

Instructions to Special Education Forms



Form 2 - Evaluation Plan and Report

The Evaluation Plan and Report form is divided into a cover page, three numbered sections, and a final decision page.

Cover Page: In addition to the name of the Local Education Agency (LEA) and the student, the Child Count ID #, the grade, and date of birth, there are four important dates that must also be completed. The **Date of Referral** is the date when the responsible LEA personnel who determines whether to move the evaluation forward receives the request for a special education evaluation. The **Date of Planning Meeting** is the date of the meeting where the plan was completed or the date when the plan was sent to the parent, if no formal meeting took place. Required for initial evaluations: the LEA MUST conduct this meeting within 15 days from the date the responsible LEA personnel confirms that the referring party is requesting a special education evaluation. The **Date of Received Consent** is the date when the LEA received a signed consent, if required, from the parent(s) for the evaluation. The **Date of Eligibility Decision** refers to the date when the meeting was held to answer the questions and considerations documented in the evaluation plan, based upon the results of recommended evaluations and other information used to determine eligibility.

The second part of the **Cover Page** identifies the members of the Evaluation and Planning Team (EPT). Some individuals, such as the special educator, related service provider, and local educational agency representative, might fill multiple roles on the team. *Where an individual fills more than one role, his or her name must be listed in each category she or he represents; and she/he is requested to initial their agreement with the decision of the evaluation team for each role they fulfill.*

Section One: This is the Disability Determination section of the Evaluation Plan and Report. It has four parts, identified as letters A-D.

Part A is the section that asks for a list of the suspected disability categories being considered by the EPT. If more than one disability is suspected, it is recommended that one page should be completed for each disability category evaluated, so as to keep the questions and answers (**Part B**) for each category in a logical order. A concluding statement (**Part D**) must be made for each disability category evaluated. For the disability category of Developmental Delay, any question should refer to the demonstration of an observable and measured delay in one or more fundamental skill areas or a diagnosed medical condition which has a high probability of resulting in a significant delay by the time the child is six years old.

Reminder: A student/child may not be determined to have a disability if the determining factor in eligibility is limited English proficiency or a lack of instruction, including the essential components of reading, or math.

Part B is the section where the questions and answers used to reach the disability determination are to be documented. The form should cite questions that pertain to the disability category descriptions identified in the Vermont Special Education Regulations. Additional information can also be obtained, but may be more appropriately listed in either the Adverse Effect or Need sections. **Each question posed in this section must**

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be answered and the specific tests or assessment procedures used to provide for the answer must be identified.

Part C is the section where general areas to be evaluated and the procedure to be used in carrying out the evaluation are listed. The EPT is not asked to list specific tests, which are left to the individual or personnel responsible for administering the test. **Teams are reminded that if they choose to list specific tests, that any test listed must be administered unless an explanation for its omission is provided.** The EPT must evaluate the student/child in all areas related to his or her suspected disability; including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

Part C also lists the personnel or person(s) responsible for administering the assessments, **by their professional title** (e.g. Speech Language Pathologist, Special Education Teacher) **or team role** (e.g. Parent, LEA Representative). Should an EPT decide to list the person responsible for administering an assessment by title and name, that specific person must administer that assessment.

Part D states the EPT's conclusion regarding disability determination(s). The EPT must reach a conclusion for each disability category that was suspected and evaluated by the team.

NOTE: Prior to a re-evaluation to determine whether a child continues to be eligible for special education services, if an EPT decides that the eligibility decision can be limited to a review of existing data without having to use new data, the parents shall be notified of that determination and the reasons for it. In addition, a parent must be notified that he/she has the right to request and receive new testing and/or new data to help with the eligibility re-determination.

Section Two: This section addresses the question of **Adverse Effect on Educational Performance. This section also applies to children in Essential Early Education (EEE) programs but only when using disability categories other than Developmentally Delayed.** Adverse effect is determined as performance (in at least one of the basic skill areas) at or below the 15th percentile, or at least 1.0 standard deviation below the mean, on an assessment score, or the equivalent as reflected in at least three of the six measures described in Part B of this section.

The first box in Section Two explains some of the requirements in regard to Adverse Effect, including, where appropriate, for the IEP Team to assess the impact of functional skills and behavior on school performance measures. Adverse Effect can also not be determined using only three similar measures of school performance, at least four measures of school performance must indicate the lack of Adverse Effect before a student is declared ineligible in this section, and none of the six school performance measures can be required as a measure of Adverse Effect if at least three of the other five measures meet the Adverse Effect criteria.

