



FACT SHEET: Evaluation and need for services

Determining a child is eligible and in need of special education services is all part of the special education process. This fact sheet is designed to answer many of the questions parents may have regarding how these decisions are determined.

- Who determines if my child has a disability?
 - The Admission and Release Committee (ARC) makes all decisions regarding evaluation, eligibility determination, placement and special education services for an individual child. Decisions are **never** made by an individual. The ARC team includes:
 - Parents/guardians,
 - The child at age 14 or earlier, if appropriate,
 - A school administrator or designee that has the authority to commit funds and personnel,
 - A regular education teacher of the child,
 - A special education teacher with specific knowledge of the disability or suspected disability,
 - An individual with the expertise to explain the evaluation results,
 - Other individuals as appropriate, such as physical, occupation or speech therapists, school psychologists or others.
- How does this process begin?
 - Referrals begin the process and can be initiated by anyone suspecting a child has a disability. It can be made in writing, in person, or by phone. **A referral always requires a school action.** School staff will call a meeting to discuss the referral/request for evaluation, and the ARC will determine how to proceed.
- Does a referral mean my child will receive an evaluation?
 - A referral is the first step in the process. At the initial ARC meeting to discuss the referral, the ARC team will review information regarding the suspected disability and any information available regarding the child, including information provided by the parent. They also will examine the educational opportunities the child has had in order to determine the child's weaknesses are not a result of lack of appropriate learning opportunities. This may mean that the ARC determines there is a need for some type of research based intervention.

- In an effort to help all struggling students, Congress has added a requirement for all schools to provide a research based process called Response to Intervention. In Kentucky we refer to this as Kentucky Systems of Intervention or KSI. Kentucky now includes the use of KSI as part of the referral process beginning in preschool. The use of KSI with all struggling students has the potential of limiting academic failure and increasing the accuracy of special education evaluations.
- Some parents have concerns that the KSI process delays referrals and evaluations. Is this true?
 - Nothing in the KSI process prevents teachers, parents or others from referring a child they suspect may have a disability.
 - KSI is typically completed prior to an evaluation, but in some cases can be completed at the same time an evaluation takes place. It is an ARC decision
- What happens if the ARC decides my child needs to be evaluated?
 - In the ARC meeting, once the team has reviewed all information available and determines there is reason to suspect a disability, they must specify what disability is suspected so they can develop an appropriate evaluation plan that will gather all the information needed to make an eligibility decision. The evaluation plan will be individually tailored to your child's needs.
 - The ARC will then request written consent from parents/guardians, in order to proceed with the evaluation.
 - The school district has 60 school days from the time of parental consent in order to complete the evaluation, meet again as an ARC to determine if the child has a disability, develop an individual education plan (IEP), determine if the child needs special education and related services, and begin implementation of the IEP.
- What happens if the parent does not agree with the results of the evaluation?
 - Parents have the right to have an independent educational evaluation (IEE) completed if they disagree with the results of the school administered evaluation.
 - The school district must pay for the independent evaluation unless it believes the school completed evaluation is appropriate and requests a due process hearing.
 - If an independent evaluation is completed, the ARC must consider the results along with all other information the ARC has regarding the child.
- If my child is determined to have a disability and receives special education services, will there ever be additional evaluations?
 - A re-evaluation process will be completed at least every three years, or sooner, if a member of the ARC expresses concerns that evaluation is needed before the end of the three years.

- According to federal and state regulations, re-evaluation plans are developed by the ARC and may not necessarily include the same tests and measures as the initial evaluation.
- KSI data is not needed for re-evaluation purposes unless an additional area of concern or disability is being considered.

Remember: Evaluations are planned based on a child's individual needs, therefore evaluations for different children are not expected to look the same.