, including any parentally obtained evaluations:

Summary of any prior special education evaluation(s), including dates and significant results:

Current classroom-based assessment scores and performance in the general curriculum, which could include educational history:

Teacher and, as appropriate, current related service provider observations and input, and for an initial evaluation, any pre-referral interventions:

Results of formal assessments such as Arizona (AIMS) or PEA-wide assessments, including language proficiency assessments where applicable:

Educational problems related to or resulting from reasons of educational disadvantage, racial, and/or cultural considerations:

Classroom-based observations:

### **Consideration and Identification of the Need for Additional Data to Be Collected**

Is the existing information sufficient to determine:

- Whether the child has a particular category of disability or continues to have a disability?
- The present levels of academic and functional performance and educational needs of the child?
- Whether the child needs or continues to need special education and related services?
- And whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP and to participate, as appropriate, in the general education curriculum?

**YES**  the information is sufficient. Summarize the team's reasons in the box below and proceed to the determination of eligibility.

If existing data are sufficient to determine the above information, summarize the basis for the team's determination.

*For reevaluation only, parents were notified of their right to request additional assessments to determine whether the child continues to be a child with a disability.*

**NO**  additional data are needed. List the information that needs to be collected below.

**Team members involved:**

## Parent Consent for Evaluation

Student Name \_\_\_\_\_ DOB \_\_\_\_\_ SAIS # \_\_\_\_\_

After reviewing existing evaluation data, the IEP team has determined that your child requires additional assessment(s) to determine if the child has a disability and the resulting educational needs. Your written consent is required before we gather the additional data. Your consent is voluntary. You may revoke your consent at any time during the evaluation, which will halt any further assessment. Such revocation does not alter consent for any evaluation that has already occurred.

### Components of the evaluation may include:

- Intellectual Assessment
- Emotional/Behavioral Assessment
- Speech-Language Assessment
- Fine Motor Assessment
- Gross Motor Assessment
- \_\_\_\_\_
- \_\_\_\_\_

Records resulting from this evaluation may only be released to third parties with your express written consent. However, under the Family Educational Rights and Privacy Act, records may be released without your consent to another school in which your child is seeking to enroll.

Upon completion of the evaluation, you will be invited to attend a meeting to review the evaluation results and to help make a determination of eligibility.

- I have received a copy of the parent's Procedural Safeguards Notice.
- I give permission for my child to receive an individual evaluation.
- I refuse permission for my child to receive an individual evaluation.

Parent's Name \_\_\_\_\_

Parent's Signature \_\_\_\_\_ Date \_\_\_\_\_

## Evaluation Report

Following the completion of evaluation, a comprehensive report must be developed and maintained in the student's file. An evaluation checklist is provided below to assist teams in the development of such a report.

### Evaluation Checklist

*Use this checklist to assist in creating a comprehensive report format that includes all the required components and considerations.*

#### Biographical Information

- Student name
- DOB
- Student ID#
- New eligibility date
- Previous eligibility date
- Current vision date/results
- Current hearing date/results

#### Review of Existing Data

- Review of Existing Data form is included in the report OR the text of the report includes all of the information indicated on the Existing Data form.

#### Documentation of Additional Data

- Results of any additional data are reported in a comprehensive manner.

#### Summarize the Evaluation

- Discussion and documentation of the present levels of educational performance and educational needs are included.
- Discussion and documentation of any impact of educational disadvantage, lack of appropriate instruction in reading or math, or limited English proficiency are included.
- The appropriate category of eligibility form is included OR the text of the report includes all of the information indicated on the eligibility form.
- The evaluation and eligibility determination team membership is indicated in the report.

**Child with Autism (A)**  
Determination of Eligibility

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date of Eligibility Decision

\_\_\_\_\_  
Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

- The student has a developmental disability that significantly affects verbal and nonverbal communication, social interaction and adversely affects performance in the educational environment. Characteristics of autism include irregularities and impairments in communication, engagement in repetitive activities and stereotypical movements, resistance to environmental change or changes in daily routines and unusual responses to sensory experiences. Autism does not include children with emotional disabilities as defined in A.R.S. §15.761.
  
