

Special Education Eligibility & The Initial Evaluation Process

Presented by Parent Mentors of Ohio

ASHLEY: Hello everyone and welcome to our second state wide webinar, Special Education Eligibility and The Initial Evaluation Process, presented by a few of our Parent Mentors in Ohio.

Presentors



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Piqua City Schools



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Hudson City Schools



Dawn Millhouse
Centerville & Oakwood Schools



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Dublin City Schools



Beth Carter
Parma City Schools



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Champaign County Schools



Jenn Slechter
Allen County ESC

Housekeeping

- All participants are muted
- Please use the Q&A feature to ask questions at any time
- The presentation is being recorded
- This will be available on our website for on-demand viewing

www.ohioparentmentor.com

ASHLEY: I'm Ashley Thoreen, a Parent Mentor in Miami County. Today I have some amazing Parent Mentors with me. First is Darlene LaFontaine who serves Hudson City Schools, Dawn Millhouse from Centerville and Oakwood Schools, Dee Marks from Dublin city schools, Beth Carter, Parma City Schools, Jacqueline Howley from the Champaign County Schools and Jennifer Slee-ster

from the Allen County ESC . Each of these ladies will be presenting today along with monitoring our chat log for questions. Parent Mentors are specific to Ohio and our role within the school districts that we serve is to educate and coach family and staff through the special education process. You can learn more about what we do and find if you have a Parent Mentor by visiting www.ohioparentmentor.com.

Before we go any further I wanted to cover a few housekeeping items for today. You all are muted, please use the Q&A feature to ask questions or comment at any time. This presentation is being recorded and will be available on our website for on-demand viewing at www.ohioparentmentor.com That way if you have to jump off for any reason you can revisit this at a later date. Now let's get into the agenda for today's presentation.

Agenda



Evaluation Purpose & Roadmap



Eligibility and the IEP



Your Parental Role



Educational Disability vs. Medical Diagnosis



Resources



Q & A

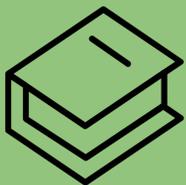


**Ask questions
anytime**

ASHLEY: And here is our agenda, we will cover what the evaluation is and the purpose of it, and give you an overview of the entire evaluation process. We will cover eligibility for special education and the Individualized Education Program or IEP, then we will talk about your role as the parent in this process. Before we get to our resources we will cover the difference between an educational disability and a medical diagnosis. At the end of our live broadcast we will open things up, if time allows, for some live questions and answers. Please remember you can use the Q&A function to ask questions at any time, our entire team is here to help you. Without further delay I will hand this off to **Jacqueline** to get us started!

Initial Evaluation

What is it?



Evaluation is the procedures used to determine if a child has a disability and the nature and extent of the special education and related services that a child may need.

-3301-51-06 Ohio
Administrative Code



Special Education provides specialized instruction for students who are considered a child with a disability under IDEA

Jacqueline: Thanks Ashley! Let's kick this off by asking what is an Initial Evaluation? Evaluations are administered to a student to determine:

- If the child may have a disability
- If they can progress in the general education curriculum without support
- If they have the necessary skills to be successful in life.

The Evaluation Process is one way to measure and track a child's success, to understand a student's capabilities, strengths and challenges. It is a process to work together as a team to problem solve creatively to allow our children to become the wonderful, unique individuals they are meant to be.

(It is important to remember to start by talking with your child's teacher. The teaching team may already be aware of your child's challenges and may be using some strategies to measure and track concerns. The teacher may welcome the opportunity to work with you to address your and their concerns. The school may have a team in place called a Response to Intervention Team or School Success Team or Intervention Assistance Team.

If the school district is using a response to intervention process or RTI, the district cannot use this process to reject a referral or delay the provision of a timely initial evaluation because a child has not participated in the RTI process. But the information gathered by the RTI process can be used to

inform the evaluation. The RTI process allows schools to detect learning challenges early on and provide sufficient intervention in order to prevent students from falling behind academically and improve long-term educational outcomes.

The purpose of the evaluation process is to gather information about the child's performance to determine if the educational needs of the child can best be met with special education services and also to determine the appropriate instruction and interventions to meet the particular needs of the child. It is a way of determining whether a child needs specially designed instruction in order to learn.

2004 IDEA

What is it?

“The Individuals with Disabilities Education Act (IDEA) is a law that makes available a free appropriate public education (FAPE) to eligible children with disabilities throughout the nation and ensures special education and related services to those children.”

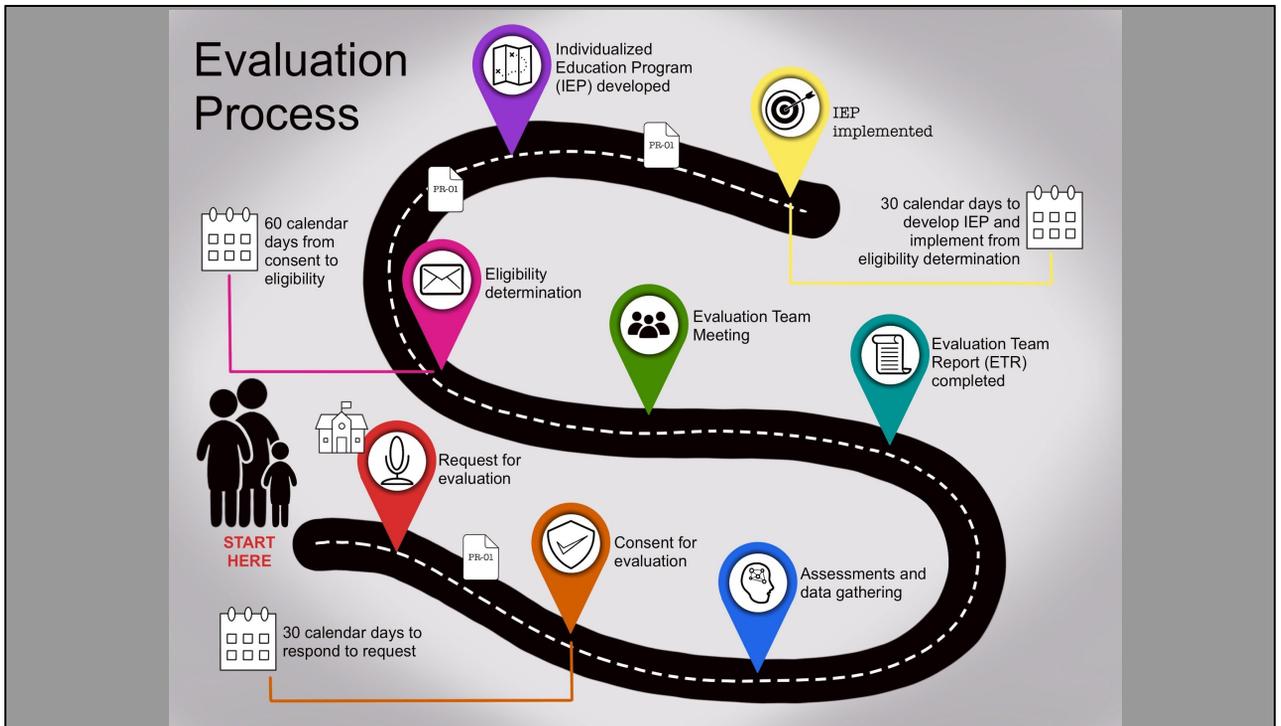
-<https://sites.ed.gov/idea/>

Jacqueline: IDEA 2004 looks at the Developmental, Functional and academic needs of a child.

IDEA is guided by the ideals that

- No one should underestimate the value or capability of a child,
- All children have the right to learn and be successful.
- The rights covered under IDEA 2004 are provided to give our children the necessary support and services they need to obtain a Free and Appropriate Public Education.

