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***Circuit** is a quarterly publication of South Dakota Parent Connection providing stories around a central theme for each issue. **Circuit** is intended to be a reference publication packed with information and is provided electronically and in printed format.*

South Dakota Parent Connection also produces an electronic semi-monthly newsletter (weConnect) with current events and time-sensitive information.

Circuit

Offering information and assistance to parents and families caring for children with a disability or special need.



***In this Issue:
What Parents
Should Know....
About Evaluation
and Re-evaluation***

South Dakota Parent Connection works with parents on a number of special education issues. Consequently, we know that “evaluations” and “re-evaluations” can create a great deal of stress and concern for parents. In this issue of *Circuit*, SDPC will help you learn about evaluations and re-evaluations for your student.

Your Child’s Evaluation... What Is It; How the Process Works?

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Many children have trouble in school. Some have trouble learning to read or write. Others have a hard time remembering new information. Still others may have trouble behaving. When a child is having trouble in school, it is important to find out why. The child may have a disability. By law (the Individuals with Disabilities Education Improvement Act or IDEA), schools must provide special help to eligible children with disabilities. This help is called special education and related services.

As parents, you may ask the school to evaluate your child, or the school may ask you for permission to do an evaluation. If the school thinks your child may have a disability and may need special education and related services, the school must evaluate your child before providing your child with these services. **This evaluation is at no cost to you.**

In South Dakota, the initial evaluation must be completed within 25 school days after receipt by the district of signed parent consent, unless other time lines are agreed to by the school administration and parents. Written evaluation reports, determination of eligibility and conducting an IEP team meeting must be completed within 30 days from the end of the “25 school days” evaluation.

The evaluation will tell you and the school:

- If your child has a disability; and
- What kind of special help your child needs in school.

(Continued on page 4)

Child Advocates Recently Honored

Several advocates for children were recently recognized for their service to children and youth in South Dakota.

Dr. Judy Struck, Executive Director of the USD Center for Disabilities received the **Robert J. Kean Advocacy Award from SD Advocacy Services** in April. In May, she was recognized as one of several recipients of the **Champion for Children Award from South Dakota Voices for Children**.

Other **Champion for Children** recipients were **Doug Herman**, Director of Juvenile Services for the South Dakota Department of Corrections; **Kristi Bunkers**, South Dakota Director of Juvenile Community Corrections; **Dr. Sherry Johnson**, Superintendent of the Enemy Swim Day School; and **KidStop**, an after-school and summer program for children at First United Methodist Church in Sioux Falls.

SD Voices also recognized **Senator George McGovern** with the **George S. Mickelson Policy Leadership Award**.

Western South Dakota Child Protection Council recently recognized **Virginia Driving Hawk Sneve**, a renowned author and member of the Rosebud Sioux Tribe, with the **Lifetime Achievement Award**. Also recognized by WSDCP was **Lillie Pendelton**, a teacher with the Adult Transition Program in the Rapid City School District. SDPC nominated Lillie for the recognition.

SDPC Board and staff congratulate all of these advocates for children with disabilities or special needs.

Types of Evaluations Explained



There are several types of evaluations/tests. A multi-disciplinary team evaluation process determines whether a student becomes eligible or remains eligible for special education services. The team should take into account any exceptionality of the child in the choice of evaluation procedures. Evaluations must be done in all areas of suspected disability. Testing can serve as a baseline to measure future progress. Evaluators take into

account whether their findings fit a recognized pattern of the child's performance, or might be skewed by factors such as anxiety or illness on the day of testing or observation.

As a parent, you are a member of the evaluation team. Before you sign and return an evaluation consent form, you can participate in a pre-evaluation conference to talk with a school professional about who will conduct each evaluation, what evaluations would be helpful, when your child will be taken out of classes to be tested, and where your child will be given the tests. During the evaluation process, evaluators may see the need for additional testing and will ask parents for permission to conduct additional testing.

Various evaluations that may be conducted by the school depending on the area(s) of suspected disability and the age of your child include:

Educational Evaluation – Evaluation of school academic performance, in relation to the general education curriculum, including reading, written language, spelling, and math.

Psychological Evaluation – Evaluation by a school psychologist may include, but is not limited to: intelligence testing, educational achievement testing, personality evaluation, and vocational interest

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Partners in Policymaking Seeking Applicants

Partners in Policymaking, a free six-month leadership and empowerment course for self advocates and family members of individuals with disabilities, is seeking applications for the next class, which will begin in November.

