

# Critical Components of an Evaluation for Students with Physical Impairments



## Purpose of an Evaluation or Reevaluation

The purpose of a special education evaluation is to determine whether the child's disability adversely affects educational performance and requires special education and related services. In the case of a reevaluation, the purpose is to determine if the disability continues to adversely affect educational performance, resulting in continued need for special education and related services. Evaluations also assist an educational team in identifying current educational needs of the pupil, and in identifying the present level of functioning for that student in all educational areas.

MN Rule 3525.2710 Subp. 2 states that "A district shall ensure that a reevaluation of each pupil is conducted if conditions warrant a reevaluation or if the pupil's parent or teacher requests a re-evaluation, but at least once every three years and in accordance with subparts 3 and 4."

## Administration

The evaluation process should be reflective of a collaborative team effort administered by trained and knowledgeable personnel. The evaluation should be conducted by personnel who have training and experience with the specific tools and methods to be used in the evaluation; who have knowledge of the disability area; and with whom the student and parent or guardian is comfortable.

## Instruments and Procedures

The district is required to administer a variety of technically sound instruments and procedures to gather functional and developmental information, including information provided by the parent. In the case of a reevaluation, there is value in considering use of the same tools that were used in the previous/initial evaluation, but team members should keep in mind the following variables:

- **Choice of tools** will vary according to the unique needs of the student, and should reflect educational needs that have been previously identified and/or are emerging. However, test results should also "accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills..." (MN Rule 3525.2710, Subp. 3C)
- **Tools may change** according to the student's current age, as well as presenting academic, behavioral, motoric and/or functional needs. The district shall not use any single procedure as the sole criterion for determining qualification. MN Rule 3525.2710, Subp. 3B states that "a district shall use a variety of evaluation tools and strategies to gather relevant functional and developmental information, including information provided by the parent that are designed to assist in determining whether the child is a pupil with a disability".

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## Requirements of Categorical Criteria: Physically Impaired

When conducting an evaluation for a student who may qualify under the category of Physically Impaired (PI), a licensed Physical/Health Disabilities (P/HD) teacher must be involved in the evaluation (MN Rule 3525.2350, Subp.2 & 3). For purposes of reevaluation, a licensed P/HD teacher must again be directly involved in the reevaluation.

Components for qualification under the PI category include:

- Documentation of educational needs in the areas of organizational and/or independent work skills; or
- An inability to manage or complete motoric portions of classroom tasks within time constraints.

This is typically determined through:

- Administration of the Organizational and Independent Work Skills/Motor Skills Checklist or other similar checklists, requiring a minimum of two systematic documented observations of the student in daily routine settings, one of which is completed by a P/HD teacher; or
- Documentation of an achievement deficit of 1.0 (or more) below the mean on an individually administered nationally normed standardized evaluation of the pupil's academic achievement.

It is also recommended that the evaluation team conduct a file review to uncover important data related to medical and academic history. Staff and parent interviews are also critical components of a reevaluation. Occasionally, information obtained from sources outside of the school that has direct relevance to school performance, i.e., an independent neuropsychological evaluation or medical report, may be integrated into the school re-evaluation report when the parent/guardian has provided a signed release of information. Keep a record of all test protocols, observation and interview notes, medical documentation and other essential data in the student's file.

## Writing the Evaluation Report

According to MN Rule (subp. 6), an initial evaluation report and documentation of determination of eligibility must be completed and delivered to the pupil's parents within the specified timeline (30 school days). At a minimum, the report must include the following components:

- a) A summary of evaluation results, including existing evaluation data and information provided by the parents
- b) Documentation specifying a medical diagnosis (written by a physician), to be kept in the pupil's school file; or updated documentation if the medical condition has changed since the last evaluation.
- c) The pupil's present levels of performance and educational needs that derive from the disability.

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## Writing the Evaluation Report, continued

- d) In the case of an initial evaluation, whether the pupil qualifies for special education and related services under a specific category.
- e) In the case of a reevaluation, whether the pupil continues to need special education and related services under a previously identified category, and whether any additional modifications and/or services are needed to enable the pupil to meet the measurable annual goals set out in the pupil's IEP and to participate, as appropriate, in the general curriculum.

