

## **Q & A Evaluation Team Report (ETR) Annotation and ETR Form from ETR/IEP Trainings Spring 2009**

### **PRIOR WRITTEN NOTICE**

**Q:** How can a Prior Written Notice be sent after an IEP if parent doesn't agree?

**A:** The IEP shall serve as written notice unless the parent disagrees with the IEP. If the parent disagrees, written notice shall be provided prior to implementation of IEP. Refer to ***Operating Standards for Children with Disabilities*** 3301-51-05 (H) (4) (c)

**Q:** Does a district have to do a Prior Written Notice every time a parent disagrees?

**A:** Yes. Refer to ***Operating Standards for Children with Disabilities*** 3301-51-05 (H).

### **PLANNING FORM**

**Q:** Is it necessary to fill out each area on the ETR Planning Form for suspected speech or language impaired only children?

**A:** All areas must be considered, and a determination made as to whether the area is applicable, sufficient data is available to use in determining a disability, or additional data is needed to determine eligibility.

### **PART 1: INDIVIDUAL EVALUATOR' ASSESSMENT**

**Q:** Which part of ETR forms are Related Services like Speech, OT and PT to fill out?

**A:** Individual Evaluator's Assessment section of **ETR Annotation** pages 5, 6.

**Q:** Do we still need to test if a parent requests an evaluation, but the intervention team, after evaluating the student's responses to the intervention, decides the student doesn't need an evaluation?

**A:** Within 30 days of the receipt of a request for an evaluation from the parent, the public agency either obtains parental consent for an evaluation or provides the parents prior written notice stating that the district does not suspect a disability and will not be conducting an evaluation. Refer to ***Operating Standards for Children with Disabilities*** 3301-51-06 (B) (3).

**Q:** How do you document the date parent consent was received? Does it always have to be the date the parent signed consent?

**A:** The parental consent form does not have a blank for district receipt. The assumed receipt date will be the parent signature giving consent for the evaluation. However, if the district can provide documentation that the form was received at a later date this shall be considered the initial date to start this time line.

Other dates to consider:

1. The district must provide prior written notice to the parents within 30 days of referral for an evaluation.

2. The district must hold an IEP meeting within 120 days of suspecting a disability.
3. The district must hold an IEP meeting within 30 days of the determination that the child is eligible for special education services.

**Q:** In the individual assessment section can you put a recommendation that a child receive special services to address gross motor skills which are delayed as long as you don't specify that physical therapy will be the provider?

**A:** You may address the specific skill deficits and child's needs without specifying the services or service provider. Remember that the team must first determine whether the child qualifies as a student with a disability prior to the determination of services and specification of least restrictive environment.

## **PART 2: TEAM SUMMARY**

## **PART 3: DOCUMENTATION FOR DETERMINING THE EXISTENCE OF A SPECIFIC LEARNING DISABILITY**

**Q:** How do you prove "...not due to Lack of Appropriate Instruction"?

**A:** Data that demonstrates that prior to, or as part of the referral process, the child was provided appropriate instruction in regular education setting by highly qualified teachers. Refer to **ETR Annotation** page 11, 12.

**Q:** SLD page says "researched based intervention" but can it be general interventions for speech or language impaired only, ED or OHI?

**A:** Scientific based interventions are only required documentation when a student is suspected of having a specific learning disability. Refer to **Operating Standards for Children with Disabilities** 3301-51-06.

**Q:** Define scientific research based interventions and what specific tools are used?

**A:** NCLB definition: Scientific based research

- Employs systematic , empirical methods that draw on observation or experiment;
- Involves rigorous data analyses that are adequate to test the stated hypothesis and justify the general conclusion;
- Relies on measurement or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and
- Is accepted by a peer reviewed journal or a panel of independent experts through comparatively rigorous, objective and scientific review.

Tools to use:

1. Go to EdresourcesOhio.org (Guidance Documents)
2. Click on Federal Links/Resources (right column)
3. Click on What Works Clearinghouse for scientific research based interventions
4. Download the U. S. Department of Education published document (December 2003): Identifying and Implementing Educational Practices Supported by Rigorous Experience A User Friendly Guide.
5. Contact the State Support Team 7 for a list of scientific research based interventions in reading.

**Q:** Is RTI needed for SLD only or for all categories including autism or speech?

**A:** Completion of the RTI pages in the Evaluation Team Report is only required for a student suspected of having a specific learning disability. It is one method of identifying a student with a SLD. However, each school district shall provide interventions to resolve concerns for any preschool or school-age child who is performing below grade-level standards. Refer to ***Ohio Operating Standards for Children with Disabilities*** 3301-51-06 (A) (3)

**Q:** Is an eye exam only by parent request in determining eligibility for a specific learning disability?

**A:** The evaluation team must determine that a child's specific learning disability is not primarily the result of a vision, hearing or motor disability. Refer to ***Operating Standards for Children with Disabilities*** 3301-51-06 (H) (3) (IV).

Also Ohio Revised Code 3323.19 requires a comprehensive eye examination by an optometrist or physician within 3 months after a student has been identified with a disability.

#### **PART 4: ELIGIBILITY**

#### **PART 5: SIGNATURE**

**Q:** If someone signs, yet checks disagree box, do they have the responsibility to write why they disagree?

**A:** Yes, the team member must attach a written statement to the evaluation team report explaining the reason for disagreeing with the team's decision. Refer to **ETR Annotation** page 15.