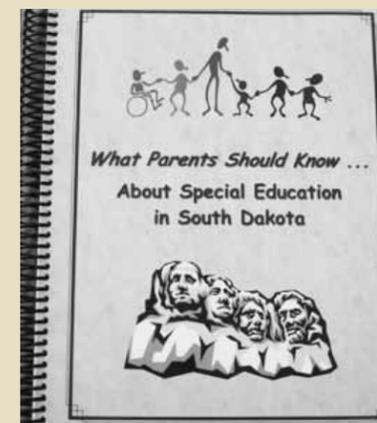
To apply or to learn more about Partners in Policymaking, visit www.sdadvocacy.com or email Sandy Stocklin Hook at hooks@sdadvocacy.com or call 605-224-8294 or 1-800-658-4782.

Partners in Policymaking is administered by SD Advocacy Services and funded by grants from SD Parent Connection, the SD Council on Developmental Disabilities, Children's Care Hospital and School and the USD Center for Disabilities.

Free Reference Guide for Parents

What Parents Should Know About Special Education in South Dakota is an easy-to-understand, comprehensive guide that explains laws about special education, including evaluations and re-evaluations. The development of the guide was a collaborative effort and is written specifically for families.

To obtain a FREE copy call SDPC at 1-800-640-4553 or email sdpc@sdparent.org.



Types of Evaluations Explained

(Continued from previous page)

evaluation. Different assessment tools may be used, depending on the age and abilities of the student.

Speech and Language Evaluation – Evaluation of: 1) receptive language, which is the ability to understand spoken language; 2) expressive language, which is the ability to formulate and organize oral language and written language; 3) phonological processing which is the ability to use individual sounds within words; 4) articulation, voice, auditory memory, and pragmatics which are the ability to use language effectively to interact with people.

Adaptive Behavior – Evaluation of behavior in school and may include social skills or a Standard Rating Scale completed by at least two teachers, parent and if appropriate, the student

Occupational Therapy (OT) Evaluation - Evaluation of self-help skills, fine motor skills, visual motor integration, visual perception, and sensory integration or sensory processing.

Physical Therapy (PT) Evaluation - Evaluation of body strength, coordination, balance, symmetry in movement and control of body, and how student plans new motor activities.

Social/Family History - Includes a description of pertinent family history, individual developmental/medical history, and estimates of adaptive behavior at home, in the neighborhood, and in peer groups.

Teacher Assessment/Observation – Evaluation by the classroom teacher(s) includes current information on the student's present level of performance in the general curriculum and in specialized school settings.

The South Dakota Department of Education, Office of Special Education reminds parents that **skill based assessment information is to be gathered on each skill area affected by the disability**. The SD DOE offers a quick reference guide which lists skills to assess in each of the IDEA disability categories (listed at right). Access the quick reference guide at http://doe.sd.gov/oess/documents/SPED_Eval.pdf.

IDEA Disability Categories

The purpose of evaluations is to gather information to make decisions about eligibility, educational strategies and placement options. The Individuals with Disabilities Education Act (IDEA) lists several categories of disability that are the basis for evaluations for special education services.

- Deaf-Blindness
- Emotional Disturbance
- Cognitive Disability
- Hearing Loss
- Specific Learning Disability
- Autism
- Traumatic Brain Injury
- Deafness
- Speech/Language Impairment
- Multiple Disabilities
- Orthopedic Impairment
- Vision Loss
- Developmental Delays for children through age 5 (a SD Department of Education (DOE) category, but not on IDEA list),

For additional information on special education, evaluations and re-evaluations visit:

<http://doe.sd.gov/oess/sped.aspx>

<http://idea.ed.gov/>

www.wrightslaw.org

www.nichcy.org

Your Child's Evaluation: What It Is; How the Process Works



Who Is Involved in Your Child's Evaluation?

The team involved in your child's evaluation will include:

- You, as parents and guardians;
- At least one of your child's regular education teachers (if your child is, or may be participating in the regular education environment);
- At least one of your child's special education teachers or service providers;
- A school administrator who knows about policies for special education, children with disabilities, available resources, and the general curriculum (the curriculum used by children without disabilities);
- Someone who can explain the evaluation results and talk about what instruction may be necessary for your child;
- Your child, if appropriate;
- Representatives from other agencies that may be responsible for paying for or providing transition services (for your child, 16 years old, or younger, if appropriate);
- Individuals (invited by you or the school) with knowledge or special expertise about your child, including related service providers (such as a speech therapist, physical therapist, or school nurse); and
- Other qualified professionals, as appropriate (such as behavioral or medical specialists).