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with autism.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Emotional Disability (ED)**  
Determination of Eligibility

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date of Eligibility Decision

\_\_\_\_\_  
Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

The student exhibits one or more of the following characteristics over a long period of time and to a marked degree and the behavior adversely affects performance in the educational environment:

- An inability to build and maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general and pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.
- An inability to learn that cannot be explained by intellectual, sensory, or health factors.

The disability includes children who are schizophrenic, but does not include children who are socially maladjusted, unless it is determined that they have an emotional disability.

- The emotional disability has been verified by a psychiatrist, licensed psychologist, or certified school psychologist.
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with an emotional disability.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Hearing Impairment (HI)**  
Determination of Eligibility

---

Name of Student

---

Date of Eligibility Decision

---

Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

- The student has a loss of hearing acuity that adversely affects performance in the educational environment.
- The hearing loss has been verified by an audiologist through an audiological evaluation.
- A communication/language proficiency evaluation has been conducted.
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with a hearing impairment.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

*Note:* A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Mild Mental Retardation (MIMR)**  
Determination of Eligibility

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date of Eligibility Decision

\_\_\_\_\_  
Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

- The student exhibits mental retardation that adversely affects performance in the educational environment as evidenced by performance on a standard measure of intellectual functioning that is between two and three standard deviations below the mean for students of the same age.
- The student demonstrates adaptive behaviors that are between two and three standard deviations below the mean for students of the same age.
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with mild mental retardation.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Moderate Mental Retardation (MOMR)**  
Determination of Eligibility

---

Name of Student

---

Date of Eligibility Decision

---

Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

- The student exhibits mental retardation that adversely affects performance in the educational environment as evidenced by performance on a standard measure of intellectual functioning that is between three and four standard deviations below the mean for students of the same age.
- The student demonstrates adaptive behaviors that are between three and four standard deviations below the mean for students of the same age.
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with moderate mental retardation.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Multiple Disabilities (MD)**  
Determination of Eligibility

---

Name of Student

---

Date of Eligibility Decision

---

Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

- The student has learning and developmental problems resulting from multiple disabilities that cannot be provided for adequately in a program designed to meet the needs of children with less complex disabilities and that adversely affect performance in the educational environment:

The student is a student with a disability with two or more of the following conditions:

- A hearing impairment.
- An orthopedic impairment.
- Moderate mental retardation.
- A visual impairment.
- One or more of the following disabilities existing concurrently with any of the above—mild mental retardation, an emotional disability, or a specific learning disability.
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with multiple disabilities.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Multiple Disabilities with Severe Sensory Impairment (MDSSI)**  
Determination of Eligibility

---

Name of Student

---

Date of Eligibility Decision

---

Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

The student has:

- A severe visual or hearing impairment in combination with one or more of the following disabilities that, taken together, adversely affect performance in the educational environment:
  - Autism
  - Orthopedic impairment
  - Moderate or severe mental retardation
  - Multiple disabilities
  - Emotional disability requiring private or public intensive therapeutic placement
- The student has a severe visual **and** a severe hearing impairment.
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with multiple disabilities with a severe sensory impairment.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

*Note:* A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Orthopedic Impairment (OI)**  
Determination of Eligibility

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date of Eligibility Decision

\_\_\_\_\_  
Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

- The student has one or more severe orthopedic impairments caused by a congenital anomaly, disease or other causes such as amputation, or cerebral palsy that adversely affects performance in the educational environment.
- The orthopedic impairment has been verified by a doctor of medicine or doctor of osteopathy.
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with an orthopedic impairment.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Other Health Impairment (OHI)**  
Determination of Eligibility