## Informal Evaluation

Traditionally, schools often use norm-referenced tests when conducting evaluations to determine qualification for special education services. However, when evaluating students with significant physical and/or multiple impairments, maintaining validity and reliability of test scores can often be challenging due to slowed motor responses, augmentative/ alternative communication devices, alternative response formats, accompanying sensory impairments, etc. Modifying norm-referenced tools and accompanying protocols can be an option, but teams must always document such changes in the evaluation report, and be extremely cautious when interpreting test scores.

An informal evaluation process may be a more viable alternative for some domain areas, and result in more meaningful results. The presented purpose is to provide the Physical/Health Disabilities teacher and the student's respective educational team a set of acceptable informal techniques that should be considered during the evaluation process.

### Role of an informal evaluation:

Confirm or dispute information obtained from other formal and objective evaluation measures

- Collect data not addressed or available with other more formal assessment measures
- Obtain informal information on how the student functions relative to his/her physical impairment in various settings

### An informal evaluation can include:

- Review of the student's cumulative school records
- Systematic observations
- Parent interviews
- Teacher interviews
- Student interviews
- Information collected from a variety of sources and data collection tools, such as:
  - The number of times classwork/homework is turned in and completed in a timely manner
  - Student performance on weekly tests, quizzes, etc.

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## An informal evaluation can include, continued

- Student performance on curriculum unit tests
- Student grades on assignments
- Student report card grades
- Student work samples
- Student portfolios compiled by the P/HD teacher or other team members that show progress over time, i.e. Compensatory Skills Checklist for Students with Physical Impairments
- Objective staff comments and observations
- IEP periodic review statements

## Informal Evaluation: Components of a Systematic Observation

A systematic observation occurs in the natural setting of the student, typically in his/her classroom(s), and requires the teacher to observe behaviors relative to the student's educational functioning. The collected data requires the teacher to explain how the student's impairment is affecting his/her classroom functioning by quantifying the behavior and providing information on frequency, rate, latency etc. in an objective, data-specific reporting format.

## WHY are systematic observations conducted?

- A systematic classroom observation by a P/HD teacher is one of the eligibility components in the Minnesota Criterion for Physically Impaired (MR 3525.1337).
- Subp. 2, Section B (1) states: "The pupil's need for special education instruction and service is supported by a lack of functional level in organizational or independent work skills as verified by a minimum of two or more documented, systematic observations in daily routine settings, one of which is completed by a physical/health disabilities teacher..."
- Systematic observations provide the P/HD teacher with specific data to assist the team in educational planning, and supplements norm-referenced tools.
- The Present Level of Educational Performance (PLEP) statements of Individual Educational Plans (IEPs) require the student's educational team to address the student's progress in the general education curriculum. Systematic observations provide data that can be included in these PLEP statements.
- For initial and three year reevaluations on students
- When there are concerns about a student's progress
- When there are concerns about how much, or to what degree, a student is accessing/learning information presented in a general education setting
- When the team is concerned about what strategies the student utilizes during breakdowns in learning
- When the student's educational team is determining or modifying IEP accommodations or adding services
- When a parent or a member of a student's IEP team requests a staff observation to address a specific issue or concern

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## WHY are systematic observations conducted? Continued

- When there are considerations to add, change, or remove a student's current school-based assistive technology
- When there are concerns about the placement and/or setting of the student

## Minnesota Administrative Rules

### 3525.2710 EVALUATIONS AND REEVALUATIONS

Subpart 1. **Initial evaluations.** A school district shall conduct a full and individual initial evaluation according to this part before the initial provision of special education and related services to a pupil under this chapter. The initial evaluation shall consist of procedures to determine whether a child is a pupil with a disability that adversely affects the child's educational performance as defined in Minnesota Statutes, section 125A.02, who by reason thereof needs special education and related services, and to determine the educational needs of the pupil. The district proposing to conduct an initial evaluation to determine if the child qualifies as a pupil with a disability shall obtain an informed consent from the parent of the child before the evaluation is conducted. Parental consent for evaluation shall not be construed as consent for placement for receipt of special education and related services. If the parents of the child refuse consent for the evaluation, the district may continue to pursue an evaluation by utilizing mediation and due process procedures.

