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## Ohio Legal Rights Service FACT SHEET: **How do I get my school-aged child evaluated for special education?**

Your school must determine whether your child is qualified for special education under the Individuals with Disabilities Education Act (IDEA). Evaluation is the first step in determining if your child is eligible for special education services. This evaluation is usually called a multi-factored evaluation (MFE).

### ***Ask your school to evaluate your child . . . . .***

- **Put your request for evaluation in writing**

If you think that your child has a disability and needs special education, you should ask your school to evaluate your child’s need for special education services. This request should be in writing and should include your consent for evaluation. See sample letter. Sending a letter will document your request for evaluation of your child and will establish a time line for services to begin should your child be eligible.

- **Provide any supporting documentation**

You should share any assessments, evaluations, or other information that you have which supports your child’s need for special education services. Examples of information which may support your request for services include: I. Q. tests, psychological evaluations, evaluations of therapy needs (physical, occupational, and speech therapy), communication evaluations, vision and hearing assessments, and medical evaluations.

### ***Discuss what type of evaluation is necessary . . . . .***

Your school is required to evaluate whether your child is eligible for special education services. Your school can first provide interventions to address your child’s learning difficulties so long as doing so does not delay the completion of a full evaluation for your child. After providing interventions, your school will determine whether your child should receive a MFE. If your school decides not to conduct a MFE for your child, you must be given notice of the reasons why a MFE will not be provided and your right to appeal this decision.

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- **Interventions**

If your child is having learning difficulties in school, your school district may provide interventions to resolve the learning difficulties before conducting a full educational evaluation for your child. Examples of interventions can include screening, assessment, intervention, monitoring of student progress, counseling, consultation, and access to library media and information technology programs and materials designed to support student achievement.

- **Data collection**

Your school is required to collect information about how the interventions provided are working to assist your child, and whether additional or different interventions are necessary. This information will be used to determine whether your child is likely to be eligible for special education and what teaching methods work well for your child. If your school determines that your child is likely to be eligible for special education, the school must conduct a full and individual evaluation of your child (MFE).

- **Multi-factored evaluation (MFE)**

Before your school can provide special education services to your child, your school must conduct an individualized multi-factored evaluation of your child. The MFE is the document that will determine if your child is eligible for special education services through an IEP. The MFE must be conducted in a way that is not discriminatory on a racial or cultural basis and must be provided in your child’s native language or other mode of communication (e.g. sign language).

Your child must be assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence (I.Q.), academic performance, communicative status, and motor abilities.

***Provide your consent to evaluation and know the time-lines . . . . .***

- **Parental consent**

Your informed consent to conduct the first MFE for your child is required before evaluation can begin. Informed consent means that you understand what your school is going to do regarding the evaluation of your child. To be fully informed, you should ask the school what assessments and evaluations will be performed for your child’s MFE.

Your consent is also required before your school can provide special education services to your child for the first time. Consent for evaluation (MFE) is not consent for services. You may choose not to consent to evaluation or services but this may result in your child not receiving needed services.

In some cases, your school can try to proceed with evaluation and services for your child even if you do not consent to evaluation or services. The school would be required to follow the impartial due process procedures required by the law.

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- **Time-lines for services**

If you send a letter to your school requesting a MFE for your child, including your consent for the MFE in the letter will shorten the time-lines for providing services to your child if your child is eligible for special education. If your child's MFE finds your child eligible for services, an IEP must be developed within 30 days of the date that your child is found eligible, and within 90 days of receiving your consent for evaluation, or within 100 days of a request for evaluation.

***Determine if your child is eligible for special education . . . . .***

- **Develop an evaluation plan**

You have the opportunity to participate in any meetings with your school for the purposes of determining if your child is eligible for special education, evaluation, where your child will receive services, and the provision of an appropriate education to your child.

As part of the initial evaluation of your child, the evaluation team is required to develop an evaluation plan that will review existing information available about your child. This can include information you provide, classroom assessments and observations, and information about interventions tried and their success. The evaluation plan must also determine what additional information is needed to determine if your child is eligible for special education.