Okay so now that we know what an evaluation is let's look at how the process works.



Jacqueline: This is a road map of how the evaluation process may flow and its timeline. This road takes the parents from the request for evaluation to the writing of an IEP, if appropriate for the student. Let's look at this a bit further into detail.

We will explain the timeline in the few slides.

Start an Evaluation



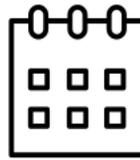
Request



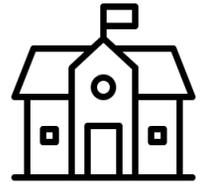
Letter



30 days



School



Jacqueline: If a parent suspects their child has a disability that is impeding their learning, they should:

- Write a letter to the building principal of the school where their child attends and share their concerns and give consent in writing to begin the evaluation process. Requests can be made in person but if you write a letter or send an email you know that you have documentation for your request. It's always best to have a paper trail.
- Or request a meeting with school personnel to sign a request for an evaluation form at an evaluation planning meeting.
- The school district also can ask you at any time if you want your child to be evaluated if district staff members think your child may need special education supports.
- The School then has up to 30 calendar days to respond to the parent's written request with their intent to evaluate by sending a Prior written Notice or PR-01. A PR-01 is an important written document to ensure that parents are fully informed.
- At the time of request, a copy of the Procedural Safeguards will be given to the parent. This document is important to you as a parent because it spells out your rights and the schools responsibility in this process.

Links to the Ohio Required and Optional Forms:

<http://education.ohio.gov/Topics/Special-Education/Federal-and-State-Requirements/Ohio-Required-and-Optional-Forms-Updated>

Link to the Guide to Parent Rights in Special Education:

<https://education.ohio.gov/Topics/Special-Education/A-Guide-to-Parent-Rights-in-Special-Education>

Initial Evaluation

Prior Written Notice (PR-01)

PR-01



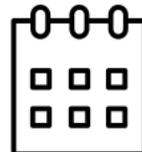
Consent



Planning



60 days



Jacqueline:

Let's assume that the school does agree that an evaluation should take place to determine if your child needs specialized instruction:

Parents must provide consent to conduct an evaluation so what's next? You will receive a PR-01 that includes the districts intent to evaluate and request your permission. During this process you will see quite a few PR-01 forms so you are fully informed of the actions the district is taking. This is one of the procedural safeguards that are in place to protect your rights as a parent.

An Evaluation Planning Meeting is a meeting where the school and you plan for what areas of concern will be evaluated in order to understand the unique way the student's brain learns.

The evaluation plan is informed by things such as parental concerns, teacher input, medical information and student background, observations and any interventions that have been used. Parents and educators discuss the child's needs in all areas of suspected disability, present and past concerns are considered as well as the students strengths. And during the meeting a Planning Meeting Form will be completed . Once consent to evaluate has been signed and an ETR planning form has been filled out , the school then has up

to 60 calendar days to do the evaluation and have an Evaluation Team Meeting.

Evaluation Team Report

(ETR)

Testing



Gather Data



Medical



ETR



Jacqueline: The testing is multifaceted, in other words, the team will assess many aspects of the child's functioning . Cognition, processing, math skills, reading skills, verbal, fine motor and gross motor skills to name a few.

The evaluation team strives to get the best picture available of your child's functioning.

The Evaluation Team gathers, analyses and reports the results of the tests and observations. This will include any Medical information and background information that the parent provides .

You will likely not receive a draft of the ETR before the meeting for several reasons:

- In Ohio, the first section of the ETR may be available as a draft at times. The rest of the report may not be shared before the meeting.
- The information and data discovered during the process can be complex and it is important that the evaluator explains the processes used, the data compiled and the implications of the data.
- The evaluation will help the team to determine the students eligibility for services and this determination must not be predetermined in any way . It is a team decision.

To continue I will pass this off to my friend **Jenn**.

Collecting Data

Building the Evaluation Team Report (ETR)



Most testing happens during the school day



Background Info



General Intelligence



Vision Screening



Social Emotional



Hearing Screening



Behavior Assessment



Intervention Data



Gross/Fine Motor

Jenn: Thank you, Jacqueline, The evaluation must assess all of the areas that are related to your child's suspected area of disability, including:

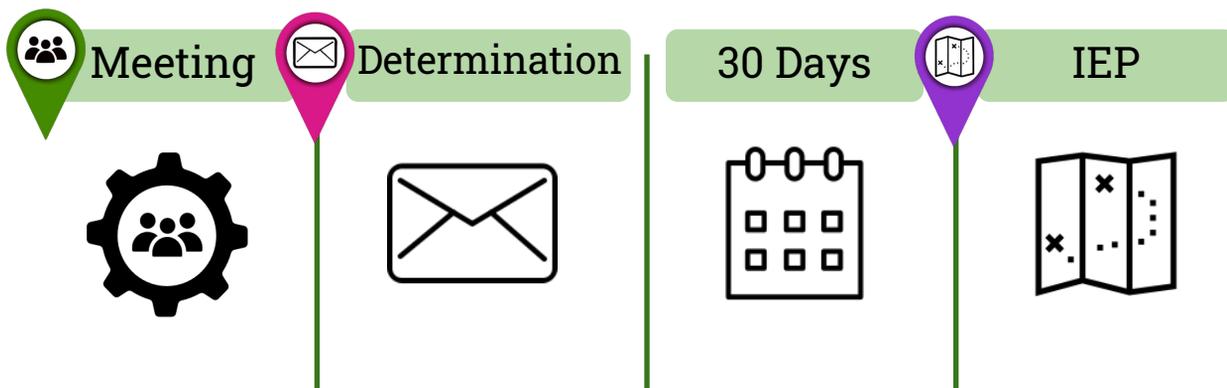
- background information such as health, social and educational history;
- vision and hearing screenings -- this may need to include information from outside specialists if your child's suspected disability is related to vision or hearing impairments;
- data from any interventions presently being used in your child's education such as the RTI process
- general intelligence, such as IQ testing;
- social and emotional development -- Again, this area may need to include reports or assessments provided by the parent to the district if this is the area of suspected disability;
- academic performance -- Be aware that good grades are not a sole determinant of whether or not a student is eligible for special education services;
- communication abilities including speaking, listening, and writing;
- behavior assessments;
- Gross or fine motor abilities -- these are abilities that require movement and coordination; and any other areas of concern that may impact the child's learning abilities in the educational environment

It is required that the district use a variety of tools and strategies to gather

relevant information about the child, including information provided by the parent.

Assessment tools used by the district must also be chosen to best accommodate the impairments of the child so that the most accurate reflection of the child's abilities and achievement is gathered. Please note that due to COVID-19 safety precautions, districts may need to administer testing and gather information differently than would be typical if students were in regular session in district buildings.

Evaluation Team Meeting



Jenn: You are a critical part of the Evaluation Team and your presence and participation at the meeting to review your child's initial ETR is very important.