---

Name of Student

---

Date of Eligibility Decision

---

Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA, A.R.S. §15-766, and the following requirements:

- The student has a health impairment that limits his/her strength, vitality, or alertness (including a heightened alertness that results in limited alertness with respect to the educational environment) that is due to chronic or acute health problems including but not limited to asthma, attention deficit disorder, diabetes, epilepsy, and/or heart conditions. The health impairment adversely affects performance in the educational environment.
- The health impairment has been verified by a doctor of medicine or doctor of osteopathy.
- The student was evaluated in all other areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with other health impairment.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Severe Mental Retardation (SMR)**  
Determination of Eligibility

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date of Eligibility Decision

\_\_\_\_\_  
Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

- The student exhibits mental retardation that adversely affects performance in the educational environment by performance on a standard measure of intellectual functioning that more than four standard deviations below the mean for students of the same age.
- The student demonstrates adaptive behaviors that are between at least four standard deviations below the mean for students of the same age.
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with severe mental retardation.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Specific Learning Disability (SLD)**  
Determination of Eligibility

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date of Eligibility Decision

\_\_\_\_\_  
Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

The student has a specific learning disability in one or more of the following areas: (check all that apply)

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Oral expression      | <input type="checkbox"/> Listening comprehension | <input type="checkbox"/> Mathematics calculation |
| <input type="checkbox"/> Written expression   | <input type="checkbox"/> Reading comprehension   | <input type="checkbox"/> Mathematics reasoning   |
| <input type="checkbox"/> Basic reading skills | <input type="checkbox"/> Reading fluency skills  |  |

Eligibility was determined by: (check all that apply)

- Norm-referenced psychometric testing that identified a severe discrepancy between ability and achievement.
- A failure to respond to scientifically-based interventions and progress monitoring (RTI).

Additional Requirements: (document the following)

Relevant behavior(s) noted during the observation and the relationship to academic functioning

Educational relevant medical findings (if any)

The effects of an additional disability, cultural factors, environmental or economic disadvantage, or limited English proficiency on the child's achievement level

The child  is  is not achieving on grade level.

The child  is  is not making sufficient progress to meet grade level standards.

The child  does  does not exhibit a pattern of strengths and weaknesses in performance and/or achievement relative to grade level standards or intellectual development.

The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with a specific learning disability.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Special Rule:** The team may not identify a student as having a specific learning disability if the discrepancy between ability and achievement is **primarily** the result of a visual, hearing, or motor impairment, mental retardation, emotional disturbance, or environmental, cultural, or economic disadvantage.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

**Certification of Team Conclusion**

<b>Position/Relationship</b>	<b>Signature</b>	<b>Agree</b>	<b>Disagree**</b>
Parent			
General Education Teacher			
Special Education Teacher			
Agency Representative			
Interpreter of Evaluation Results			

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

If eligibility was determined through a response to intervention method, the evaluation report contains:

- The instructional strategies used and the student-centered data collected;
- Documentation that the parents were notified about –
  - Agency policies regarding the amount and nature of student performance data that would be collected;
  - The general education services that would be provided;
  - Strategies for increasing the child’s rate of learning, and;
  - The parents’ right to request an evaluation that includes norm-referenced psychometric testing.

---

\*\* If a team member disagrees with the conclusions of the team report, the team member must submit a separate statement presenting his or her conclusions.

