The Referral for Formal Assessment—New Referrals

The principal/designee of the referring school or other referring source shall notify the Supervisor of Referrals and Assessments within 3 business days of the Child Study Committee's decision to request a formal assessment to determine the student's eligibility for special education.

The operational guidelines in this section are to be implemented for students not in special education programs but who the Child Study Committee suspects of having a disabling condition.

I. Assignment of the Case Manager

New referrals generated by the Child Study Committee may be managed by the principal, assistant principal, special education lead teacher, or other school-based designee. Listed below are the case manager's responsibilities through the referral process.

A. The principal/designee will notify the Supervisor of Referrals and Assessments of the request of formal assessment by forwarding the following forms and documents (Referral Packet) to the Special Education Department where the following data will be recorded:

1. The pink, yellow, and goldenrod (and in most cases, white) copies of the Student Referral For Special Education Assessment (SE-3) (multi-copy referral card), including student demographic data, date of referral, reason for referral, names of persons or agency making the referral and requested assessment components;

2. Request for Educational Assistance (SE-1);
3. **Child Study Action Plan** (SE-2) documenting the information upon which the decision to refer was based;

4. Informal child study information;

5. Vision and hearing screening reports (completed after parental permission obtained);

6. Any non-school division information collected during the child study process;

7. **Permission to Evaluate** (SE-5) indicating component reports to be collected. Components checked on the Permission to Evaluate should match the components checked on the SE-3;

8. **Notice of Intent to deny or change** identification, evaluation, or educational placement form proposing the evaluation; and

9. Copy of child study meeting notification letter.

**B.** Referral packet **must** be sent to the Supervisor of Referrals and Assessments within three (3) business days of the decision to refer. If the school is unable to obtain parent's signature on SE-5, the referral information **must** still be sent to Supervisor of Referrals and Assessments within three (3) business days of the decision to refer.

The school must continue to seek informed parental consent and forward upon receipt. No assessments can be completed until parent permission has been received by the Supervisor of Referrals and Assessments.

**C.** Implement operational guidelines for maintaining confidentiality of personally identifying data and for complying with procedural safeguards in assessment.
1. Once the decision to refer for a full evaluation has been reached, child study and referral documents shall be maintained in the student's record—Part II.

2. Inform and advise parents **orally** and in **writing** of the referral in their native language or other mode of communication. Include a **procedural safeguards booklet** in their native language with the oral or written notice of the referral for formal assessment and prior written notice (Notice of Intent) of the proposed evaluation.

3. Explain the nature of the formal assessment process, the timelines for completion of assessment components, parental opportunity to assist in determining areas to be assessed, parental involvement required to complete the assessments, the opportunity for independent evaluation, impartial hearing, and the opportunity to examine records.

4. Advise parents/guardians of their legal rights during assessment, eligibility, and placement processes in their native language or primary mode of communication.

5. For initial evaluation, a surrogate parent must be appointed when:
   a. No parent (see Glossary of Terms) can be identified or located; or
   b. The rights of the parents to make educational decisions have been subrogated by a judge and permission to evaluate has been given by an individual appointed by the judge to represent the child. The division may

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proceed with the assessment without finalizing the appointment of a surrogate parent.

c. Custody of the child and all parental rights and responsibilities for the care and custody of the child have been terminated by court order. (A surrogate parent would not be required if the natural parents or guardians have allowed relatives or private individuals to act as parents). To obtain a surrogate parent for students who meet the above criteria, contact the Coordinator of the Parent Resource Center (See Surrogate Parent section of this manual to determine when a surrogate parent is needed).

6. Secure written permission from the parent(s)/guardian(s) for formal assessment after providing prior written Notice of Intent.

7. Dispute resolution may be used if the parent does not provide consent for the initial evaluation but the division is not required to pursue the use of mediation or due process. For children in private schools at the parent’s expense, and for those students who are home instructed or home tutored the division may not use mediation or due process to pursue consent for initial evaluation.

D. Initiate the formal assessment.

Eligibility for special education and related services must be determined within 65 business days from the date of receipt by the special education administrator
1. Within 3 business days of the Child Study Committee's decision to refer for a full evaluation, send all referral information to the Supervisor of Referrals and Assessments. If parents' permission for the evaluation has not been secured within 2 business days following the Child Study decision, send the existing referral information to the Supervisor of Referrals and Assessments where it will be held awaiting the permission before being acted upon.