(Continued from page 1)

Step 1: Using What is Known

A team of people, including you, will be involved in evaluating your child. The team will begin by looking at what is already known about your child. The team will look at your child's school file and recent test scores. You and your child's teacher(s) may provide information to be included in this review.

The evaluation team needs enough information to decide if your child has a disability. It also needs to know what kind of special help your child needs. Is there enough information about your child to answer these questions? If your child is being evaluated for the first time, there may not be sufficient information.

Step 2: Collecting More Information

The team of people involved in your child's evaluation, including you, will identify what additional information about your child is needed in order to answer the questions we just mentioned. Before the school may conduct additional testing to collect that information, school personnel must ask you for permission. They must explain to you what the evaluation of your child will involve. This includes describing (a) the tests they will use with your child, and (b) the other ways they will collect information about your child.

The school will collect the additional information about your child in many different ways and from many different people, including you. (The people who will be involved in your child's evaluation are listed in the box to the left.) Tests are an important part of an evaluation, but they are only one part. The evaluation should also include:

- The observations and opinions of professionals who have worked with your child;
- Your child's medical history, when it's relevant to his or her performance in school; and
- Your observation about your child's experiences, abilities, needs, and behaviors in school and outside of school, and his or her feelings about school.

Professionals will observe your child. They may give your child tests. They are trying to get a picture of the "whole child." It's important that the school evaluate your child in all areas where he or she might have a disability. For example, they will want to know more about:

- How well your child speaks and understands language;
- How your child thinks and behaves;
- How well your child adapts to change;
- What your child has achieved in school;
- How well your child functions in areas such as movement, thinking, learning, seeing, and hearing; and
- What job-related and other post-school interests and abilities your child has (important when your child is nearing 16 years)

What is RTI?
You may hear the term RTI (Response to Intervention). RTI is the process of using techniques of differentiated instruction and measuring outcomes before referring a student for special education.

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old, or sooner, if appropriate).

Evaluating your child completely will help you and the school decide if your child has a disability. The information will also help you and the school plan instruction for your child.

Deciding If Your Child is Eligible for Special Education

The next step is to decide if your child is eligible for special education and related services. This decision will be based on the results of your child's evaluation and the policies regarding eligibility for special services.

It's important that your child's evaluation results be explained to you in a way that's easy to understand. The school will discuss your child's scores on tests and what they mean. Is your child doing as well as other children his or her age? What does your child do well? Where is your child having trouble? What is causing the trouble?

If you don't understand something in your child's evaluation results, be sure to speak up and ask questions. This is your child. You know your child very well. Do the results make sense, considering what you know about your child? Share your special insights. **Your knowledge of your child is important.**

Based on your child's evaluation results, a group of people will decide if your child is eligible for special education and related services. Under IDEA **you have the right to be part of any group that decides your child's eligibility for special education and related services.**

This decision is based in part on IDEA's definition of a "child with a disability." You should know that:

- The IDEA lists several different disability categories (see page 3.)
- The disability must affect the child's educational performance. (Your child does not have to be failing school and may be moving from grade to grade.)
- A child may not be identified as having a disability primarily because he or she speaks a language other than English and does not speak or understand English well.
- A child may not be identified as having a disability just because he or she has not had enough appropriate instruction in math or reading.

As a parent, you have the right to receive a copy of the evaluation report on your child at no cost to you. You also have the right to receive a copy of the paperwork about your child's eligibility for special education and related services.

Parent Tip

Ask for all evaluation reports BEFORE meetings.

If your child is eligible for special education and related services (such as speech therapy) and you agree with this determination, then you and the school will meet and talk about your child's special educational needs. However, you can disagree with the decision and refuse special education and related services for your child.

If your child is not eligible for special education and related services, the school must tell you in writing. You must also receive information about what to do if you disagree with this decision. If this information is not in the materials the school gives you, ask for it. You have the right to disagree with the eligibility decision and be heard. Also ask how the school will help your child if he or she will not be getting special education services.