**Child with Speech or Language Impairment (SLI)**  
Determination of Eligibility

---

Name of Student

---

Date of Eligibility Decision

---

Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

- The student has a communication disorder such as stuttering, impaired articulation, severe disorders of syntax, semantics or vocabulary, functional language skills, or voice impairment to the extent that it calls attention to itself and interferes with communication or causes the child to be maladjusted.
- An evaluation by a certified speech/language pathologist has been conducted.
- The student was evaluated in all areas related to the suspected disability. However, if the impairment appears to be limited to articulation, voice, or fluency problems the evaluation may be limited to the following:
  - An audiometric screening within the past calendar year;
  - A review of academic history and classroom functions;
  - An assessment of the student's functional communication skills.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with a speech/language impairment.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Traumatic Brain Injury (TBI)**  
Determination of Eligibility

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date of Eligibility Decision

\_\_\_\_\_  
Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant A.R.S. §15-766 and the following requirements:

- The student has an acquired open or closed injury to the brain that was caused by an external physical force which has resulted in total or partial functional disability or psychosocial impairment, or both, that adversely affects performance in the educational environment. Resulting impairments include such areas of disability as cognition, language, memory, attention, reasoning, behaviors, physical function, information processing, and speech.
- The injury is not congenital or degenerative or induced by birth trauma.
- The injury has been verified by a doctor of medicine or doctor of osteopathy.
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with traumatic brain injury.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

*Note:* A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**For funding purposes, a student with TBI must be listed in Student Accountability Information System (SAIS) with another disability. Therefore, the team should identify another disability category that most closely resembles the manifestation of the student's TBI and complete eligibility documentation for that disability to the extent appropriate.**

**Child with Visual Impairment (VI)**  
Determination of Eligibility

---

Name of Student

---

Date of Eligibility Decision

---

Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to the IDEA '04, A.R.S. §15-766, and the following requirements:

- The student has a loss of visual acuity or loss of visual field that, even with correction, adversely affects performance in the educational environment. The term includes both partial sight and blindness.
- The visual impairment has been verified by an ophthalmologist or optometrist.
- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does** meet the criteria as a child with a visual impairment.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

*Note:* A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Preschool Moderate Delay (PMD)**  
Determination of Eligibility

---

Name of Student

---

Date of Eligibility Decision

---

Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to A.R.S. §15-766 and the following requirements:

- The child demonstrates performance on a norm-referenced test that measures at least one and a half but not more than three standard deviations below the mean for children of the same age in two or more of the following areas:
  - Cognitive development
  - Social and emotional development
  - Physical development
  - Adaptive development
  - Communication development
- The results of the norm-referenced measure(s) are corroborated by information from other sources, including parent input, judgment-based assessments, and/or surveys.
- The child was evaluated in all of the areas of development listed above, which, taken as a whole, comprise a comprehensive developmental assessment.

---

**Team decision regarding the presence of a disability:**

- The child **does** meet the criteria as a child with a preschool moderate delay.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Preschool Severe Delay (PSD)**  
Determination of Eligibility

---

Name of Student

---

Date of Eligibility Decision

---

Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to A.R.S. §15-766 and the following requirements:

- The child demonstrates performance on a norm-referenced test that measures more than three standard deviations below the mean for children of the same age in one or more of the following areas:
  - Cognitive development
  - Social and emotional development
  - Physical development
  - Adaptive development
  - Communication development
- The results of the norm-referenced measure(s) are corroborated by information from other sources, including parent input, judgment-based assessments, and/or surveys.
- The child was evaluated in all of the areas of development listed above, which, taken as a whole, comprise a comprehensive developmental assessment.

---

**Team decision regarding the presence of a disability:**

- The child **does** meet the criteria as a child with a preschool severe delay.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

*Note:* A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Child with Preschool Speech/Language Delay (PSL)**  
Determination of Eligibility

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date of Eligibility Decision

\_\_\_\_\_  
Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to A.R.S. §15-766 and one or both of the following requirements:

- The child demonstrates performance on a norm-referenced language test that measures at least one and a half standard deviations below the mean for children of the same age.
- The child's speech, out of context, is unintelligible to a listener who is unfamiliar with the child.

**AND**

- The child was evaluated through a comprehensive developmental assessment or norm-referenced assessment and parental input that documents that the child is not eligible for services under another preschool category.

---

**Team decision regarding the presence of a disability:**

- The child **does** meet the criteria as a child with a preschool speech/language delay.