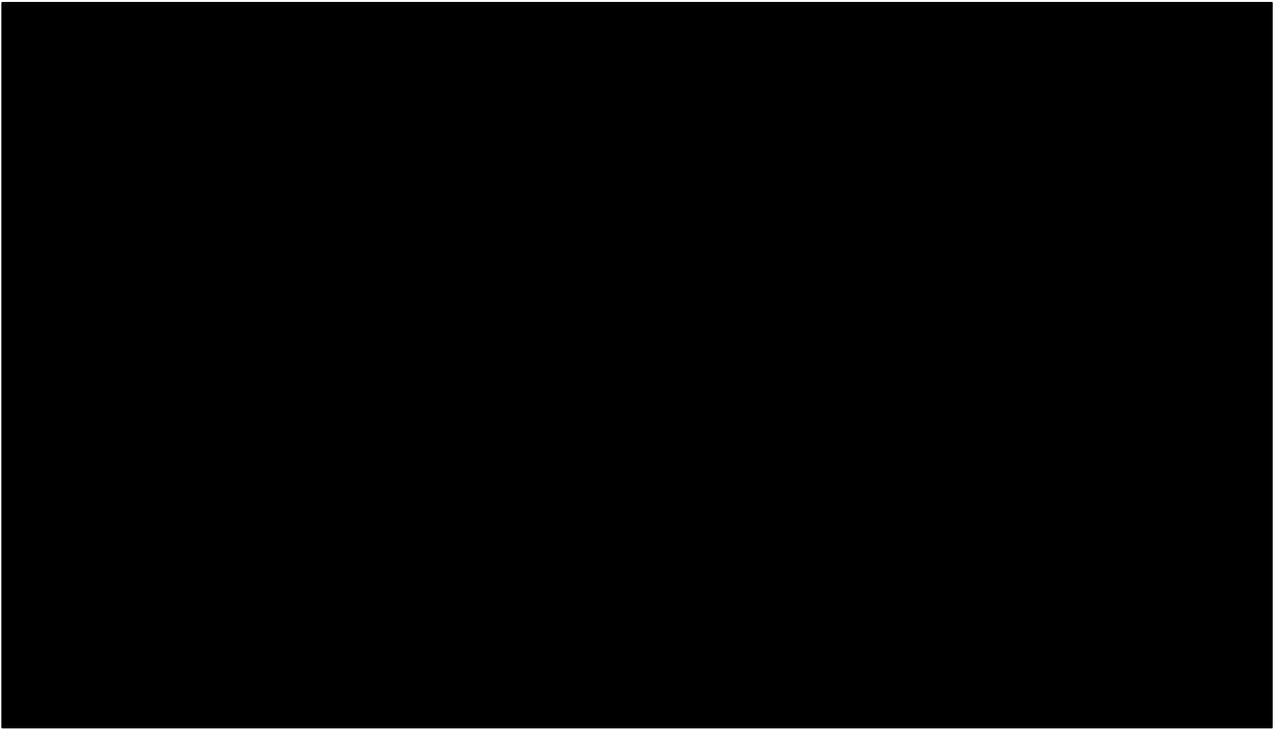
At that meeting, the team discusses the results of the evaluation, including your child's strengths and challenges and the implications for their instruction. All of the data collected is reviewed by the various team members. We will talk more about who comprises the team in just a little while.

Following review of the data, the team then decides on the child's eligibility for special education services and determines under what disability category the child will be served. You will be asked to sign the ETR document after the team has made a determination of eligibility. The district **must** provide you with a copy of the final ETR document within 14 calendar days.

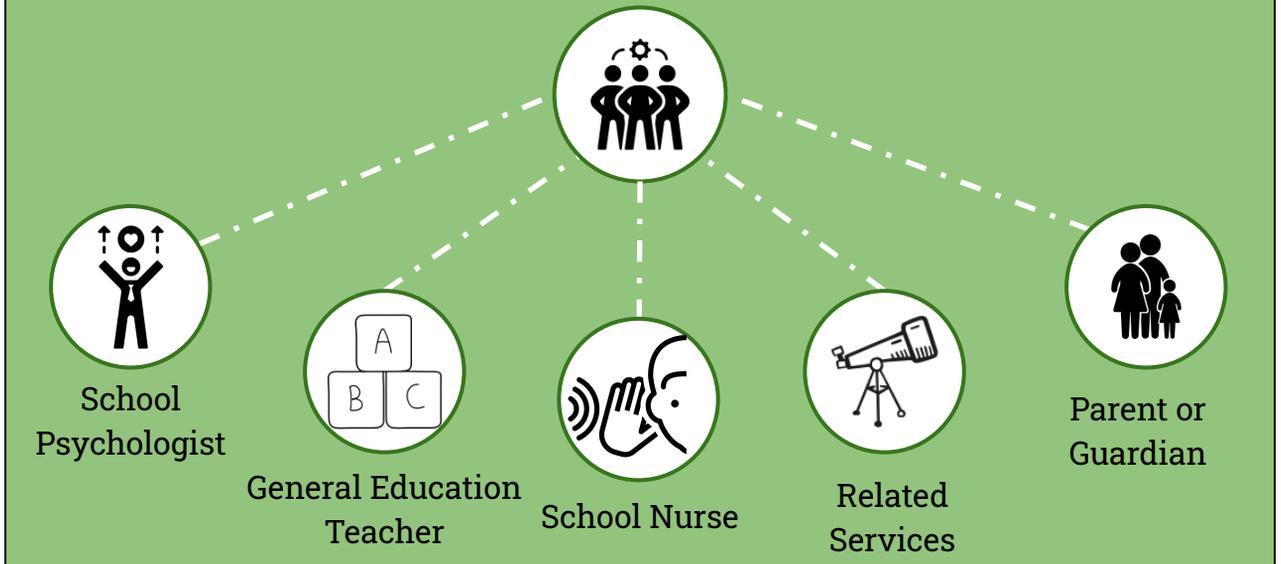
If your child is determined to be eligible, the district has 30 calendar days to meet with the team and develop an IEP.

In some instances, where the district believes the team is very likely to agree upon eligibility, a DRAFT IEP document may be presented to the team for review.

As mentioned, there is an entire team of folks who participate on the evaluation team. Let's switch things up a bit and let this video explain the evaluation team.



Evaluation Team



Jenn: That was a great video. Let's recap briefly.

The initial Evaluation Team is composed of the superheroes mentioned in the video.

The team meeting should be scheduled at a time that allows for participation of the parent and as many of the qualified professionals who have participated in the process as possible.

The team must include:

- You -- the parent
- The child's regular classroom teacher or, if your child does not have a regular education teacher, a teacher qualified to teach children the age of your child.
- At least one person qualified to complete diagnostic assessments -- in most cases this will be the school psychologist.
- The school portion of the team **MAY** also include: a special education director or coordinator, an intervention specialist, the school nurse, speech, occupational and physical therapists.

Evaluation Team Meeting



Introductions



Review Data



Summary



Eligibility

Jenn: It is a good idea to come to the meeting prepared to take notes or to have someone with you who can take notes for you, such as your support person.

Typically, an ETR meeting will begin with introductions so that everyone on the team knows one another and can identify the role of each person. Some districts will provide a parent with a written agenda of the meeting, which may include a listing of the team members.

Many districts will pass out paper copies of the ETR draft during introductions so that the document can be easily reviewed by all present. This document can look very intimidating at first. Don't worry -- there are experts at the table who can explain it all to you.

The first step will be to review all the data that was collected which should include findings related to all of the areas that were marked on the planning form. The planning form should be present in the document at the time of this meeting. The results of each assessment will be shared by the evaluators and they will answer questions you may have. Their individual reports will each

include a statement of implication(s) for instruction. These statements are simply clarifying how the identified challenges may impact the way your child learns and how information/activities may need to be presented differently.

At the end of the document there will be a summary of all of the findings from the evaluation. The team will discuss the impact on your child's learning and determine if your child is eligible for special education services. Eligibility means that your child meets the definition of a child with a disability as stated in law because they have met the criterion of one or more of 13 disability categories outlined in IDEA. You will hear more about these categories shortly.

Completed ETR

Summary



Signatures



Agreement



Yes



No



Jenn: Once the summary is reviewed and eligibility has been determined and agreed upon by the team, it's time to sign the document.

Each person in attendance at the meeting will be asked to sign if they agree or not with the eligibility determination. The signature page includes your name, your signature, your position and a checkbox for “yes” or “no.”

If you are not in agreement with the determination, you may submit a statement of disagreement. We will cover other options at this point in the process later.