If your child is found eligible for special education and related services and you agree, the next step is for the team to write an IEP.

Four Evaluation Musts

- **Using Native Language.**
The evaluation must be conducted in your child's native language or other means of communication (sign language).
- **No Discrimination.**
Each test must be given in a way that does not discriminate against your child because he or she has a disability or is from a different racial or cultural background.
- **Trained Evaluators.**
The people who test your child must know how to give the tests they decide to use. They must give each test according to the instructions that came with the test.
- **More Than One Procedure.**
Evaluation results will be used to decide if your child is a "child with a disability" and to determine what kind of educational program your child needs. These decisions can not be made based on one procedure such as only one test.

A Checklist for Evaluation Requests

South Dakota Advocacy Services and South Dakota Parent Connection developed a checklist for parents and educators to use when requesting an evaluation. This checklist will help identify areas of concern and/or reasons for a referral. You may download a copy of the form at www.sdparent.org (How We Help/Resources tabs).

Language Arts

- Vocabulary - spoken
- Recognizes letters of the alphabet
- Knows sounds of letters of the alphabet
- Recognizes words
- Vocabulary - reading
- Understands what he/she reads
- Reading speed and accuracy
- Expressing thoughts in writing
- Spelling/punctuation
- Sentence/paragraph structure
- Difficulty listening
- Other

Numbers/Mathematics

- Telling time
- Counting money
- Measuring
- Basic math facts
- Calculations
- Word problems
- Geometry
- Problem-solving
- Measurement
- Probability/data
- Analysis
- Math reasoning
- Other

Behavior/Social

- Noncompliance
- Lack of motivation
- Self-concept/esteem
- Peer relationships
- Adult relationships
- Changes in relationships with family/friends
- Withdrawn/moody
- Overactive/underactive
- Isolates self
- Irrational fears
- Verbally aggressive
- Physically aggressive
- Fearful/anxious
- Repetitive behaviors
- Difficulty adjusting to change in routine
- Limited interests and activities
- Unusual interests

- Obsessive interests or behaviors
- Emotionally unstable
- Difficulty sleeping
- Decreased energy
- Irritable
- Easily distracted
- Self-destructive
- Overly sensitive/cries easily
- Poor social boundaries
- Unusual response to typical stimuli
- Bullied by others
- Bullies others
- Seeks attention in inappropriate ways
- Unaware of dangers
- Sexualized behaviors
- Other

Health/Medical

- Problems with vision
- Problems with hearing
- Concussion or traumatic brain injury
- Loss of consciousness
- Seizure
- Stroke
- Headaches
- Dizziness
- Diagnosed congenital disease
- Overweight/underweight
- Fatigued/listless
- Frequently gets hurt
- Diagnosed medical condition
- Medication
- Physical complaints
- Diagnosed mental health condition
- Other

Communication

- Difficulty expressing what he/she wants to say
- Difficulty understanding what he/she hears
- Difficulty repeating what is said
- Uses gestures instead of words
- Appears to not hear what is said
- Loss of acquired vocabulary
- Limited vocabulary
- Student speech difficult to understand
- Student non-verbal
- Other

Motor (Muscle) Skills

- Copying
- Handwriting
- Walking/running
- Throwing/catching
- Fine Motor (hands/fingers) coordination
- Gross motor (arms/legs/trunk) coordination
- Moving from sitting to standing
- Moving from standing to sitting
- Transitioning from class to class
- Frequent falls
- Balance/reflexes
- Concerns with child safety
- Commode transfer
- Walks on tiptoes
- Unusual hand movements/posturing
- Other

Study/Work Skills

- Disorganized
- Making transitions
- Avoids difficult tasks
- Poor problem solving
- Abstract thinking difficulties
- Poor judgment
- Following directions
- Starting tasks
- Completing tasks
- Does not work independently
- Remaining seated
- Concentration/attention span
- Excessive daydreaming
- Turning in assignments
- Difficulty with memory
- Other

Daily Living Skills

- Toileting
- Dressing self
- Feeding self
- Drinking from cup
- Communicating basic wants/needs
- Safety (self or others)
- Understanding/responding to social cues
- Gullible/naïve

My Child Has An IEP, Why Re-evaluate?