Subp. 2. **Reevaluations.** A district shall ensure that a reevaluation of each pupil is conducted if conditions warrant a reevaluation or if the pupil's parent or teacher requests a reevaluation, but at least once every three years and in accordance with subparts 3 & 4.

Subp. 3. **Evaluation procedures.** Evaluations and reevaluations shall be conducted according to the following procedures:

- A. The district shall provide notice to the parents of a pupil, according to Code of Federal Regulations, title 34, sections 300.500 to 300.505, that describes any evaluation procedures the district proposes to conduct.
- B. In conducting the evaluation, the district shall:
  - (1) use a variety of evaluation tools and strategies to gather relevant functional and developmental information, including information provided by the parent, that are designed to assist in determining whether the child is a pupil with a disability and the content of the pupil's individualized education program, including information related to enabling the pupil to be involved in and progress in the general curriculum or, for preschool pupils, to participate in appropriate activities;

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## Subp. 3. Evaluation procedures, continued

not use any single procedure as the sole criterion for determining whether a child is a pupil with a disability or determining an appropriate education program for the pupil; and

- (2) use technically sound instruments that are designed to assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

### C. Each district shall ensure that:

tests and other evaluation materials used to evaluate a child under this part are selected and administered so as not to be discriminatory on a racial or cultural basis, and are provided and administered in the pupil's native language or other

mode of communication, unless it is clearly not feasible to do so;

- (1) materials and procedures used to evaluate a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education and related services, rather than measure the child's English language skills;
- (2) any standardized tests that are given to the child have been validated for the specific purpose for which they are used, are administered by trained and knowledgeable personnel, and are administered in accordance with any instructions provided by the producer of such tests;
- (3) the child is evaluated in all areas of suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- (4) evaluation tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the pupil are provided;
- (5) if an evaluation is not conducted under standard conditions, a description of the extent to which it varied from standard conditions must be included in the evaluation report;
- (6) tests and other evaluation materials include those tailored to evaluate specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient;
- (7) tests are selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills, unless those skills are the factors that the test purports to measure; and
- (8) in evaluating each pupil with a disability, the evaluation is sufficiently comprehensive to identify all of the pupil's special education and related services' needs, whether or not commonly linked to the disability category in which the pupil has been classified.

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## Subp. 3. Evaluation procedures, continued

Upon completion of administration of tests and other evaluation materials, the determination of whether the child is a pupil with a disability as defined in Minnesota Statutes, section 125A.02, shall be made by a team of qualified professionals and the parent of the pupil in accordance with item E, and a copy of the evaluation report and the documentation of determination of eligibility will be given to the parent.

- D. In making a determination of eligibility under item D, a child shall not be determined to be a pupil with a disability if the determinant factor for such determination is lack of instruction in reading or math or limited English proficiency, and the child does not otherwise meet eligibility criteria under parts 3525.1325 to 3525.1351.

## Subp. 4. Additional requirements for evaluations and reevaluations.

- A. As part of an initial evaluation, if appropriate, and as part of any reevaluation under this part, or a reinstatement under part 3525.3100, the IEP team and other qualified professionals, as appropriate, shall:
  - (1) review existing evaluation data on the pupil, including evaluations and information provided by the parents of the pupil, current classroom-based assessments and observations, and teacher and related services providers observation; and
  - (2) on the basis of the review, and input from the pupil's parents, identify what additional data, if any, are needed to determine whether the pupil has a particular category of disability, as described in Minnesota Statutes, section 125A.02, or, in case of a reevaluation of a pupil, whether the pupil continues to have such a disability, the present levels of performance and educational needs of the pupil, whether the pupil needs special education and related services, or in the case of a reevaluation of a pupil, whether the pupil continues to need special education and related services, and whether any additions or modifications to the special education and related services are needed to enable the pupil to meet the measurable annual goals set out in the individualized education program of the pupil and to participate, as appropriate, in the general curriculum.
- B. The district shall administer such tests and other evaluation materials as may be needed to produce the data identified by the IEP team under item A, sub item (2).
- C. Each district shall obtain informed parental consent, in accordance with subpart 1, prior to conducting any reevaluation of a pupil, except that such informed parental consent need not be obtained if the district can demonstrate that it had taken reasonable measures to obtain such consent and the pupil's parent has failed to respond.