2. After obtaining parental permission and comment on evaluation, the case manager will:
   
   a. Indicate the selected assessment components on the SE-3 that are necessary to evaluate the student in all areas of suspected disability.
   
   Before any action is taken with respect to the initial placement of a child with a disability in a special education program, a full and individual evaluation of the child's educational needs must be conducted;

   b. Assign the speech, vision/hearing, and medical assessments to appropriately qualified assessment personnel for data collection, testing, observations, and interviews required to complete their respective assessment components. All other assessment components such as psychological, sociocultural, class observation, physical therapy, psychiatric components, etc. must be requested through, and arranged by, the office of Referrals and Assessments;

   c. Make certain that selected assessment components (SE-3) to determine eligibility for special education and related services are completed and
eligibility is held within 65 business days. No single measure or
assessment shall be used as the sole criterion for determining an
appropriate educational program for a student. The student shall be
assessed in all areas related to the suspected disability, as identified by the
Child Study Committee. Testing and evaluation materials and operational
guidelines used for the purposes of evaluation and placement of children
with disabilities in Newport News Public Schools are:

(1) Selected and administered so as not to be racially or culturally
discriminatory;

(2) Provided and administered in the child's native language or other
mode of communication most likely to yield accurate information
and not the child’s English language skills, unless it is clearly not
feasible to do so;

(3) Are valid and reliable for the specific purpose for which they are
used;

(4) Administered by trained, qualified personnel in conformance with the
instructions provided by their producers. When an assessment is
conducted under non-standard conditions a description of the extent
to which it varied from standard conditions is included in the
evaluation report.
(5) Tailored to assess specific areas of educational need and gather functional, developmental and academic information, and not merely those which are designed to provide a single general intelligence quotient; and

(6) Selected and administered so as best to ensure that when an assessment is administered to a child with impaired sensory, manual, or speaking skills, these test results accurately reflect the child’s aptitude or achievement level or whatever other factors the assessment purports to measure, rather than reflecting the child’s impaired sensory, manual, or speaking skills (except where those skills are the factors which the test purports to measure).

3. All assessment components selected to provide a complete analysis of the student’s current level of performance shall be requested, completed, and available for review by all team members and the parents 2 business days prior to the Eligibility Committee meeting.

4. A written copy of the evaluation report(s) are provided to the parents at no cost prior to, or at the eligibility meeting, or immediately following the meeting but no later than 10 days after the meeting.

5. All requested assessments will be conducted in the child's native language or primary mode of communication most likely to yield accurate information when appropriate.
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a. **Vision and hearing screenings**

   RESPONSIBILITY: School Nurse

b. **Educational or developmental**

   (1) **Educational**: written report describing current educational performance and identifying instructional strengths and weaknesses in basic academic skills and language performance.

   RESPONSIBILITY: School Psychologist/Reading Resource Teacher (Middle School)

   (2) **Developmental** (for preacademic and suspected or identified students with disabilities): written report of how the child functions in the major areas of development such as cognition, motor, social/adaptive behavior, perception, and communication.

   RESPONSIBILITY: School Psychologist

c. **Medical**: written report from a licensed physician indicating general medical history and any medical/health problems which may impede learning, behavior, or adjustment. Request for Educational Assistance (SE-1) shall be sent with the MCH-213 to the physician or health facility conducting the examination.

   RESPONSIBILITY: School Nurse

Record Keeping Requirement

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d. **Sociocultural**: written report from a qualified visiting teacher or school social worker based on the use of information collected through social appraisal instruments which may include background and social/adaptive behavior in home, school, and community. The information is obtained through interviews with parents or primary caretakers in addition to other social appraisal methods.

RESPONSIBILITY: School Social Worker

e. **Psychological**: written report from a qualified psychologist based on the use of a battery of appropriate instruments which may include individual intelligence test(s), psychoeducational test(s), perceptual test(s), personality test(s), and a classroom observation.

RESPONSIBILITY: School Psychologist

f. **Observation**: must be completed in the student’s learning environment, including the general education classroom to document the student’s academic performance and behavior in the areas of difficulty. In the case of a child less than school age or out of school the child should be observed in an environment appropriate for the age of that child.

RESPONSIBILITY: School personnel as identified by the committee.

g. **Other assessment components** may be requested as appropriate through the Supervisor of Referrals and Assessments.