**Team decision regarding the need for special education services:**

- The student **does not** need special education services.
- The student **does** need special education services.

**Note:** A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

**Non-Eligible Child**  
Determination of Eligibility

---

Name of Student

---

Date of Eligibility Decision

---

Name of Public Education Agency

The determination of eligibility for special education is based on an evaluation pursuant to A.R.S. §15-766 and the following requirements:

- The student was evaluated in all areas related to the suspected disability.

---

**Team decision regarding the presence of a disability:**

- The student **does not** meet the criteria as a child with a disability under the IDEA.

*Note:* A student shall not be determined to be a child with a disability if the determinant factor is lack of appropriate instruction in reading (including the essential components of reading instruction), lack of appropriate instruction in math, or limited English proficiency.

- Parent has been provided with notice regarding this decision that meets the prior written notice requirement under IDEA '04.

## **Appendix B: Federal and State Statutory and Regulatory References**

### **Individuals with Disabilities Education Act of 2004**

#### **IDEA Regulations of 2006, Title 34 of the Code of Federal Regulations (C.F.R.), Part 300**

<b>Topic</b>	<b>34 C.F.R. Part 300 Reference</b>
Definition of evaluation	§300.15
Parent consent	§300.300
Basic requirements	§§300.301, 300.304, 300.324
Initial evaluation	§§300.301, 300.305
Reevaluation	§300.303
Review of existing data	§300.305(a)(1)
Evaluation procedures	§300.304
Copy of report for parents	§300.306(a)(2)
Independent educational evaluation	§300.502
Evaluation not required for graduation	§300.305(e)(2)

#### **Arizona Revised Statutes (A.R.S.), Title 15: Education, Chapter 7: Instruction**

<b>Topic</b>	<b>A.R.S. Reference</b>
Evaluation of child for placement in special education	§15-766

#### **Arizona Administrative Code (A.A.C.), Title 7: Education, Article 4: Special Education**

<b>Topic</b>	<b>A.A.C. Reference</b>
Evaluation and reevaluation	R7-2-401.E

## Appendix C: Categories of Eligibility

Category of Disability	IDEA '04 Regulations	Arizona Revised Statutes
Autism	§300.8(c)(1)	§15-761.1
Emotional Disability	§300.8(c)(4)*	§15-761.6
Hearing Impairment	§300.8(c)(3)(5)	§15-761.7
Mental Retardation	§300.8(c)(6)	§15-761.12
Mild Mental Retardation	§300.8(c)(6)	§15-761.13
Moderate Mental Retardation	§300.8(c)(6)	§15-761.14
Multiple Disabilities	§300.8(c)(7)	§15-761.16
Multiple Disabilities with Severe Sensory Impairment	§300.8(c)(2)(7)	§15-761.17
Orthopedic Impairment	§300.8(c)(8)	§15-761.18
Other Health Impairment	§300.8(c)(9)	§15-761.19
Preschool Hearing Impairment	§300.8(c)(3)(5)	§§15-771.A.1, 15-761.7
Preschool Moderate Delay	§300.8(b)(1)	§15-761.23
Preschool Severe Delay	§300.8(b)(1)	§15-761.24
Preschool Speech-Language Delay	§300.8(c)(11)	§15-761.25
Preschool Visual Impairment	§300.8(c)(13)	§§15-771.A.2, 15-761.40
Severe Mental Retardation	§300.8(c)(6)	§15-761.30
Specific Learning Disability	§§300.8(c)(10), 300.309(a)(3)	§15-761.34
Speech/Language Impairment	§300.8(c)(11)	§15-761.35
Traumatic Brain Injury	§300.8(a)(12)	§15-761.39
Visual Impairment	§300.8(c)(13)	§15-761.40

\* Refers to “Emotional Disturbance”

## **Appendix D: Evaluation Definitions**

### **Accommodations**

Provisions made to allow a student to access and demonstrate learning. These do not substantially change the instructional level, the content, or the performance criteria. The changes are made to provide the student equal access to learning and equal opportunities to demonstrate knowledge.

