



Special Education Academy

Part 3 of 10: Special Education Evaluations: Why Students with Disabilities are Evaluated

November 10, 2025

Today's Agenda

- Introductions and Expectations
- Special Education Evaluations: Why students are evaluated, the evaluation procedure, and what to look for as the evaluation procedure moves forward
- Advocacy Strategies
- Q&A

Information is POWER



Disability Rights Education & Defense Fund

- Unique alliance of people with disabilities and parents of children with disabilities.
- National law and policy center dedicated to protecting and advancing disability civil and human rights.
- Disability rights are civil rights
- **VISION:** a just world where all people live full and independent lives free of discrimination.
- Educate legislators and policy makers on issues (such as IDEA, ADA) affecting rights of people with disabilities.

Parent Training and Information Centers

DREDF is a federally-funded Parent Training and Information Center (PTI), funded through the U.S. Department of Education.

PTIs are in every state and territory. If you are outside DREDF's service area, please contact us and we will direct you to yours, or go to:

<https://www.parentcenterhub.org/find-your-center/>

What we do at a Parent Training and Information Center:

- **Work with families** of infants, toddlers, children, and youth with disabilities, birth-26
- **Help** parents participate effectively in their children's education and development
- **Partner** with professionals and policy makers to improve outcomes for all children with disabilities

Children with disabilities who have consistent, knowledgeable advocates are most likely to receive appropriate services & supports.

Expectations:

What we WILL talk about today:

- School district obligations to evaluate for suspected disability
- How to request an evaluation
- Eligibility categories under the IDEA
- The assessment plan
- Advocacy strategies

What we will NOT talk about today:

- Specific students and schools
- Please contact **iephelp@dredf.org** with specific questions.

What we cannot do:

- Provide a magic solution or quick fix - the process takes time!
- Provide legal or therapeutic advice: We are lay advocates.
- We are not attorneys, licensed therapists, or social workers.

How We'll Proceed:

Please help us keep to the topic and agenda.

- We will take **general questions at the end**. Be kind, courteous and respectful when asking questions.
- Assume positive intentions
- We all have something to learn from each other and what we share is valuable
- This is a collaborative, judgement-free zone.
- We will do our best to use plain language and explain unfamiliar terminology. Use the chat to ask about a new word or phrase.
- All acronyms will be explained (remind us if we forget, please!)

Why we use “Disability,” and not “Special Needs”

- “Special needs:” not a term coined by disabled people or the Disability Community.
- Everyone’s needs are valid; there is nothing “special” about having equal access.
- “Special needs” erases the expertise of disabled adults who find the phrase infantilizing and inappropriate.
- It is not a term defined in law. “**Disability**” has a **specific legal definition and meaning**.
- It does not cover all disabled people, because not all disabled students are in special education classrooms or receive special education services.
- Parents may worry about labeling or stigmatizing their child, but “disability” brings rights, services, and access.

“Special needs gives the impression that the rights of people with disabilities are ‘special’ or ‘extra.’ We have the same rights as everyone else. How we access those rights may differ, but disability rights are fundamentally the same civil rights as all people. When you imply that the act of accessing our rights is “special” it gives the rest of the public a pass to treat us as though our rights are a special privilege, and then we get harassed for it.”

- **Rebecca Cokley**
Disability Community Policy Expert
and Thought Leader

NEEDS	GOALS	SERVICES
<p>DATA-DRIVEN</p> <ul style="list-style-type: none"> • Assessments • Grades • Test Scores • Behavior Reports • Observations • Independent Service Providers 	<p>ALL AREAS OF NEED</p> <ul style="list-style-type: none"> • Academic • Social-emotional • Behavior • Daily Living Skills <p>SMART GOALS:</p> <ul style="list-style-type: none"> • Specific • Measurable • Achievable (yet Ambitious) • Relevant • Time-Bound 	<p>INDIVIDUALIZED</p> <ul style="list-style-type: none"> • Accommodations • Adult Support • Related Services and Therapies • Specialized Academic Instruction • Counseling • Consultation with Outside Service Providers
<p>...<u>THEN</u> we talk about placement!</p>		

Why Do Schools Evaluate? The Law Requires It!

34 C.F.R. § 300.111 Child find.

(a) General.

(1) The State must have in effect policies and procedures to ensure that—

(i) *All children with disabilities residing in the State*, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, ***are identified, located, and evaluated;*** and

(ii) A practical method is developed and implemented to determine which children are currently receiving needed special education and related services.

