



New Hampshire

Department of Education

Bureau of Student Support, Office of Special Education

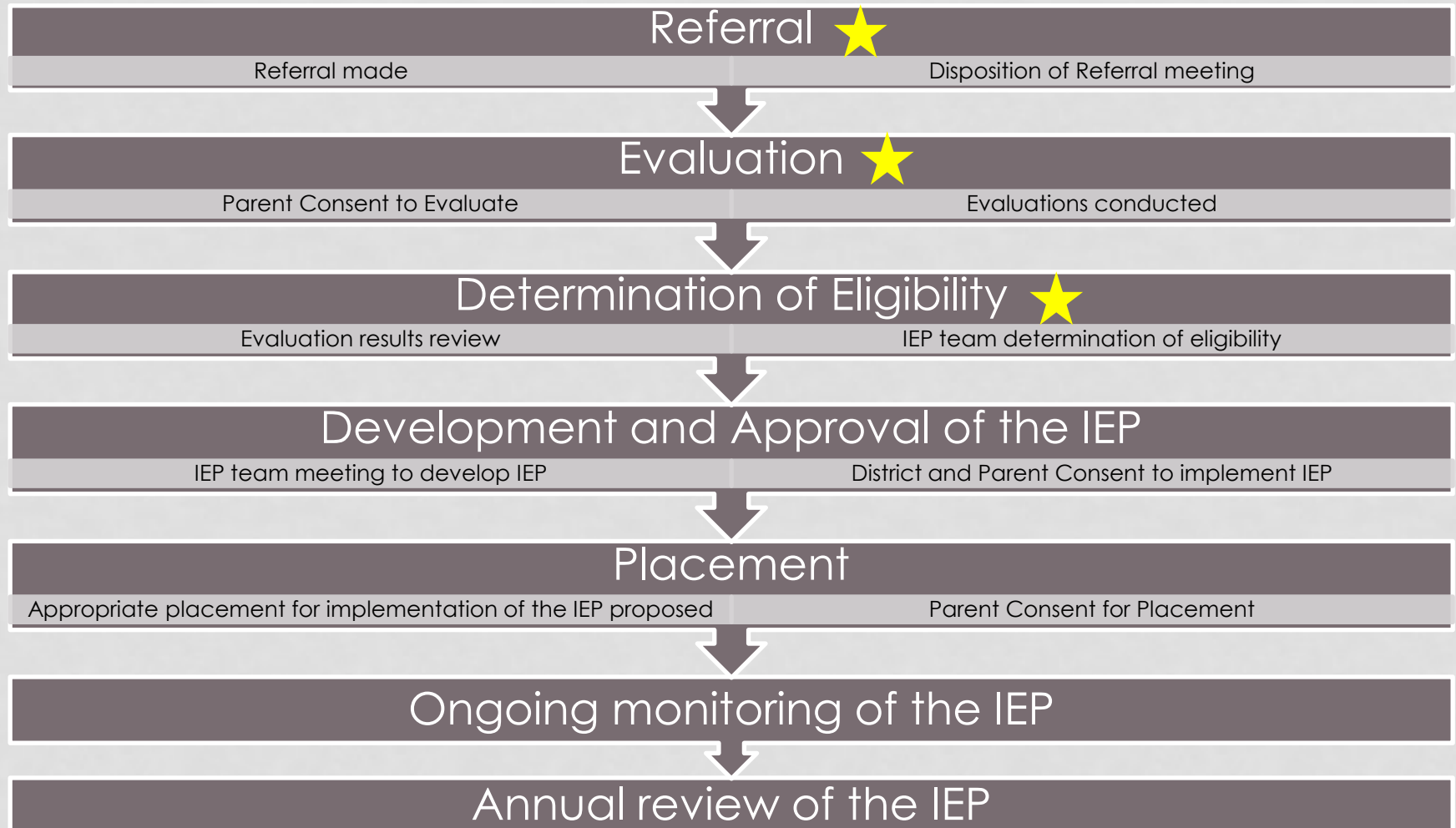
Improving Outcomes for Students with Disabilities

UNDERSTANDING THE ELIGIBILITY DETERMINATION PROCESS

DEPARTMENT OF EDUCATION
BUREAU OF SPECIAL EDUCATION SUPPORT

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OVERVIEW OF THE SPECIAL EDUCATION PROCESS



INDICATOR 11 OF THE SPP

The State Performance Plan (SPP) has data points, Indicators, to determine compliance with IDEA—

Indicator 11 is timeliness for initial evaluations.

- 1) LEAs report data to the NHDOE, Office of Special Education.
- 2) SEAs report data to the USDOE, Office of Special Education Programs.

Compliance! → ALL initial evaluations are completed **within 60-days**.

Noncompliance! → Any initial evaluation not completed after 60-days is noncompliance **for the entire district!** (it only takes one)

CALCULATING COMPLIANCE FOR INDICATOR 11

Measurement —

1) # initial evaluations completed within 60 days.