### **Adaptations**

Changes made to the environment, curriculum, instruction, and/or assessment practices for a student to be a successful learner. Adaptations include accommodations and modifications. Adaptations are based on an individual student's strengths and needs.

### **Assistive Technology Device**

Any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted or the replacement of such a device.

### **Assistive Technology Service**

Any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device, such as the evaluation of the needs of the child including: a functional evaluation of the child's customary environment; purchasing or leasing assistive technology devices; selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices; coordinating and using other therapies, interventions, or services with assistive technology devices; training or technical assistance for the child or that child's family; and, training or technical assistance for professionals, employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that child.

### **Modifications**

Substantial changes in what a student is expected to learn and to demonstrate. Changes may be made in the instructional level, the content, or the performance criteria. Such changes are made to provide a student with meaningful and productive learning experiences, environments, and assessments based on individual needs and abilities.

### **Observations**

Formal and informal documentation of student performance. Examples include the following:

#### ***General Observations***

Examples of observations, completed by teachers, related service providers, parents, and/or other members of school staff, could include informal reflections on a student's performance and/or formal observations completed in a structured setting. Considerations to include in observations could include numbers in a learning group, subject matter of the instruction, the behavior of the student as compared to peers in class, and/or the relationship of the behavior to academic functioning.

#### ***Observations During Testing***

Examples of observations during testing could include characteristic(s) or behavior(s) that may have an impact on the evaluation process or results.

***Observations in Other Settings***

Examples of observations in other settings could include activity level (calm, hyperactive, reticent, persistent, gives up easily, etc.), attention (adequate, interested, easily distracted, situational, etc.), maturity, and adult relationships (friendly, hostile, indifferent, silly, etc.).

***Interviews/Reviews of Records***

Examples of interviews or review of records could include a discussion as to how these interviews/records impact the student in the learning environment.

## **Appendix E: Evaluation Considerations**

### **Cultural Disadvantage**

Examples of cultural disadvantage to consider include language, values/expectations, and/or parental involvement.

### **Economic Disadvantage**

Examples of economic disadvantage to consider include issues of income and poverty, involvement with other social agencies, family history, family illness, natural economic disasters, and/or lack of community resources.

### **Educational Disadvantage**

Examples of educational disadvantage to consider include poor attendance, number of schools attended, retentions, teaching effectiveness, student-teacher relationships, lack of preschool services, and/or lack of community resources.

### **Educational History**

Educational history examples include previous school attended, retentions, previous grades, discussions of previous interventions, discussions of previous evaluation results, comments from current teacher(s), and/or attendance patterns.

### **Educationally Relevant Medical Information and Developmental History**

Examples of educationally relevant medical information and developmental history include pregnancy and delivery, developmental milestones, hospitalizations, explanations of visual–auditory history (vision and hearing screenings, glasses, hearing aides, auditory trainer), fine/gross motor status, prenatal conditions, accidents, illnesses, injuries, medical conditions, and/or medications (current, significant medications, history).

### **Environmental**

Examples of environmental considerations include socioeconomic status, community experience, family history, and/or family mobility.

### **Family History**

Examples of family history include family structure and recent changes in family structure, occupation of parents, education level of parents, number of and age(s) of siblings, histories of disabilities, birth defects, etc., determination of primary language of home/child and how the determination was made, and/or other relevant cultural issues.

### **Lack of Instruction**

Examples of lack of instruction may include a lack of appropriate instruction in reading or math, including the essential elements of reading, or lack of a consistent curriculum linked to the Arizona standards.

### **Limited English Proficiency**

Limited English proficiency means that English is not the native/primary language of the child and that the child has difficulties in English language comprehension and/or expression due to second language learning issues.