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The second box in Section Two requires the EPT to identify the basic skill areas to be considered in this evaluation. The basic skills include **oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, mathematics calculation, mathematics reasoning and motor skills**. Currently, for only those students suspected of a Specific Learning Disability could it also include **reading fluency**. To be considered a comprehensive evaluation, ALL of the appropriate basic skills identified by the Evaluation Planning Team (EPT) must be documented within this Evaluation Report (either all basic skills are documented within the Adverse Effect section or one basic skill is documented here and the other basic skills of concern are documented in the following Need for Special Education section). **The minimal requirement of the Adverse Effect section, however, is that documentation, using at least three of the six different school performance measures, has proven the student to have an Adverse Effect in at least one basic skill area.**

The third box on this page identifies the general evaluation areas, assessment procedures and other school performance measures that will be used to make the Adverse Effect determination. This may include tests, data, student work or other education records reviewed. This section also identifies the personnel or person(s) responsible by professional title or team role for conducting the evaluations or collecting the information used to determine Adverse Effect.

The following pages within the Adverse Effect section are where the EPT documents their findings relative to whether the student meets the IEP criteria. It asks for the basic skill area being measured and divides the results by the six measures of school performance. It asks for documentation of the evaluation results and also a summary of any discussion related to individual factors (such as functional performance measures) that may have affected these results (i.e. samples of student work in a large group versus a small group setting, the effects of testing under optimal one-to-one conditions versus classroom environments or the effects of poor social skills or behavioral issues). The chart on these pages further asks for documentation by the EPT if there was evidence of scores that fell in the lowest 15th percent or more than 1.0 standard deviation below the mean on a basic skill assessment, and their determination, based upon the combination of the evaluation results and EPT discussion whether each measure was considered to have an Adverse Effect on student performance.

The Adverse Effect section concludes with a n EPT determination that the student met the requirement of at least one basic skill demonstrating an Adverse Effect in three different measures of school performance.

Section Three: This section addresses the student/child's **Need for Special Education Services**.

Part A is used to inform the EPT of the need to document within this section how the student/child's need for specially designed instruction that cannot be provided within the LEA's standard instructional conditions or through the LEA's educational support system. For Early Special Education Services, if it is found that the child needs special education services, the statement should include justification that a delay is at such a level that without intervention prior to enrollment in elementary LEA, it would affect his/her future success in the home, school or community.

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Part B is used to develop the questions and answers necessary for the EPT to determine whether the disability and adverse effect combine to result in a need for special education services. The first question asked is whether the child/student requires accommodations/modifications, including standard supports available to all students, necessary to demonstrate progress in the general education curriculum. The second question must inquire as to the need for specialized instruction that cannot be provided through the standard supports available to all students within the LEA or early education program. If a need is evident, then an Individualized Education Program (IEP) team must be convened to review this need and develop a plan to address the supports necessary for the student to progress in the general education curriculum. Should it be decided that a child/student has a disability but does not have an Adverse Effect nor a Need for Special Education Services, this information must be forwarded to their building principal who then must ensure that a Section 504 Team is convened to determine whether the development of a 504 Plan to inform staff of the student's need(s) is warranted.

Part C is used to identify the basic skill areas which were not documented within the Adverse Effect section but were discussed by the EPT in determining the additional basic skill needs and concerns regarding the student. This information will be passed on to the IEP Team for consideration in their deliberations and development of the IEP for the student.

Part D is used to summarize the Evaluation and Planning Team's decision regarding the need for special education services.

Final Page: This section pertains to the decision of the Evaluation and Planning Team as to the disability determination. It requires a statement that identifies the disability category(ies) that the student/child meets or continues to meet. The primary disability, as determined by the EPT, should be listed on the first line with any additional or secondary categories on the lines that follow. In cases where the Team finds the student/child is not eligible, the reasons for determining the ineligibility **must** be stated on this page. This section explains to parents their right to an independent evaluation should they disagree with the evaluation used to make this determination. It also includes a statement formally seen on **Form 7** (now Form 7a) which describes the prior written notification requirement to parents. In order to fulfill this obligation, this form **must** be completed in full to provide parents with the district's eligibility decision regarding **all** evaluations and disability category determinations.