

VII. EVALUATION

The child identification system in Iowa is an ongoing program involving local education agencies (LEAs), area education agencies (AEAs), and the State Education Agency (SEA). Its principle function is to facilitate the identification, evaluation and placement of children with disabilities in an educational program that is appropriate to their needs. Iowa's system contains the following components: initial identification/referral, evaluation, service delivery, and reevaluation. In addition to education agencies and depending on the age of the child served, identification activities may be conducted with the Iowa Department of Human Services, the Iowa Department of Public Health, public and private preschool facilities, local hospitals, public and private family and pediatric physicians, and a variety of parent support groups which function within the geographic boundaries of each AEA. These agencies receive periodic updates, which describe referral procedures to assist in the child identification process. These activities continue throughout each year.

Iowa policy defines roles and responsibilities of AEAs and LEAs in providing for the ongoing proper identification, evaluation and placement of children and young adults requiring special education. Iowa's AEAs and LEAs must provide policies and procedures they use to evaluate and determine eligibility for special education services.

Each public agency in Iowa with special education responsibilities assures that a full and individual initial evaluation is provided to each child suspected of having a disability before the initial provision of special education and related services. A public agency must seek consent for an evaluation whenever it suspects a child of having a disability, regardless of the child's status in "prereferral" or general education interventions or activities. A public agency suspects a child is a child with a disability when the public agency is aware of facts and circumstances that, when considered as a whole, would cause a reasonably prudent public agency to believe that the child's performance might be explained because the child is an individual eligible for special education.

Each public agency in Iowa assures, at a minimum, that the following requirements are met:

1. The assessment procedures, tests and other evaluation materials used in the identification process are provided and administered in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is not clearly feasible to so provide or administer. Materials and procedures used to assess an individual with limited English proficiency are selected and administered to ensure that they measure the extent to which the individual has a disability and needs special education, rather than measuring the individual's English language skills. The tests and other evaluation materials are selected and administered so as not to be racially or culturally discriminatory.
2. A variety of assessment tools and strategies are used to gather relevant functional, and developmental, and academic information about the individual, including information provided by the parent that may assist in determining whether the individual is an eligible individual and in determining the content of the IEP. The tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained and knowledgeable personnel in accordance with any instructions provided by the

producer of the tests. Additionally, if an assessment was not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report. The tests 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. The tests and other evaluation materials are selected and administered so as best to ensure that if a procedure or test is administered to an individual with impaired sensory, manual, or speaking skills, the test results accurately reflect the individual's aptitude or achievement level or whatever other factors the procedure or test purports to measure, rather than reflecting the individual's impaired sensory, manual, or speaking skills (unless those skills are the factors that the procedure or test purports to measure).

3. No single procedure is used as the sole criterion for determining whether the individual is an eligible individual and for determining an appropriate educational program for the individual. An initial evaluation of the individual's educational needs shall be completed before any action is taken with respect to the initial provision of special education and related services. Written parental consent as required in the Iowa Rules of Special Education shall be obtained prior to conducting the evaluation. The purpose of the evaluation is to determine whether the child has a condition that requires special education and support services and related services.
4. Iowa's rules provide for general education interventions provides teams with far more needs-based information than previous systems. Each LEA, in conjunction with the AEA, shall attempt to resolve the presenting problem or behaviors of concern in the general education environment prior to conducting a full and individual evaluation. In circumstances where the public agency suspects that a child receiving general education interventions may be a child with a disability, the AEA and LEA shall conduct a full initial evaluation. Documentation of the rationale for such action shall be included in the individual's educational record. The parent of a child receiving general education interventions may request that the agency conduct a full and individual initial evaluation at any time during the implementation of such interventions.
5. Each LEA shall provide general notice to parents on an annual basis about the provision of general education interventions that occur as a part of the agency's general program and that may occur at any time throughout the school year.
6. General education interventions shall include consultation with special education personnel. General education interventions shall be the primary responsibility of a public agency's general education program. General education interventions shall be documented and shall include measurable and goal-directed attempts to resolve the presenting problem or behaviors of concern, communication with parents, collection of data related to the presenting problem or behaviors of concern, intervention design and implementation, and systematic progress monitoring to measure the effects of interventions.
7. If the referring problem or behaviors of concern are shown to be resistant to general education interventions or if interventions are demonstrated to be effective but require continued and substantial effort that may include the provision of special education and related services, the agency shall then conduct a full and individual initial evaluation.
8. An evaluation shall include collection of additional information needed to design interventions intended to resolve the presenting problem, behaviors of concern, or suspected disability, including, if appropriate, assessment or evaluation of health, vision, hearing, social

and emotional status, general intelligence, academic performance, communicative status, adaptive behavior and motor abilities. Evaluations are sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified (if any).