The district **must provide** the parent with a copy of the completed ETR and the documentation of determination of eligibility (or continued eligibility for reevaluations) prior to the next IEP meeting or no later than 14 calendar days from the date of eligibility determination.

The district must ensure that a re-evaluation of a child is conducted at least every 3 years. If the district determines that the educational or related services needs of the child warrant a re-evaluation or the parent or child's teacher requests a re-evaluation it can happen prior to 3 years, but may not occur more than once a year, unless the parent and the district agree otherwise.

Now, we will turn it over to **Dawn** to share more about eligibility.

Eligibility

13 Categories in Ohio



If your child is found to have an educational disability and is eligible for special education, they must fit into 1 of 13 school age categories and **it must adversely affect their educational performance.**



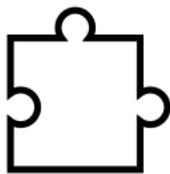
These categories are not labels; they simply identify a child to receive special education services.

Dawn: Thanks, Jenn and Jacqueline. That was already a lot of information. Take a deep breath. In this next section, I'm going to talk about the 13 Eligibility Categories in Ohio. In order for the IEP team to QUALIFY a child for services, the student **MUST** be found to fall within one of the 13 categories of special education and it must **ADVERSELY AFFECT THEIR EDUCATIONAL PERFORMANCE. This is a very important distinction.** For example, a child can be found to have a mild case of ADHD but if it isn't affecting their ability to perform at school, they will not qualify.

13 Disability Categories

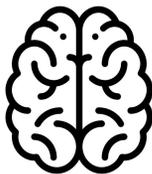
1

Autism



2

Intellectual
Disability



3

Emotional
Disturbance



4

Multiple
Disabilities



Dawn: We have provided a handout that goes into more depth of the criteria for each of the categories and of course you can always consult the Ohio Operating Standards for the Education of Children with Disabilities. I will discuss some of the key criteria for qualification.

From the Ohio Operating Standards, Autism is defined as a developmental disability that significantly affects verbal and nonverbal communication and social interactions and can include engagement in repetitive activities, stereotyped movements, resistance to environmental change or change in daily routines and unusual responses to sensory experiences. We talk about Autism as a spectrum and this can result in some students on the spectrum not qualifying for educational services.

To qualify in the Intellectual disability category, a student must have low intellectual functioning, usually an IQ of 70 or below, and have deficits in adaptive behavior. A child in this category is generally identified before or shortly after the age of 3.

This next category, Emotional Disturbance, is the hardest one for parents to accept and understand. It is based on the Federal definitions and it's important to understand that it is simply a legal definition and that it doesn't follow the child beyond school or even outside of school. The hope with this category in

particular is that with proper interventions and supports, a student can transition out of special education. So in order to qualify in the Emotional Disturbance category, a student must exhibit one or more characteristics including an inability to learn that cannot be explained by intellectual, sensory, or health factors, an inability to build or maintain satisfactory interpersonal relationships with peers and teachers, inappropriate types of behavior or feelings, a general pervasive mood of unhappiness or depression, or a tendency to develop physical symptoms or fears associated with personal or school problems.

The fourth category, Multiple Disabilities, is defined as having coexisting impairments (such as intellectual disability and blindness or intellectual disability and orthopedic impairment), and the combination of these coexisting impairments impacts them in such a way that they cannot be accommodated in special education programs solely for one of the impairments. Just as a note, Deaf-Blindness is not included here.

13 Disability Categories

5

Other
Health
Impairment



6

Orthopedic
Impairment



7

Specific
Learning
Disability



8

Speech or
Language
Impairment



Dawn: Other Health Impairment is a broad category that is defined as having limited strength, vitality or alertness. Again, the important distinction is that these health conditions must have an adverse effect on the student's education. This can include health issues like asthma and diabetes, and commonly includes Attention Deficit/Hyperactivity Disorder.

Orthopedic impairments are any skeletal anomalies, or impairment caused by disease, injuries or other causes and can include cerebral palsy, amputations, or bone tuberculosis to name a few. These impairments have to result in a significant inability to access the curriculum not the building or facilities.

Specific Learning disability is a disorder that affects the ability to understand or use spoken or written language, do mathematical calculations, coordinate movements, or direct attention. This can include perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. Although **learning disabilities** occur in very young children, the **disorders** are usually not recognized until the child reaches school age. Students in this category will not have learning problems associated with visual, hearing or motor disabilities and cannot be the result of cultural or economic disadvantage.

Speech or Language impairment is defined as a communication disorder, such

as stuttering, impaired articulation, a language impairment or a voice impairment. Some of the challenges might involve communicating effectively with classmates and teachers, understanding and/or giving oral presentations, participating in classroom discussions, and attaining normalcy within a peer group.

13 Disability Categories

9

Traumatic
Brain Injury



10

Hearing
Impairment



11

Deafness



Dawn: Traumatic Brain Injury refers to an acquired injury to the brain resulting in total or partial functional disability or psychosocial impairment or both. TBI can affect many areas of brain function including but not limited to cognition, language, memory, and judgment.

Hearing Impairments is a hearing loss or limitation that can be permanent or fluctuating, that adversely affects a child's educational performance, while deafness is a hearing impairment that is so severe it limits a child's ability to process linguistic information through hearing, with or without amplification.

13 Disability Categories

12

Visual
Impairment



13

Deaf-
Blindness



Dawn: A student can qualify for special education services in the category of visual impairment, if their educational performance is adversely affected by their vision even with correction. This can include both partial sight and blindness, but does not include perceptual disabilities.

And finally, Deaf-Blindness is defined as having both a hearing and a visual impairment, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

The team will decide during the initial evaluation team review what category is most appropriate. You are part of the team! Your opinion, insight, and participation matter.

Preschool Only Category

Developmental Delay

- Children 3-5 yrs old
- Cannot carry this category into kindergarten
- Ohio specific



One or more developmental categories:

- Physical
- Cognitive
- Communication
- Social or Emotional
- Adaptive

Dawn: There is one more category...Developmental Delay. In Ohio, this is a preschool only category and to qualify in this category a child, aged 3 to 5 must be experiencing a delay in one or more of the following areas of development: Physical; Cognitive; Communication; Social or emotional; or Adaptive. Usually the preschool team will use this category if the child does not fit a disability category but has a documented deficit in one or more of these areas. In Ohio, this cannot be carried into kindergarten.

Now that we've covered all of our categories let's talk about your role as the parent or guardian in this entire process. I'll hand this over to **Darlene**

Your Parent Role

A Partnership



This team is **not complete without you**. You are an **integral** part of this process.



