

EXHIBIT E

Evaluating for Special Education Eligibility Under IDEA

Child Find & Referral

- Parents and teachers may make a referral for special education consideration at any time.
- Referral warrants evaluation if committee agrees that the student's challenges potentially relate to an underlying disability.

Student Characteristics That May Trigger Referral:

U.S. Dept of Education:

“we have clarified in §300.101(c) that a child does not have to fail or be retained in a course or grade in order to be considered for special education and related services”

Purpose of Evaluation

To collect, interpret and present data that will help a student's special education committee decide if the student's challenges described in a referral potentially relate to one of 12 disability categories defined under IDEA and implemented by the Arkansas Department of Education.

Disability Under IDEA

Presumes physiologically based cause for a student's challenges

Many categories more specifically presume a neurological basis for the student's challenges

Disability Categories

- Autism
- Deaf-Blindness
- Hearing Impairment
- Emotional Disturbance
- Intellectual Disability
- Multiple Disabilities
- Visual Impairment
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech and/or Language Impairment
- Traumatic Brain Injury

3-Step Process for Eligibility

1. Determine if the student has one of the 12 identified IDEA disabilities
1. Determine if the identified disability has an **Adverse Effect** on the student's **educational performance**
1. Determine if the student **NEEDS** special education and related services due to the identified disability and its adverse effect

Identification of Disability

- Student entitled to individualized evaluation
 - Use of a variety of assessment tools, strategies appropriate for assessing the suspected disability

 - Relevant information about the child
 - Functional Background Information
 - Developmental Background Information
 - Academic Background Information

Identification of Disability

Evaluation Components Required By Arkansas for All Disability Categories (Except Speech and/or Language Impairment):

- Social History
- Individual Intelligence
- Individual Achievement
- Adaptive Behavior
- Communicative Abilities

Identification of Disability

- Disability categories have specific criteria
 - Autism
 - Emotional Disturbance
 - Specific Learning Disability
 - Other Health Impairment

Identification of Disability

Differences Among States:

Specific Learning Disability

Other Health Impairment

Emotional Disturbance

Arkansas:

- Does not stipulate methodology for determining SLD
- Requires Physician's Statement
- Requires Psychiatrist or Psychologist to substantiate emotional disturbance

Identification of Disability

Differences Among States:

Arkansas:

Autism

- Requires medical assessment

Developmental Disability

- Requires transition to school age disability definitions when student enters kindergarten

Adverse Effect on Educational Performance

Step 2:

Is there an Adverse Effect on Educational Performance?

- **Adverse Effect** not defined in IDEA and the Arkansas Department of Education does not provide clarification

No specific degree of impact required, but effect must be more than slight or trivial

Educational Performance

Also vaguely defined

Factors:

- Academic (e.g., grades, test scores, state mandated tests)
- Communication
- Behavior
- Social Functioning
- Physical Accessibility

Disability category offers some guidance about student factors committee considers when assessing “educational performance”

Need for Special Education

Step 3:

Establishing a **NEED** for special education

or

Does the student require Specially Designed Instruction in order to access the educational setting or benefit from the educational instruction?