### **Reason for Referral**

Examples of reasons for referral include the initiation of referral (who? what? why?), the reasons (reevaluation, specific skill deficits), and the suspected area of disability(s).

## Appendix F: Additional SLD/RTI Information

### Frequently Asked Questions

#### 1. What has to exist in order for RTI to work?

RTI is successful when an infrastructure exists to support sufficient assessment and intervention resources to make decisions that result in successful outcomes for students. School staff must possess skills in the necessary assessment and intervention practices. Applying these skills requires that staff members have an understanding of evidence-based interventions and how to apply them to academic or behavior problems. Additionally, monitoring would be needed to assure that interventions are implemented with a high degree of fidelity. Teachers and support services personnel will require the support of building administrators and LEA staff to implement the RTI model. Support provided to teachers must extend through the implementation of interventions and the collection of appropriate data to assess student progress.

The implementation of RTI is best done in phases with focus on quality over quantity and generally requires three to six years. Extensive professional development must take place. For more information about professional development, refer to the ADE website and to *Response to Intervention: Policy Considerations and Implementation* published by the National Association of State Directors of Special Education, Inc. (NASDSE) pages 39 - 42.

#### 2. What is the criterion for a successful intervention?

An academic intervention is successful if there is a sustained narrowing of the achievement gap for the struggling learner as demonstrated by data collected through progress monitoring. A behavioral intervention is successful if there is a reduction in the problem behavior and/or an increase in desired replacement behaviors.

#### 3. How long should interventions be implemented in RTI?

The amount of time required to identify and verify the effective interventions will vary by skill (decoding, algebraic equations, etc.), the age and the grade level of the student. Interventions should be continued as long as the student exhibits a positive response. The interventions should be modified as appropriate when a student's progress is less than expected.



#### 4. What documentation is used with the RTI model?

Local Education Agencies (LEAs) should document the assessment and intervention strategies and outcomes using the LEA guidelines. The use of graphs and charts is a basic component of RTI. In addition, other data collection strategies may be employed at the teacher or building level. Such strategies should produce documentation of a student's progress or lack of progress (e.g., graphs, charts) as well as a narrative explanation of the data.

#### 5. How/what do we communicate to parents?

Regardless of whether the parent or the teacher initiated a concern, parent involvement is critical and should be facilitated throughout the process, beginning with the problem identification phase. The LEA should communicate the progress monitoring information to the parent each time the data are analyzed. Parents should be involved in all the decisions regarding modifications to interventions and related changes to a student's curriculum.

**6. Do I have to use RTI to determine eligibility for the program for students who are SLD?**

No. The decision of which approach to use is made at the local level.

**7. When should a school initiate a special education referral in a RTI system?**

A school should initiate a referral when it suspects that a student has a disability or when a parent makes a referral requesting that a student be evaluated for special education. Significant non-responsiveness at Tier 2 may trigger a referral to special education. Non- or slow-responsiveness at Tier 3 represents a point within an RTI system when a disability should be suspected absent other information. The school may not require that a student demonstrate non-responsiveness at any tier before initiating a referral.

**8. If a parent requests an evaluation for special education and the RTI approach will exceed the 60-day timeline, must the school abandon their RTI strategies?**

If a parent submits a written request for an evaluation, the school has several choices. They can:

- A. Explain the RTI process to the parent and, if the parent agrees to withdraw the evaluation request, the school can continue with the RTI process in an expedited manner. However, it is essential that the decision of the parent to withdraw the request be informed, made voluntarily and documented in writing. The parent must also be informed of the right to reinstate the request at any time. The 60-day timeline would not apply at this point but the child's progress should be closely monitored and the parent kept informed on a regular basis.
- B. Refuse the parent request for an evaluation and provide a prior written notice that explains the reasons for the refusal and the parents' rights under IDEA.
- C. Convene the multidisciplinary evaluation team, review existing information (including current RTI data), identify what additional information is necessary to determine special education eligibility, collect the additional information and determine eligibility. The process must be completed within 60 days of the receipt of the written parental request.