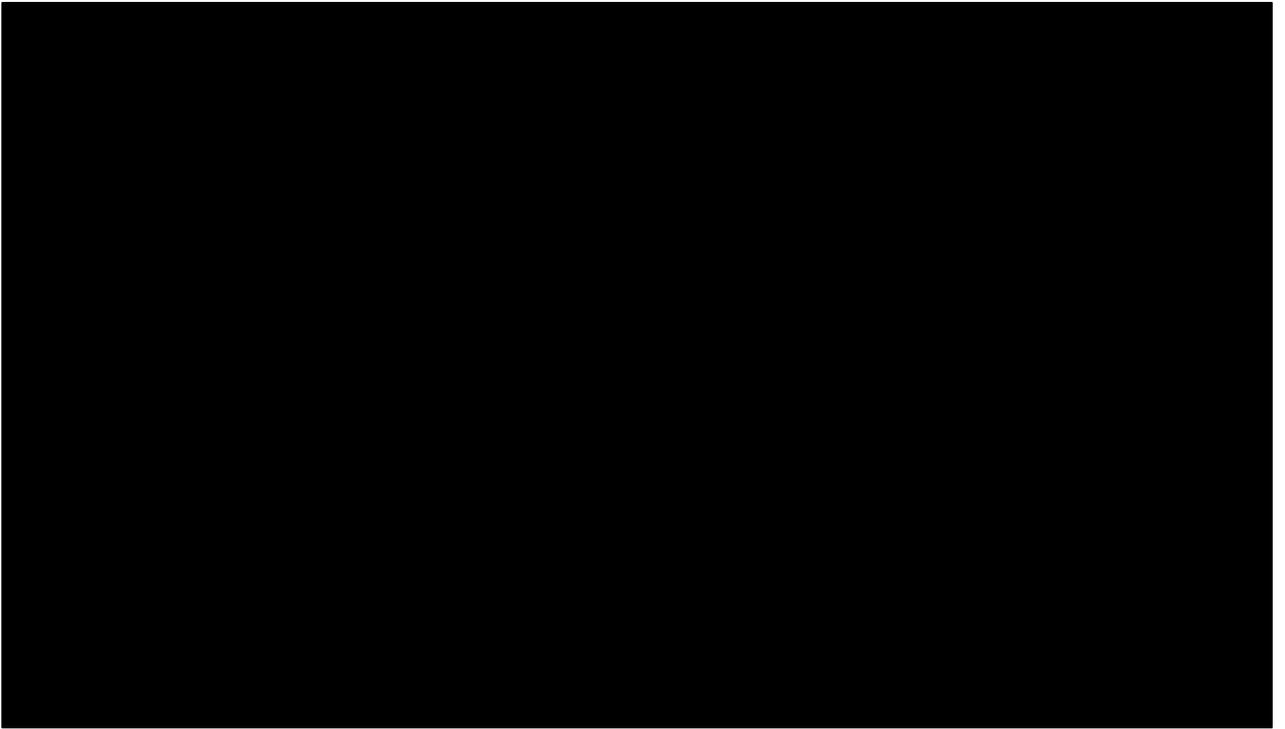
It is **NOT** school vs. parent. This is a **partnership** to **ensure** your **child** receives the **education** they **deserve**.

Darlene: Thank you Dawn!

First we wanted to clear up what we mean when we refer to a parent during our presentation, this is referring to the biological or adoptive parent of a child, not a foster parent. A parent is a guardian authorized to act as the child's parent or authorized to make education decisions for them. This could also include a person acting in the place of the biological or adoptive parent such as grandparent or other relative whom the child lives with and is legally responsible for them or a surrogate parent who has been appointed to them.

When your child is being evaluated it can be a long process and for some it can be intimidating. But remember, you are on the team and it's a partnership for you and the school to provide what is best for your child.

Now to be honest there will be a great deal of paperwork, unfamiliar educational jargon, reviewing of test scores that you are not familiar with and a whole room of professionals that you don't know. What is important to remember is that as the parent you are the expert on your child and you know your child the best. With that being said you do have a few specific responsibilities in this role. Let's take a look at a short video to go through these.



Parent Roles and Responsibilities



Provide insight & documentation



Complete surveys and submit on time



Be an ACTIVE participant



Support your child

Darlene: This is a great video that gives you a glimpse into an ETR meeting which is your first introduction to the special education process. A few key takeaways to remember are if you have questions before the meeting send them in if possible this will give your team time to prepare for them and make the meeting efficient. Likewise during the meeting if you feel you don't understand things please ask questions no matter how many. Developing good communication with your child's team from the onset will help with the whole process.

As a partner in the ETR process you have the most knowledge of your child's special needs and you will be asked to share that with the team. This will be information about the child's history, development, strengths, routines and needs. Additionally you will want to share as much documentation or research as you can about your child's disability. Ask the team to consider and address in the ETR information from other sources such as therapy reports, medical reports, and reports from other evaluations that have been performed. This will be helpful for them to understand the disability further especially if it is a rare one.

Next, Be An Active Participant; being an active participant in the process is

something the state has made clear, The Ohio Department of Education Operating Standards and federal law states that it is essential that the parent is an active participant with the evaluation process and that they understand the process too. The law will notify you of your rights and how to participate and if you don't understand stop and ask. Educators often don't realize when they are talking in jargon that a parent may not understand and are grateful when you ask.

Is important to fill out all surveys and paperwork in a timely manner. Help support your child through this process too. Let them know they will be evaluated and tested and that these aren't the kind of tests you study for. Find out what days and times your child will be evaluated and let them know so they will be comfortable and well rested.

Next, let's talk about who you can invite to the ETR meeting to help support you.

Invitations

You are not alone in this process. You are part of the ETR team and you have the right to invite additional folks to attend your meeting



Parent Mentor



Parent Training and Information Center



County Board of Developmental Disabilities



Home or Community Providers

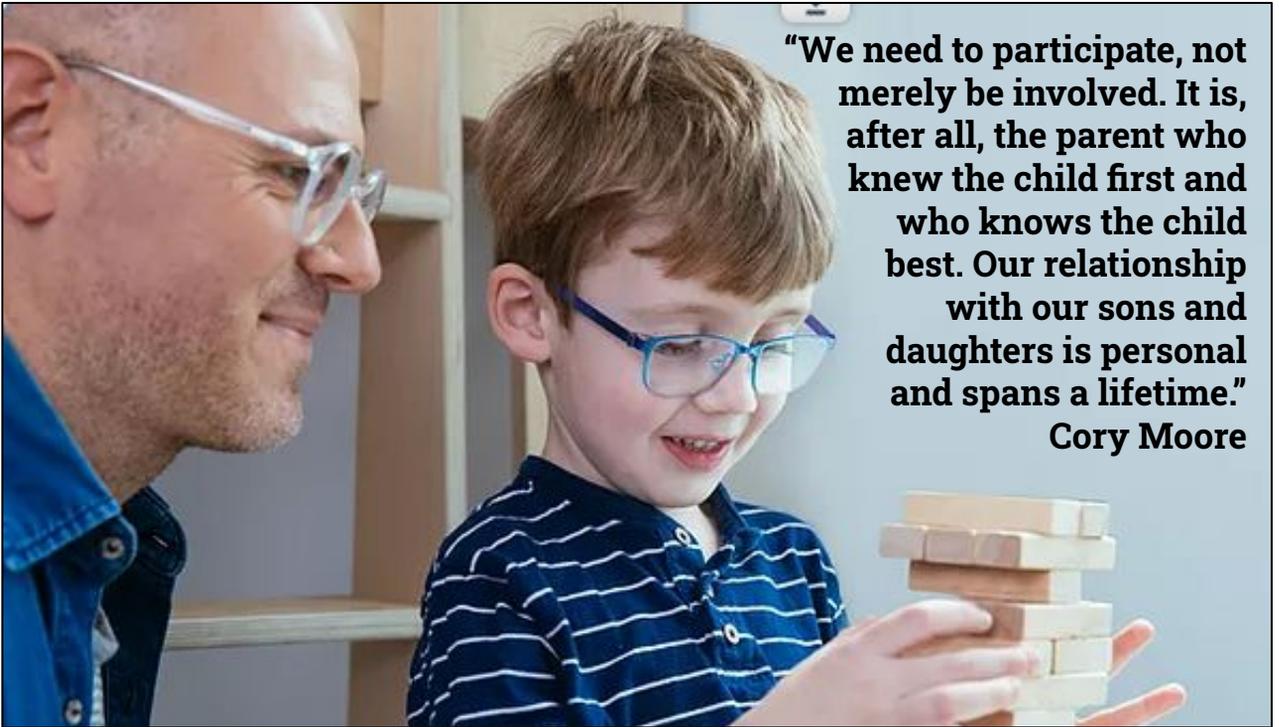
Darlene: At the ETR meeting the assessments have been done and the information has been submitted but you still have the right to bring with you individuals who have knowledge about your child. This would be for support for you and any clarification that might be needed from or for the professionals in attendance. As Parent Mentors we attend ETR meetings with Parents on a regular basis to help guide them through the meeting, as well as the before and after meeting process. If you do not have a Parent Mentor in your area you can contact the OCECD which stands for The Ohio Coalition for the Education of Children with Disabilities which is a state organization that serves children who have disabilities in Ohio and they will support you in the same manner. You may also reach out to this Parent Training and Information Center for Ohio and ask for them to assist you. Other examples of whom parents may want to invite could be their child's SSA from the County Board of Developmental Disabilities or maybe a behavior therapist who is working in the home. Anyone who has knowledge of your child to share.