Note: Bold and italics have been added for emphasis.

Evaluation MUST Consider All Areas of Suspected Disability

- The school's evaluation must be "sufficiently comprehensive to identify all of the student's special education needs, ***whether or not commonly linked***" to the ***suspected disability*** or eligibility category of the student. 34 C.F.R Sec. 300.304(c)(6)
- The school district must consider whether the student requires assistive technology (AT) to benefit from instruction. Ask (in writing) if it would be appropriate to assess for any AT service or device that directly assists the school staff and IEP team in the selection, acquisition or use of an AT device. The assessment must include a "functional evaluation" of the student in their "customary environment". 34 C.F.R. Sec. 300.6.

Evaluations Lead to Eligibility for Special Education

Thirteen (13) Categories of Eligibility Under IDEA:

- | | |
|---|----------------------------------|
| 1. Hearing Impairment (hard of hearing) | 7. Other Health Impairment |
| 2. Deafness | 8. Autism |
| 3. Deafblindness | 9. Intellectual Disability |
| 4. Speech or Language Impairment | 10. Emotional Disability |
| 5. Visually Impairment (blind/low vision) | 11. Specific Learning Disability |
| 6. Orthopedic Impairment | 12. Multiple Disabilities |
| | 13. Traumatic Brain Injury |

In Special Education, We Cannot Assume Disabilities

Frequently Mistaken for ADHD:

- Depression
- Oppositional Defiant Disorder
- Anxiety disorder
- Learning disability
- Tourette syndrome
- Poor social history
- Lead poisoning
- Hearing Loss
- Auditory processing disorder
- Language disorder
- Physical or sexual abuse
- PTSD
- Executive dysfunction
- Head injury
- Neurological disorder
- Eating disorder

Requesting Initial Special Education Evaluation

- **Best Practice:** Requests should be submitted in writing (email is great).
- If parents make a verbal request for an Educational Evaluation, the school staff should help put the request in writing. (Even if the request is made verbally, it still counts.)
- Be specific: The request is for a special education evaluation and not a Section 504 plan
- A written request can be sent to the principal and special education administrator (if known). They should send the request to the appropriate evaluator within the school district (or the SELPA, if appropriate).

Multi-Tiered System of Supports (MTSS) or Evaluation?

Remember that the school district has a Child Find Obligation.

There may be times when MTSS is appropriate, but a suspected disability triggers the school district's **Child Find Obligation**.

Under Child Find:

- District must “locate, identify, and evaluate” all students in their geographic boundary suspected of having a disability
- This includes **all** children who are suspected of having a disability, **including children who receive passing grades** and are "advancing from grade to grade." (34 CFR 300.111(c))
- Child find applies to students in private, parochial, and charter schools.

Educational Evaluation Timelines (Required by IDEA)

- **15 Calendar Days:** Time between written request for evaluation and school sending parent the assessment plan for review.
- **60 Calendar Days:** Time between parent returning assessment plan with consent and IEP meeting to review completed evaluation and assessment reports.

Also:

- **3rd Birthdate:** Evaluation and IEP meeting held for children transitioning from Early Start.
- **30 Calendar Days:** Time between a request for IEP meeting and deadline to hold IEP meeting (if the student already has an IEP).

Breaks in the Timelines (California Education Code)

School evaluation and IEP meeting request timelines **pause** during school breaks of **6 or more** school days.

The timeline resumes after the break.

This includes summer and winter breaks.



Sample California Assessment Plan

Schools need your informed consent to begin the assessment. You can provide that by checking your level of consent in one check box and including your signature.