(1) Speech/language evaluations may be requested:

   (a) When the student is receiving speech/language as a primary service or as a related service at the time of the referral;
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(b) When there is no evidence of a previous screening or evaluation in the student's records and the student is exhibiting suspected speech/language problems as indicated on the referral for educational assistance.

RESPONSIBILITY: Speech Language Pathologist

Record Keeping Requirement

(2) Audiological evaluations

(a) To be conducted if the student fails two hearing screenings. The second hearing screening shall be completed no less than 15 days and no more than 45 calendar days after administration of the first screening test.

RESPONSIBILITY: School Nurse

(3) Occupational therapy, physical therapy, neurological, psychiatric, and central auditory processing evaluations will be processed through the Supervisor of Referrals and Assessments.

II. Tracking Responsibilities of the Case Manager are as follows:

A. Establish and implement building guidelines to record receipt of, and access to, assessment components and other confidential information maintained for the referred student.
B. Monitor the student's progress and manage implementation of instructional recommendations derived from assessment components throughout the 65 business-day assessment period using the semi-monthly tracking report.

C. Communicate with the Supervisor of Referrals and Assessments regarding circumstances which could delay the timely completion of the assessment process (e.g., student absences, transfer to another school, suspensions, illnesses, etc.). If the student transfers to another NNPS school during the assessment process, the case manager shall notify the administrator of the receiving school to continue the process.

D. Ensure that the assessment packet is completed and available for review by all school-based personnel contributing assessment components and by the parent at least 2 business days before the scheduled EC/IEP meeting.

1. Forward any information related to assessment and any completed assessment components which have not been typed and/or distributed from the central office (e.g., some academic evaluations, vision/hearing assessments, and evaluation reports from private practitioners or outside agencies), to the Supervisor of Referrals and Assessments for filing and review by central office special education personnel. Outside agency reports may be used for eligibility purposes after review for timeliness and thoroughness by the Child Study Committee. Relevant Newport News Public Schools Evaluation providers should be included in this review.
2. Notify the following persons of the name(s) of students, the date(s) and time(s) of the scheduled Eligibility Committee meeting(s) so that they may plan to attend the meeting if appropriate:

a. The child's parents;

b. Supervisor of Referrals and Assessments;

c. Special Education contact person;

d. Student's teacher(s);

e. School-based personnel who have conducted assessments;

f. Special Education assessment team

g. Other school division personnel who have provided component reports; and

h. Nonschool division personnel who have provided assessment components or services, when appropriate and will not violate confidentiality.

i. When confidentiality is an issue, an authorization to exchange information signed by the parent is required.

E. Document attempts to provide parent/guardian's written notice of the EC/IEP meeting, in the following sequence:

1. Mail Notification of Eligibility/IEP Meeting (sample letter #3) to the parent(s).
2. If no response is received, telephone the parent(s) and document the call on the parent contact record.

3. If no response, mail a copy of the original notices by certified mail, requesting a return receipt. If the school receives a parent request for postponing the EC/IEP Record Keeping Requirement before the scheduled meeting, the request should be documented in writing and the meeting rescheduled. Copies of the documentation should be maintained in the student's educational record and also sent to the Supervisor of Referrals and Assessments.

\[
\text{Notify the parents in writing of the mutually agreed upon date, time, location of the meeting, who will be in attendance, and of their right to bring others with them in sufficient time to provide them an opportunity to attend.}
\]

F. Report to the Supervisor of Referrals and Assessments any unresolved concerns about delays in meeting the established timelines for assessment, eligibility determination, IEP development, and special education placement.
Figure 1

Newport News Public Schools
Special Education
Flow Chart for Services
Decentralized System

Newport News Public School Student

Referral Source

Parent/Guardian
Other

School Personnel

Public/Private Agencies

Alternatives Successful
Remain in Regular Education

Principal/Designee

Alternative Regular Education

Child Study
Committee Actions

Alternatives Not Successful

Referred for Full Formal Evaluation

Intent to Evaluate Form
Parent Permission to Test

Assessment Components
Assigned Case Manager
to Monitor

Assessments Being Collected

Assessment Components Completed

Eligibility/IEP
Committee Meeting

Eligible

Ineligible

Parents May Request an IEE

Parental Approval of IEP

Remain in Current Assigned Program

Appeal

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