Link to the Ohio Association of County Boards - here you can find your

local board of Developmental Disabilities: <http://www.oacbdds.org/>

Link to the Ohio Coalition for the Education of Children with Disabilities:
<https://www.ocecd.org/>

Link to the Parent Training and Information Center:
<https://www.parentcenterhub.org/find-your-center/>



**"We need to participate, not merely be involved. It is, after all, the parent who knew the child first and who knows the child best. Our relationship with our sons and daughters is personal and spans a lifetime."
Cory Moore**

Darlene: This quote is by parent Cory Moore who is a parent of a multi handicapped child in Maryland. She became a well known advocate, author and speaker to professional groups. She held the position of Parent Information and Education Coordinator for Montgomery County in Maryland. This particular quote she delivered directly to a group of professionals over 20 years ago and it has become a sentiment shared in parent literature and in our hearts for years since then. We hope it is an inspirational quote for you as well.

Next I'll pass this off to Dee to clarify a few more things for you, **Dee...**

Medical Diagnosis vs. Educational Disability Category



Fundamental distinction between a medical diagnosis and an educational determination is the impact the condition has on student's access to learning.

Dee: Thanks Darlene for helping us understand the roles and responsibilities of the members of the ETR team. I know how helpful it is to know who I can invite to the meeting, not only as a support to me as a parent, but also who may have relevant information or those outside of the school.

Shifting gears a bit back to the actual outcome of the ETR and often even future IEP's, I wanted to take a moment to share one of the topics I find parents confused about within the special education process. This is the distinction between a medical disability vs and educational disability category. A basic definition is that the fundamental distinction between a medical diagnosis and an educational determination is the IMPACT the condition has on a student's access to learning. Let's take a closer look at this..

Medical vs. Educational



Medical
Professional

Medical
Evaluation



Diagnosis



Educational
Team

Educational
Evaluation



Eligibility
for Special
Education

Dee:

This slide may be simplistic in nature, but it is the foundation of what we need to understand in order to make sure we are appropriately asking for an IEP. Who determines a medical diagnosis? It can be a doctor, clinical child psychologist, pediatric neuropsychologist, speech language pathologist, or other qualified clinical professionals. However, they do not determine if the child is eligible for special education. But as we've already discussed, having a disability does not necessarily mean that a child qualifies for an IEP under the IDEA guidelines. This is not the area of expertise for your medical professional, so what should you do? If that is something a clinical professional mentions to you, then you should request a school-based evaluation. The school will then consider that request and determine if an evaluation is warranted. If so, then the education team is the one responsible for determining what areas to evaluate and moving forward to complete the evaluation. Just like the medical profession is an expert in medical diagnosis, this school team is composed of experts in the criteria for school identification. Remember, if the student has a medical diagnosis, it is important to share those clinical documents with the school team as part of the school-based evaluation. The information will be considered as part of the team's decision and many times, the medical professional makes recommendations that can be used to determine how to best support the student at school. You are NOT

required to share a medical diagnosis or the clinical information though. As a Parent Mentor, I highly recommend that you do because I have seen how it can help the school team determine the best assessments to administer for the academics and environment the child navigates within their building.

I'd like to walk you through a situation that a family may experience, to help connect the dots and clear up some of the confusion.

Tina is a mom to 3 boys, ages 14, 10, and 6 years old. Since she has two older boys, Tina feels that she has a pretty good idea of what to expect developmentally for her youngest, Brian. However, she notices that Brian seems to stare off in space occasionally and when he does this, it's like he doesn't hear or notice anything around him. She tells her pediatrician and during the discussion, the doctor finds out that this is happening about once every few months and a single incident lasts for approximately 10-15 seconds. Sure, it could be that Brian is suddenly super-focused on something but the pediatrician wants to run some tests to make sure that there isn't a medical concern. An EEG is ordered to rule out seizure activity.

The results come back indicating that Brian IS experiencing mini-seizures or it can be called absence seizures. Developmentally, Brian is on target and these seizures don't seem to be impacting his ability to learn, or navigate his home and community environment. Obviously, the pediatrician wants to rule out other possible medical conditions that could be related to the seizures so many tests are run. Thankfully, the results of these tests indicate that the seizure activity does not seem related to other medical conditions. Since he has experienced more than one seizure, the pediatrician and mom agree to start him on a low-dose anti-seizure medication. This stops the seizure activity. Brian may need to switch medication later in life or he may be able to completely go off medication one day. At this point in his life he has a medical diagnosis of seizures, but he does NOT qualify for specially designed education. Let's talk about why. First, he is on target developmentally and academically. Second, the seizures, prior to medication, only impacted him 10-15 seconds every few months. Third, now that Brian is on medication, the seizures have stopped completely.

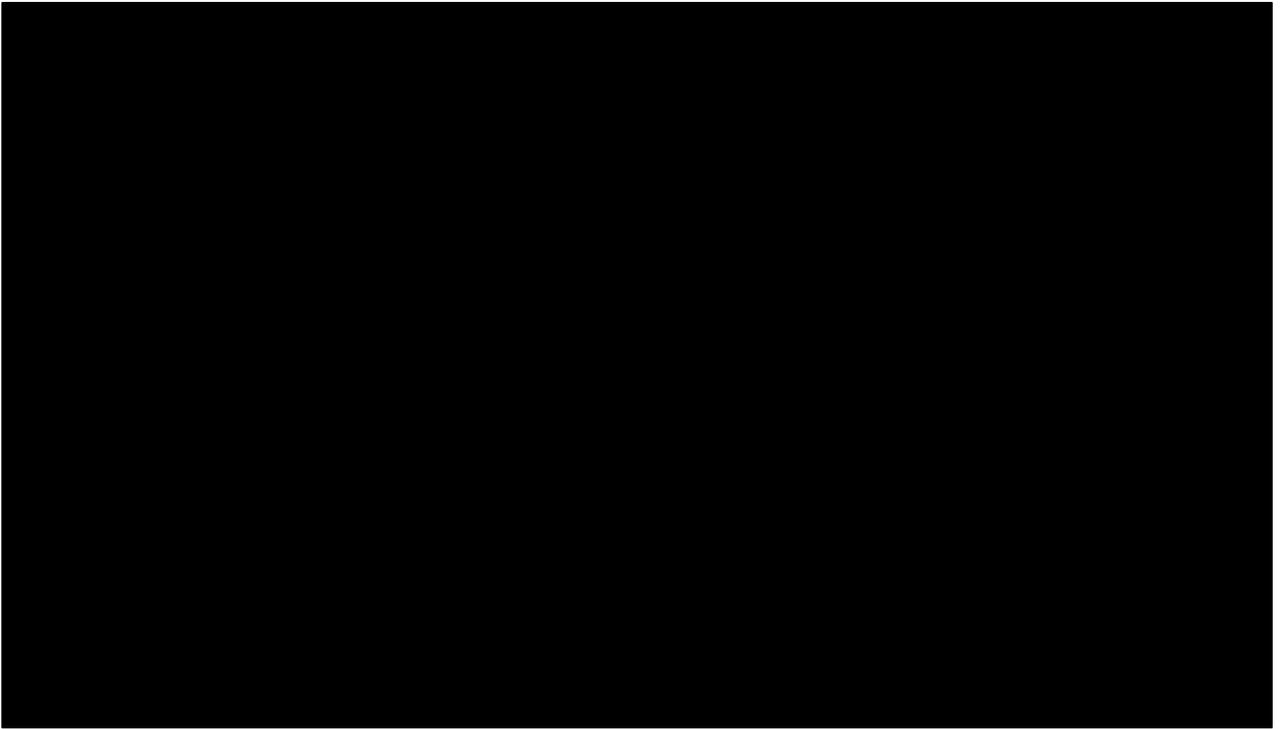
For the sake of understanding this situation even more clearly, let's fast forward 7 years, Brian is now 13 and puberty is full-blown for this kiddo. For those of us who are parents of teens, we know that so many changes happen during these years! Brian's medication is not working the way it used to and he begins having seizures on a weekly basis and they are lasting much longer now. With these seizures, he is losing instructional time as his body prepares for the seizure, during and then for the rest of the day because he needs to go