**9. Can parents request an independent educational evaluation (IEE) at public expense when a school has chosen to implement a RTI system?**

Yes, an IEE request is a process specific to special education and is available when a parent disagrees with the special education evaluation completed by the school. If a school chooses to implement a RTI system, parents maintain the right to request an IEE at public expense. The IEE may be conducted using a traditional ability/achievement discrepancy approach. The evaluator may also reanalyze RTI data from the school and/or collect additional response to intervention data gathered independently of the school.

**10. Can a school use the RTI process when reevaluating a student who was originally determined eligible under a severe discrepancy model?**

Yes. If the RTI process reveals that a student continues to be eligible, is no longer eligible or has additional areas of need, the school team may make decisions using established RTI criteria.

**11. Can a school use RTI data to support the decision that a student has a disability in a special education disability category other than SLD?**

Yes. RTI data may be included when considering other categories. However, the information included in the evaluation report must be sufficiently comprehensive to address each area of suspected disability. Therefore, RTI data may not be the sole source of information but may

supplement information provided for suspected disabilities in categories other than SLD. RTI is an excellent strategy to document the second stage of special education eligibility – that the student needs special education in order to benefit from educational services.

**12. How might special education instruction differ from the Tier 3 interventions that a student may have been receiving prior to qualifying for special education services?**

The interventions and services a student receives once determined eligible for special education services will vary with each individual student. If a student has been unsuccessful with Tier 3 interventions, the student's services may look similar to those Tier 3 interventions except the instruction will be more intense, provided with an increased frequency and duration, involve certificated special education staff and adapted to meet the student's unique needs. Schools are required to ensure that the IEP services identified for each eligible student are developed and provided.

**13. Under the RTI process, how will students transition between LEAs using different evaluations models?**

For students with an IEP, IDEA 2004 Section 614 (d) (2)(C) states that "...the local educational agency shall provide such child with a free appropriate public education, including services comparable with those described in the previously held IEP, in consultation with the parent until such time as the local educational agency adopts the previously held IEP or develops, adopts and implements a new IEP that is consistent with the Federal and State law." A student found eligible for a program in one LEA in Arizona is automatically eligible for the same program upon enrollment in any other LEA in the state unless and until the IEP team determines through reevaluation that the student is no longer a student with a disability under IDEA. LEAs may use different evaluation models to determine eligibility. However, regardless of the evaluation model used to determine eligibility, it is expected that the RTI model will result in an intervention plan that significantly improves the academic performance of the student.

## Comparison of SLD Identification Models

The following information is primarily a product of the National Association of State Directors of Special Education publication entitled *Response to Intervention: Policy Considerations and Implementation*

Component	Historical System	RTI Approach
SLD eligibility criteria	Primarily based on ability-achievement discrepancy and consideration of exclusion factors	Based on significant differences in performance compared to peers, low rate of progress with high-quality interventions, consideration of exclusion factors
Type of tests used	Global – ability and achievement tests, usually published	Specific – usually direct measures of specific skills needed for success in the classroom; may be published or unpublished
Comparison standards	Typically national norms	Typically regional, district, school or classroom standards; nationally normed tests used sparingly
Frequency of assessment	Typically administered at one or two sittings	Functional academic and/or behavioral data collected over time
Nature of assessment targets	Hypothetical constructs (e.g., IQ, visual-motor integration, psychological processing)	Specific skills (e.g., phonemic awareness, oral expression, reading fluency, reading comprehension, math computation, math problem solving)
Relationship of assessment to curriculum	Often minimal	Direct relationship
Relationship between eligibility assessments and intervention	Often minimal	Usually a direct link between assessed performance and instruction intervention
Use of information provided by parents and teachers	Typically supplemental to the eligibility decision	Typically central to the eligibility decision