- **Review the results of the MFE**

After the evaluation of your child is done, a written evaluation team (MFE) report is done. This report summarizes the evaluations of your child and the recommendations of the evaluators, and determines whether your child is eligible for special education. You will have a meeting to discuss the results of the MFE and evaluation team report. You must receive a copy of this report within 30 days of the completion of the report and prior to the IEP meeting to write your child's IEP.

- **Determine if your child meets the eligibility criteria**

The evaluation team must determine whether your child meets the eligibility criteria for special education. The eligibility criteria are determined by state law and include: cognitive disability (mental retardation), hearing impairment including deafness, speech or language impairment, visual impairment including blindness, emotional disturbance, orthopedic impairment, autism, traumatic brain injury, other health impairment, specific learning disability, deaf-blindness, and multiple disabilities.

- **Independent educational evaluation (IEE)**

If you disagree with an evaluation conducted by your school you can pursue an IEE. You may choose the evaluator as long as the evaluator meets your school's criteria for IEEs. Your school must either pay for the IEE or file for an impartial due process hearing and prove that its evaluation was appropriate. If your school wins this hearing you will be responsible for the cost of the IEE.

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- **Reevaluation**

After your child’s initial evaluation for special education, your child will be re-evaluated to determine if your child continues to need special education. This re-evaluation occurs every three years or more frequently if necessary.

***Determine if your child needs a Section 504 plan . . . . .***

If your child is not eligible for special education through an IEP, your child may be eligible for services through a Section 504 plan. If your child has a substantial limitation in one major life activity (learning, walking, seeing, hearing, breathing, etc.) your child may be eligible for a Section 504 plan. If your child does not qualify for an IEP, ask your school to determine whether your child is eligible for services on a Section 504 plan.

***What if I cannot get this issue resolved using this packet?***

If these suggestions do not work to resolve your concerns, you can do a number of additional things that may work. Information about these options is included in this packet in the resource section. Your options include:

- **Seek the assistance of an advocate to help you resolve the issue. See the resources section for a referral.**
- **Contact the Ohio Department of Education for assistance or to file a complaint. See resources section for contact information.**
- **Ask for an administrative review with your school’s superintendent.**
- **Pursue formal mediation and/or a due process hearing.**
- **Seek the assistance of an attorney to help you resolve the issue. See the resources section for a referral.**

**Sample letter to request a MFE . . . . .**

Date (include month, day, and year)

Name of Your Child's Special Education Coordinator

Name of School District

Street Address

City, State, Zip Code

Dear (name of Special Education Coordinator),

I am writing to request a multi-factored evaluation (MFE) for my child (child's name). I am requesting this evaluation because (state what you suspect as your child's disability and describe the problems your child is having in school).

We have tried the following to help (child's name): (If you or the school have done anything extra to help your child, briefly state it here).

This letter serves as my request and consent for a multi-factored evaluation of my child. Please provide me the name and telephone number of the person who will be forwarded this letter and who will be coordinating the MFE. You can send me information or call me during the day at (daytime telephone number).

I look forward to hearing from you within five school days of the date you receive this letter. Thank you for your help.

Sincerely,

Your Name

Street Address

City, State, Zip Code

Daytime telephone number

cc: specialists or other staff

## **Additional OLRS Resources . . . . .**

OLRS web site: **[www.olrs.ohio.gov](http://www.olrs.ohio.gov)**

The OLRS web site can be accessed to view or download OLRS publications on special education and to get additional information.

- **Other OLRS Information and Referral Packets available are:**

- #1 What can I do to get my school to follow my child's Individualized Education Program (IEP)?**
- #2 What can I do if my child is being harassed in school?**
- #3 What can I do if my child is having behavior problems in school?**
- #4 How do I get an extended school year (ESY) for my child?**
- #6 How do I get related services for my child?**
- #7 FAQs About Special Education, Private Insurance and Medicaid**
- #8 Early Intervention Services, Payment for Services**
- #9 Surrogate Parents for Children with Disabilities**
- #10 Transition Planning for Students with Disabilities**

Contact OLRS intake for your free copy of any of these packets, or download a copy from the OLRS web site.

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