9. The tests and other evaluation materials used in the full and individual evaluation are technically sound and assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
10. The assessment tools and strategies provide relevant information that directly assists persons in determining the educational needs of the individual.
11. The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation.
12. During the evaluation process, the public agencies shall comply with any progress monitoring standards established by the Department.

As part of an initial full and individual evaluation and as part of any reevaluation, the IEP team and, as appropriate, other qualified professionals, shall:

- a) Review existing evaluation data on the individual including evaluations and information provided by the parents of the individual, current classroom-based assessments and observations, observations by teachers and related services providers and the results of general education interventions.
- b) On the basis of the review and input from the individual's parents, identify what additional data, if any, are needed to determine:
 - (1) Whether the individual has a disability and the educational needs of the child or, in case of a reevaluation, whether the individual continues to have a disability.
 - (2) The present levels of academic achievement and related developmental needs of the child.
 - (3) Whether the individual needs special education and related services or, in the case of a reevaluation, whether the individual continues to need special education and related services.
 - (4) Whether any additions or modifications to the special education and related services are needed to enable the individual to meet the measurable annual goals set out in the IEP of the individual and to participate, as appropriate, in the general curriculum or, in the case of preschool children, appropriate activities.

The group that conducts the review may conduct its review and make decisions without a meeting. Team members shall administer tests and other evaluation materials and use assessment tools and strategies as needed to produce the data identified above.

A parent of a child, an AEA, or a LEA may initiate a request for an initial evaluation to determine if the child is a child with a disability. This initial evaluation shall be completed to determine whether a child is a child with a disability within 60 calendar days of the public agency receiving parental consent for the evaluation, unless otherwise provided by law. The appropriate educational needs of the child will also be identified during this evaluation.

In cases of a reevaluation, if the group determines that no additional data are needed to determine whether the individual continues to have a disability, the agency shall notify the individual's

parents of the team's determination and the reasons for it, and of the right of the parents to request an assessment to determine whether, for purposes of services described in these rules, the individual continues to have a disability. The agency is not required to conduct this assessment unless requested to do so by the individual's parents.

In making this determination, the evaluation team shall draw upon information from a variety of sources including parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. If a determination is made that a child has a disability and needs special education and related services, an IEP must be developed for the child.

Upon completing the full and individual initial evaluation, the IEP team and other qualified professionals as appropriate shall determine whether the individual is an individual with a disability and whether the educational interventions that the individual requires constitute the provision of special education and related services. A copy of the evaluation report and the documentation of determination of eligibility shall be provided to the parent. The AEA and LEA shall seek to obtain informed consent from the parent before providing special education and related services to the child. An individual shall not be determined to be an eligible individual if the determinant factor for the decision is a lack of appropriate instruction in reading, including the essential components of reading instruction, a lack of instruction in math, or limited English proficiency.

Each agency shall assure that the IEP of each eligible individual is reviewed and that a reevaluation of each eligible individual is conducted every three years or more frequently if conditions warrant, if an eligible individual's parent or teacher requests an evaluation, or before determining that the individual is no longer eligible. A reevaluation of an eligible individual is not required before the termination of eligibility due to graduation with a regular high school diploma, or exceeding the age eligibility for FAPE under these rules.

It is the policy of the state of Iowa that specific provisions on evaluation of students suspected of having specific learning disabilities are as set forth in its special education rules. See Iowa Admin. Code rr. 281—41.307 to 41.311.

Specific rules on consent, including consent for evaluations, reevaluations, and provision of initial services, are contained in the State's "Procedural Safeguards" policy and incorporated herein by this reference.