home to rest. Both home and school also have to consider his safety at all times too. Brian did not qualify for specially designed education back when he was six. Should he qualify now? In both situations he had a medical diagnosis of a disability, but this time, Brian is missing significant time in school therefore he does not have the same access to learning as he did prior. The education team should meet and complete an evaluation to determine the specific needs that Brian has now. The key is that Brian has a medical diagnosis in both situations, BUT this time, the medical condition IS impacting his ability to learn.

Ashley is sharing a link in the chat box for an article on understood.org that has a great chart about the differences of a medical disability and an educational category qualification.

Now let's watch a fun video that Ashley created about this topic...

Link to
understood.org:<https://www.understood.org/en/school-learning/special-services/special-education-basics/the-difference-between-a-school-identification-and-a-clinical-diagnosis>



Educational Need vs. Outside Services



Are these services needed in the educational setting to make progress in their education?

Are there skills that the child still needs assistance with but do not affect their ability to make progress in their education?

Dee:

Ashley constantly amazes me with her technological skills! Thanks for that video!

We now know that simply having a medical diagnosis doesn't mean that a student automatically qualifies for special education. The reverse can also be true. A child may not have formally been medically diagnosed with a disability, but an ETR determines that the student does qualify for special education services. Even without the medical diagnosis, an IEP can be implemented as long as the child meets the criteria under the categories shared with you earlier.

A situation could be when a student struggles academically, developmentally and/ or functionally but has never been diagnosed with a disability. In this case, a referral for an evaluation can be made and, if this student meets the criteria of one of the thirteen categories, then the student would qualify for an IEP. So, it's important to remember that a student does NOT need to have a formal medical diagnosis to qualify for an IEP. However, as a Parent Mentor, I will say that having that formal medical diagnosis often opens the doors to more community resources than simply having an IEP, so if your child is going

to need outside services, and especially if you feel they will need long-term supports and services from agencies outside of the school, then having the medical diagnosis is imperative to accessing appropriate funding and care.

We have now learned so much about the ETR process, but I would be remiss if I didn't share one other area that parents often struggle to understand when it happens; that is the difference between an educational need and the need for outside services.

Sometimes, we also see a student receive school-based services under their IEP for speech, physical therapy or occupational therapy and then after a time period, the school notifies the parent that the student no longer qualifies for those services. This can be such a scary thought for parents! This is GOOD news! This means that your child has made the progress needed to access and actively engage in learning without these services. It is a moment to celebrate their accomplishment.

But does it mean that your child has perfected the skills that were the focus of the IEP goal? No, that is not what it means at all. Remember, the framework of the IEP process is to ensure that your child can access and learn within the school environment. It was not designed to ensure that your child runs as fast as another child or doesn't still need occasional reminders to enunciate clearly when they say words that start with the letters "T-H." IDEA does not state that an IEP team has to provide services indefinitely; it indicates that an IEP should be developed and implemented to support the student's ability to access the general education curriculum, not to earn a specific grade or level, nor have a fully developed skill set. Once the child is able to successfully access the general education curriculum, then the need for an IEP goal isn't there. You as the parent can choose to look for outside services to help your child.

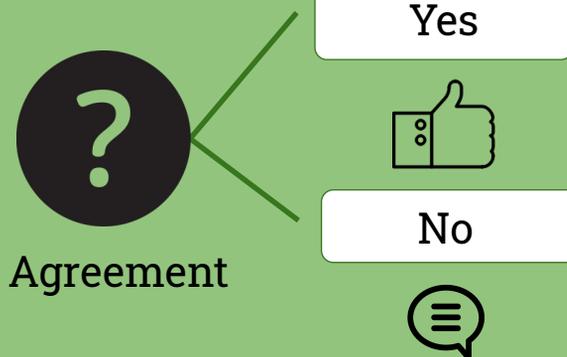
Now that we have cleared up a few little "extras" let's get back to the ETR process. What's the next step? Beth will guide us through what will happen.

Beth...

What Next?

Evaluation is complete

Identified as a student with a disability under IDEA and they qualify for special education services.



Beth: Thanks Dee!

So, you are at the ETR meeting and one of two things is going to happen: the team will determine that your child does or does not require Special Education Services. The important thing to remember here is that you are at the steering wheel as to where the team goes next. Here are the scenarios:

The team determines your child qualifies for special education. You, as the parent and a part of the team, can:

- A. Agree that the team has gotten a good “snapshot” of your child, that their needs have been identified and that they will require Special Education services based upon those needs. The next step will be to develop an Individual Education Plan, or
- B. You Disagree that the team has gotten a good “snapshot” of your child. It could be that you do not want your child to receive special education services in which case you sign the ETR and check the disagree box. From here, the conversation ends or that you feel that all of your child’s needs have not been identified in which case you sign the ETR and check the disagree box and the conversation moves on through the dispute resolution process--which we will talk about here shortly.

IEP Process



**30 days to
develop IEP**

 ETR drives the IEP



Teams can look different



Areas of need are
addressed in the IEP



Educational Roadmap

Beth: It is imperative to understand the difference between an IEP and an ETR. The ETR is the first step in creating the IEP. Before I really understood the process, I always tried to remember that “E” comes before “I” in the alphabet, so I needed to get the ETR before I could get the IEP. The ETR identifies the strengths and weaknesses a child has educationally, usually with emphasis on the weaknesses. Don’t let this part of the process discourage you--the team has to know the areas where your child needs help before a plan can be created to support them.

The school district has 30 calendar days from the date a child is found eligible to develop an IEP. The identified weaknesses are what drive the goals written in an IEP. This is why it is SO IMPORTANT to make sure that all areas of suspected disability are assessed in the ETR--the IEP Team cannot create a goal for a need that has not been identified!

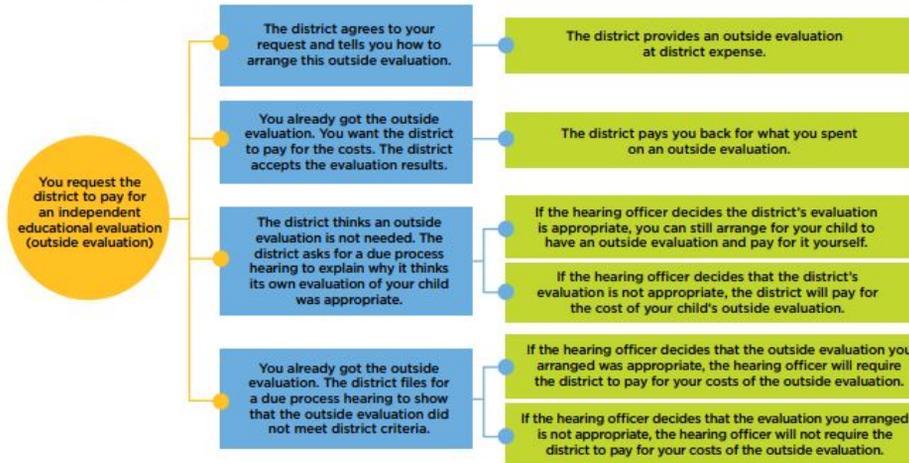
The ETR and IEP teams will look different. The IEP team will include a general education teacher, an intervention specialist (which is the special education teacher), a representative of the district, the student (when appropriate), and the parent. Other persons who have knowledge or special expertise about the child can be a part of the team -this includes related services personnel, care givers, and your Parent Mentor! The school can invite others to attend and they will be included in the invitation you receive. Think of the IEP as your

child's educational roadmap.