SAN FRANCISCO UNIFIED SELPA Assessment Plan			
Name: <u>A. Brewster, Punky</u>		Birthdate: <u>9/22/2004</u>	Date: _____
<input checked="" type="checkbox"/> Initial <input type="checkbox"/> Plan Review <input type="checkbox"/> Eligibility Evaluation <input type="checkbox"/> Transition <input type="checkbox"/> Interim <input type="checkbox"/> Other			
To parent/guardian of: <u>Punky A. Brewster</u>		Assessment Plan Date: _____	
LEA/District: <u>San Francisco Unified School District</u>		School: <u>Burton (Philip and Sala) HS</u>	
Grade: <u>Eleventh grade</u>			
Native language: <u>00 English</u>		English Proficiency Level: _____	
<small>The local educational agency (LEA)/district proposes to assess your child to determine his/her eligibility for special education services or continued eligibility and present levels of academic performance and functional achievement. Your child will be assessed in all areas of suspected disability as needed.* To meet your child's individual education needs, this assessment will consist of an evaluation in only the areas checked by the LEA/district. *Tests and procedures conducted pursuant to these assessments may include, but are not limited to, classroom observations, rating scales, interviews, record review, one-on-one testing, or some other types or combination of tests.</small>			
Evaluation Area		Examiner Title	
<input type="checkbox"/> Academic Achievement - These assessments measure reading, arithmetic, oral and written language skills, and/or general knowledge.		<u>Special Education Teacher</u>	_____
<input type="checkbox"/> Health - Health information and testing is gathered to determine how your child's health affects school performance.		<u>School District Nurse</u>	_____
<input type="checkbox"/> Intellectual Development - These assessments measure how well your child thinks, remembers, and solves problems.		<u>School Psychologist</u>	_____
<input type="checkbox"/> Language/Speech Communication Development - These assessments measure your child's ability to understand and use language and speak clearly and appropriately.		<u>Speech-Language Pathologist</u>	_____
<input type="checkbox"/> Motor Development - These assessments measure how well your child coordinates body movements in small and large muscle activities. Perceptual motor skills may also be measured.		<u>Occupational Therapist; Physical Therapist</u>	_____
<input type="checkbox"/> Social Emotional/Behavior - These assessments will indicate how your child feels about him/herself, gets along with others, takes care of personal needs at home, school and in the community.		<u>School Psychologist</u>	_____
<input type="checkbox"/> Adaptive Behavior - These assessments indicate how your child takes care of personal needs at home, school and in the community.		<u>School Psychologist</u>	_____
<input type="checkbox"/> Post-Secondary Transition - These assessments related to training, education, employment and where appropriate independent living skills.		<u>School Psychologist/Special Education Teacher</u>	_____
<input type="checkbox"/> Other		_____	_____
<input checked="" type="checkbox"/> Alternative Means of Assessment - (Describe alternative methods of assessing the child, if applicable)		<u>All above assessors</u>	_____
<u>Observations, Interviews, Review of Records</u>			
<small>Parents / Guardians have protections under state and federal procedural safeguard provisions. Please refer to the enclosed NOTICE OF PROCEDURAL SAFEGUARDS for an explanation of these rights. If you would like further information about your rights or the proposed action and / or referral please contact:</small>			
Print Name of Contact	Position	Phone	E-mail Address
<input type="checkbox"/> I consent to the assessment. I understand that the results will be kept confidential and that I will be invited to attend the IEP team meeting to discuss the results. I also understand that no special education services will be provided to my child without my written consent and that no individualized education program will result from the assessment without my consent, as required by EC Section 56321(b)(4).			
<input type="checkbox"/> I do not consent to the proposed assessment described above.			
<input type="checkbox"/> I would like the following assessment information to be considered by the IEP team: _____			
Signature _____			Date _____
<input type="checkbox"/> Parent <input type="checkbox"/> Guardian <input type="checkbox"/> Surrogate <input type="checkbox"/> Adult Student			
<small>If my child is or may become eligible for public benefits (Medi-Cal): I authorize the LEA/District to release student information for the limited purpose of billing Medi-Cal/Medicaid and to access Medi-Cal health insurance benefits for applicable services.</small>			
<input type="checkbox"/> Yes <input type="checkbox"/> No			

Before Providing Consent:

Write: “I’m agreeing to a full evaluation for special education, with standardized, normed, and measured tests, and not to an observation or screening only.”

- What specific assessments are being performed, and what will they measure?
- Are all areas of suspected disability being addressed in the evaluation?
- Are the assessments normed (ethnically/racially) for the student? Will my student understand the language that’s in the tests or assessments administered?
- Is the student being tested in their native/first language?
- Does the student have the appropriate language, verbal skills, and attention span to participate in the testing process?

Educational Eligibility vs. Medical Diagnosis

Educational Eligibility: The IDEA

- Identified under IDEA after a school-based evaluation (ADHD can fall under an IDEA disability, usually what's called *Other Health Impairment*).
- An IEP team (made up of people outlined in the law) makes the determination of eligibility for special education.
- IEP teams identify disabilities based on IDEA, the federal special education law.
- ***Conditions must also affect the child's educational performance and access at the time they're identified.***

Medical Diagnosis: ICD-10, DSM-V

- A “medical condition or disorder” (including ADHD) identified by a medical professional.
- A doctor, a clinical child psychologist, pediatric neuropsychologist, psychiatrist, or other clinical professional makes the diagnosis.
- Medical professionals diagnose and treat conditions that are found in the DSM-V (*Diagnostic and Statistical Manual of Mental Disorders, 5th Edition*)
- Conditions don't have to affect school performance in order for clinicians to diagnose them.