If the IEP team and other qualified professionals, as appropriate, determine that no Subp. 4.

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## Additional requirements for evaluations and reevaluations, continued

additional data are needed to determine whether the pupil continues to be a pupil with a disability, the district shall notify the pupil's parents of that determination and the reasons for it, and the right of such parents to request an evaluation to determine whether the pupil continues to be a pupil with a disability, and shall not be required to conduct such an evaluation unless requested to by the pupil's parents.

- D. A district shall evaluate a pupil in accordance with this part before determining that the pupil is no longer a pupil with a disability.
- E. Prior to using any conditional procedure, the IEP team must conduct a functional behavioral assessment (FBA) as defined in part 3525.0210, subpart 22. The team must also document that it has ruled out any other treatable cause for the behavior, for example, a medical or health condition, for the interfering behavior.

### Subp. 5. **Procedures for determining eligibility and placement.**

- A. In interpreting the evaluation data for the purpose of determining if a child is a pupil with a disability under parts 3525.1325 to 3525.1351 and the educational needs of the child, the school district shall:
  - (1) draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and
  - (2) ensure that the information obtained from all of the sources is documented and carefully considered.
- B. If a determination is made that a child is a pupil with a disability who needs special education and related services, an IEP must be developed for the pupil according to part 3525.2810.

Subp. 6. **Evaluation report.** An evaluation report must be completed and delivered to the pupil's parents within the specified evaluation timeline. At a minimum, the evaluation report must include:

- A. a summary of all evaluation results;
- B. documentation of whether the pupil has a particular category of disability or, in the case of a reevaluation, whether the pupil continues to have such a disability;
- C. the pupil's present levels of performance and educational needs that derive from the disability;
- D. whether the child needs special education and related services or, in the case of a reevaluation, whether the pupil continues to need special education and related services;

and

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## p. 6. Evaluation report, continued

- E. whether any additions or modifications to the special education and related services are needed to enable the pupil to meet the measurable annual goals set out in the pupil's IEP and to participate, as appropriate, in the general curriculum.

**Statutory Authority:** *L 1999 c 123 s 19, 20*

**History:** *26 SR 657; 28 SR 1292; 32 SR 653*

**Posted:** *October 12, 2007*

### 3525.2350 MULTIDISABILITY TEAM TEACHING MODELS

Subpart 1. **Team staff.** A district may assign more than one teacher licensed in different areas or one or more teachers and related services staff as a team to provide instruction and related services to pupils in a school-age educational service alternative.

Subp. 2. **License requirement.** There must be a teacher on the team who is licensed in the disability area of each pupil served by the team.

Subp. 3. **Team member responsibility.** The team member licensed in a pupil's disability shall be responsible for conducting the pupil's evaluation and participating at team meetings when an IEP is developed, reviewed, or revised. Consultation and indirect services as defined in part 3525.0210 must be provided to the general or special education teacher providing instruction if not licensed in the disability. The frequency and amount of time for specific consultation and indirect services shall be determined by the IEP team.

Subp. 4. **Implementation.** Pupils may receive instruction and related services from any or all of the team members with appropriate skills. The special education provided by each team member shall be included in the IEP.

Subp. 5. [Repealed, 19 SR 2432]

**Statutory Authority:** *MS s 120.17; 121.11; L 1994 c 647 art 3 s 23; L 1999 c 123 s 19,20*

**History:** *8 SR 596; 14 SR 281; 16 SR 1543; 19 SR 2432; L 1998 c 397 art 11 s 3; 26 SR 657; 28 SR 1292*

**Posted:** *October 12, 2007*

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December 2011

The content of this resource does not necessarily represent the policy of the federal Department of Education or the state Department of Education and you should not assume endorsement by the federal or state government. Funding for this brochure is made possible with a grant from MN Department of Education. The source of the funds is federal award Special Education – Program to States, CFDA 84.027A.