Now let's look at the scenario where the team does not find that your child qualifies for special education.

Independent Evaluation

The Following Chart Shows the Different Scenarios that Occur When You Request an Outside Evaluation



Beth: If the team determines that your child does not qualify for special education services. You can:

- Agree with the team's determination. This may seem counterintuitive, but if the team has considered all of your concerns, formally assessed those concerns and not found your child eligible, you can agree with them. There are other options you may want to pursue for your child that the team can discuss-- like a 504 plan or RTI-- if these options are appropriate.
- You also have the option to disagree with the team's determination. Should you disagree, you have the right to:

You may also Request Facilitation. Facilitation takes place in a team meeting such as an individualized education program (IEP) team meeting, evaluation planning meeting or an evaluation team meeting. The facilitator is a neutral, third party who is not a member of the team and does not make any decisions for the team. Having a facilitator assists the team in being productive and keeping the focus on the student. Facilitators are professional mediators who have been trained by the Office for Exceptional Children in special education processes.

Ask for mediation. This is an option that I personally feel is underutilized. You

can reach out to your local school district (the person in charge of special education) or the Ohio Department of Education to request mediation. Both parties (you and the school district) must agree to mediation and then to the mediator before the process can begin. Once the mediator is chosen, he/she will schedule a meeting as soon as possible to work out the disagreement. We know it can be hard to ask the district for mediation, if you contact the Ohio Department of Education they will contact the district for you.

If the school district does not agree to mediation, Parents can ask for an Independent Education Evaluation (IEE). This is an evaluation done by an outside third-party and paid for by the district. The school district should provide you with the criteria necessary for the IEE to be acceptable to them as well as a list of potential evaluators but you do NOT have to choose one from that list. The district may ask you why you would like an IEE, you do NOT have to tell them your reasoning. If the district chooses not to pay for an IEE, they must file for a due process hearing with the Office for Exceptional Children in defense of their own evaluation. Please know that any conflict resolution processes that may take place are still bound by the federal timelines in place for the evaluation process. The calendar day deadlines are still in place.

You can also email the Ohio Department of Education for mediation at

OECMediationFacilitation@education.ohio.gov

Facilitation Handout:

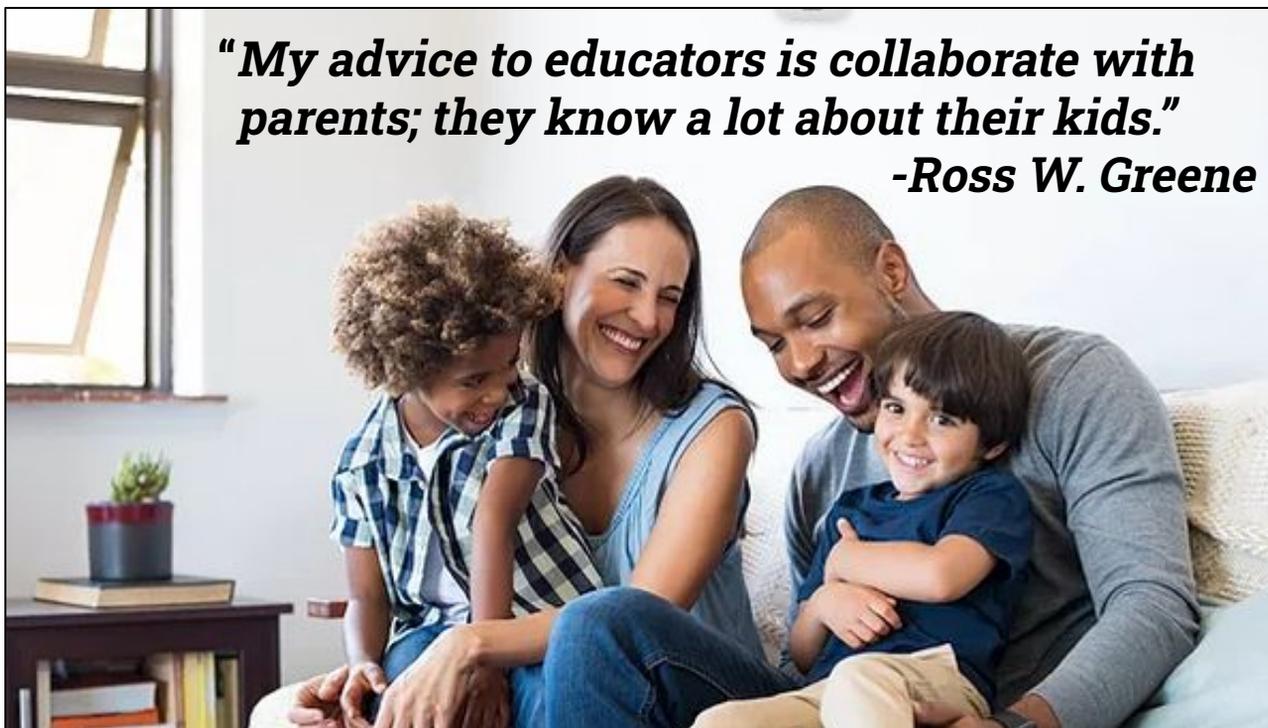
https://education.ohio.gov/getattachment/Topics/Special-Education/Dispute-Resolution/ODE_FacilitationHandout_8-17-18.pdf.aspx?lang=en-US

Mediation Handout:

http://education.ohio.gov/getattachment/Topics/Special-Education/Dispute-Resolution/ODE_MediationHandout-8-17-18-1.pdf.aspx?lang=en-US

“My advice to educators is collaborate with parents; they know a lot about their kids.”

-Ross W. Greene



Beth: As a parent, you also have the right to pursue outside evaluations at your own expense. Once you have these evaluations, you can call a team meeting to discuss the results of those evaluations. The school is required to consider the results that are presented to them, but they do not have to follow any recommendations of these evaluations. You can ask that the district reimburse you for the evaluation should they be willing to accept the results. This would also be considered an IEE. You have the right to one IEE per evaluation.

The ETR Process, from the day of parental consent to the implementation of an IEP, should not exceed 90 days or 120 days from the date of the request. This is the hard timeline--meaning that this is the timeline enforced by IDEA. Use of the conflict resolution process to resolve disagreement with the team's decision is not included as part of that timeline. Do not lose faith. The process is not perfect, but it is what we have to work with. Know your rights and use the procedural safeguards to make sure that your voice is heard.

I know that we've covered a lot today, so thank you for hanging in there with us, I'll pass this off to **Ashley**.



**Additional resources are
available on our website:
www.ohioparentmentor.com**

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Ashley:

Wow, you're right Beth, we did cover a lot of great information! Of course this session was recorded and will be available on the parent mentor website. We will also be including our resources along with the video recording. When you exit our webinar there will be a short survey that pops up, if you can take a moment to answer those few questions, your feedback is very important to us! We'd like to thank everyone for attending.

We've got time now to open things up for live questions and answers. We are all here so please use that question box to type in your questions and we will do our best to assist you! In the meantime while you are typing I'm going to provide you with a google link to our handouts and our contact information in the chat log.

For more information about the Parent Mentor Project and for our resources and live broadcast please visit www.ohioparentmentor.com

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