Examples of Medical Therapy vs. Educational Services

Example #1: Physical Therapy

- Medical need: Long-term for health and well-being, pain, child development, or to address an injury, to participate in Activities of Daily Living (ADLs)
 - Example: a student has uneven gait due to a difference in leg length and needs medical-based physical therapy for proper development over time
- Educational need: To access the school site
 - Example: access the play structure, playground game participation, stair access, hallway stamina, lunchroom seating, sitting “criss cross applesauce” on the floor

Example #2: Speech Therapy

- Medical need: to address developmentally appropriate milestones or rehabilitate after injury or illness
 - Example: A child who cannot pronounce the sound “R” may be intelligible at school, but qualify for medical-based speech and language therapy
- Educational need: Communicate within the school environment and on academically based tasks
 - Examples: turn taking, sharing, perspective taking, intelligibility, and articulation

Components of Evaluations

“In conducting the evaluation, the public agency must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent.”

- Observations
- Parent interviews
- Private service provider interviews
- Teacher interviews
- Grades and work samples
- Educational Record
- Curriculum-based assessments
- Standardized test scores
- Rating scales
- IEP Meeting to Discuss!

“All Areas of Suspected Disability” Can Include:

Executive Function

- Planning and Prioritization
- Task Initiation
- Time Management
- Organization
- Emotional Regulation and Impulse Control
- Flexible Thinking
- Goal Setting and Self-Monitoring
- Stamina and Perseverance

Self Advocacy

- Asking for help
- Coping strategies
- Metacognition

Other Areas to Consider:

- Mental Health
- Technology Access
- Self Care
- Behavior
- Social Emotional

Advocacy Strategies

Strategies for Advocacy and Communication in IEPs

- Get a copy of the contact list and organization chart for the district you are working with, and follow the chain of command. Review family/student handbook.
- Are there additional resources in the district you can access, such as ADR, collaborative conferences, or Facilitated IEP meetings?
- Assume best intentions of staff and ask questions (examples in two slides)
- **Learn** the policies and California Education Code
- Remember: The IDEA, ADA, Section 504 of the Rehabilitation Act, and all other federal laws **supercede** state and local code—and school district policies.
- This is a marathon, not a sprint. Navigating special education takes patience, persistence, time, and lots of documentation.

Strategies for Advocacy and Communication in IEPs

(Slide 1 of 2)

DOCUMENT: If you didn't put it in writing, it didn't happen.

- Create a “2025-2026 IEP Journal” to **document the good and bad** each week
- **Over-communicate** with all members of the team
- **Request all student records** in 5 business days (including incident reports)
- **Request IEP meeting in writing** as soon as IEP concerns arise

Strategies for Advocacy and Communication in IEPs

(Slide 2 of 2)

- Email the school that parent/guardian will **audio record the IEP meeting with at least 24 hours' notice**. (Use voice memo on smartphones or Otter.ai app to record and transcribe.)
- Keep a **hard copy of all IEPs, assessments, forms, etc. in labeled folder** or binder (or rubber band/clip) in reverse chronological order and by school year:
<https://www.understood.org/en/articles/how-to-organize-your-childs-iep-binder>
- If you have a computer, **label all documents the same way** (e.g. “2025.03.24 Annual IEP” and “2025.03.24 Triennial Speech Report”) and organize folders by IEPs, Evaluations, Communications, etc.

How to Ask Questions so School Staff Can Answer:

- Can you please help me understand....
- Why are you proposing that service / accommodation / goal / etc?
- Have we considered (xxxx) as an area of need/service? Why or why not?
- How does (xxxx) help my child meet their goals?
- How does (xxxx) address the need we identified in our present levels discussion?
- Can you please show me a copy of that policy?
- How will that be implemented and by whom?
- What are we doing to address (xxxx) concern that I (or the teacher, therapist, etc) have raised?

Also:

- Please send that to me in writing after this meeting.
- Please send me timely Prior Written Notice in response to my request.

Questions?