Once a child is eligible for special education services, IDEA law requires consideration of a re-evaluation every three years. The cover page of the IEP lists the date of the previous evaluation and the date of the next scheduled evaluation. The re-evaluation must reflect all areas of suspected disability, including any new areas of concern. Sometimes a re-evaluation shows that a child no longer needs or qualifies for services. A child's IEP cannot be discontinued by the school without justification presented in re-evaluation data.



The results of a re-evaluation first indicate whether the student is still eligible for special education and related services, and provides information for the multi-disciplinary team to use to update the IEP. In this process, the team must also consider any other information that is presented by the parents from a physician, counselor or other outside evaluator. If there is disagreement about the results of the re-evaluation, parents can request an Independent Educational Evaluation (see story at right).

The same time lines apply to a re-evaluation as the initial evaluation in South Dakota — 25 school days for testing after consent is signed, and then 30 calendar days in which to meet for review once the testing is complete. If there is a reason to grant more time for testing, the time line can be extended and the new agreement must be documented. If the team agrees that an evaluation should be done in one or more areas in fewer than three years, this can be done. Many assessment tools should not be used twice in a year, to avoid the possibility of a "practice-effect," with the student getting higher scores because it is familiar. In each discipline, there are choices among measurement tools.

If the team, which includes the parent(s), determines that a re-evaluation process would reveal no new information, there can be agreement to skip it. Re-evaluation should be considered again at the next annual IEP meeting or at any time that a team member wants to discuss it.

In an initial evaluation, the school district may not evaluate if the parent/guardian does not sign a consent form, unless a hearing officer approves it. For a re-evaluation, however, if the parent does not sign the consent form, after reasonable efforts, the district may proceed with the re-evaluation.

When Should You Request an Independent Evaluation?

In assessing a medical condition and choosing a treatment, people often seek a second opinion. That concept also fits for evaluations in special education. Most often, a school district or education cooperative can do appropriate and accurate evaluations. When they do not have the resources, they may contract with an outside source on their own initiative.

Procedural safeguards in the IDEA (Individuals with Disabilities Education Improvement Act) assure that if parents disagree with a school's evaluation, they may request an independent educational evaluation (IEE) to address the areas in dispute. The school can ask why it is requested, but they must not delay action by insisting on an answer. An IEE is an evaluation conducted by a qualified examiner who is not employed by the district responsible for the education of your child.

The school has choices. It can make arrangements for the IEE or may have the parent select an evaluator based on applicable criteria. While the school can suggest providers of an IEE, the list cannot be unduly limiting. Parents can, within reason, select any evaluator who meets the criteria. If the school objects to paying for an IEE, the parents may file a complaint and have a hearing officer rule whether the original evaluation is appropriate and sufficient.

If parents arrange an IEE on their own, without going through these steps, the parents will be responsible for these costs. Regulations state that when a parent shares information with the IEP team, it must be considered, but that does not require the school or the team to agree with it or to implement any of its recommendations.

The federal regulations can be searched: <http://idea.ed.gov/explore/view/p.root,regs,300,E300%252#502>

See page 8 in South Dakota's handbook on parental rights at this site: http://doe.sd.gov/oess/documents/SPED_parentalrights_handbook.pdf

Visit Us at
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Why Should You Evaluate Your Child?

Why would a parent or teacher request that a child be evaluated for special education services. Signs that may indicate the need for an evaluation include:

- **The student is struggling academically or not performing at the same level as others in the class.** Struggling to read is one significant reason children may be referred for evaluation.
- **The student has behavioral difficulties either at home or at school.** This may indicate difficulties or stress in school. An evaluation may help everyone understand how a child's behavior and learning are related.
- **The student has trouble paying attention.** There are many possible underlying causes of a student struggling to focus on schoolwork. There are many strategies to consider, once the root cause is identified.
- **A drop in performance is observed.** A student may avoid work that is too difficult due to a learning disability. There may be factors of depression, anxiety, or an underlying medical condition. There may be changes in the social environment at school or at home that stress the child.
- **The student may have memory difficulties.** It is important to determine whether it is short-term or long-term memory. Can your child remember units of information, such as numbers, but not more complex information? Are language difficulties related to memory difficulties?
- **If it has been suggested that the student repeat a grade,** an evaluation is important to better understand why the student has not acquired the necessary skills to be promoted to the next grade. It can help to understand the student's strengths and weaknesses, learning styles, and whether a change in teaching methods may improve the situation.

adapted from Concord Massachusetts School District Parent Special Education Advisory Board

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