Divided by—

2) Total # of parent consents to evaluate received.

Multiplied by 100—

3) Equals the percent of compliance

Compliance! → is 100%. **All data comes from NHSEIS.**



WHY IS DATA COLLECTED ON INITIAL EVALUATIONS?

The State Performance Plan (SPP) has data points, called Indicators, used to determine Annual Performance Reports (APR) and Compliance with IDEA.

- 1) LEAs report data to the NHDOE, Office of Special Education.
- 2) SEAs report data to the USDOE, Office of Special Education Programs.

A compliance indicator that measures the percentage of children who were evaluated within 60 school days of receiving parental consent for initial evaluation.

The goal of Indicator 11 is to improve efforts to locate and serve students with disabilities by ensuring 100% of children with parental consent to evaluate have their initial evaluations completed within 60 school days.

WHAT HAPPENS AFTER THE SCHOOL RECEIVES A REFERRAL?

These order of events must be completed within 15 days—

First → Inform parents of referral and send a notification of a special education (IEP) team meeting.

Second → Meet to discuss concerns, information available, and options, including—

- 1) Supports and services available to the student;
- 2) Additional information and/or evaluations are required.

Third → Provide a written disposition of referral, Written Prior Notice, and documentation method for written parent consent to evaluate with the select assessment areas based on suspected disability, if decided.

*****DO NOT ENTER THE REFERRAL INTO NHSEIS YET*****

WHAT HAPPENS AFTER THE SCHOOL RECEIVES THE WRITTEN CONSENT TO EVALUATE?

These chain of events must occur after the school receives the parent written consent to evaluate.

Parents → Provide the school with signed and dated consent for an evaluation on agreed upon assessment areas.

School Personnel → Enter the referral date and the date that the district **RECEIVED** the written consent into evaluate into NHSEIS.

Begin → The date of receipt for written consent to evaluate **STARTS** the 60-day timeline to complete the process for determination of eligibility for special education.

DO NOT enter anything into NHSEIS → if IEP Team decides NOT TO EVALUATE.

NHSEIS – ENTER REFERRAL

The screenshot shows the 'Eligibility Process' tab selected in the top navigation bar. Below the navigation bar, the title 'Eligibility Process' is displayed. To the right, a yellow callout box points to the 'Eligibility Process' tab with the text 'Click here first to start.' Below the title, a teal callout box points to the 'Enter Referral' button with the text 'Click here to enter the referral' and '*after receipt of the consent to evaluate.*'. The flowchart consists of four blue rounded rectangular buttons stacked vertically: 'Enter Referral', 'Parent Consent to Evaluate', 'Assessment & Evaluation', and 'Eligibility Determination'.

► Student ► Contacts **Eligibility Process** IEP Process Services Plan Process

Eligibility Process

Click here first to start.

Click here to enter the referral
after receipt of the consent to evaluate.

Enter Referral

Parent Consent to Evaluate

Assessment & Evaluation

Eligibility Determination

Referral

Referral Date:

Referral Source:

Confirm Referral

☐

Enter the date of the referral.

NHSEIS – ENTER PARENT CONSENT TO EVALUATE

Parent Consent to Evaluate

Current Parent/Guardian Consent to Evaluate Information

Current Parent/Guardian Consent to Evaluate Date: Not Applicable Projected Parent/Guardian Consent to Evaluate Date: 02/04/2020

New Parent/Guardian Consent to Evaluate Information

New Parent/Guardian Consent to Evaluate Date:  Consent Granted: -Select- ▼ Check to confirm: ☐

Initial Evaluation

Is this an Initial Evaluation? -Select- ▼

Enter the date
of **RECEIPT**
of the consent.

Select **YES** for new referral.
Select **NO** for incoming student w/ an IEP.

Compliance! → This is the first
day of the 60-day count.



WHAT IS THE EVALUATION PROCESS?

The school district must—

Gather Data → Using a variety of assessment tools, strategies—

- Results from evaluations in assessment areas;
- Input from school personnel including teachers, interventionists, counselors, service providers, administrators; and
- Input from the parents (ask about outside agency involvement, developmental milestones, changes at home).


























Purpose → Gather all relevant information (data) to **determine the child's educational needs** to assist in making a decision whether the child has a disability, or not, and requires special education services through specially designed instruction, or not.

NHSEIS – EVALUATION SUMMARY REPORT

Enter all evaluation information for each component assessed.

Assessment & Evaluation

Evaluation Summary

Component	Date Completed	Most Recent Review Date	Evaluation Result	Qualified Examiner
Academic Performance	<input type="text"/> 	<input type="text"/> 	<input type="text"/>   <small>abc ✓</small>	<input type="text" value="Certified Educator"/> 
Adaptive Behavior	<input type="text"/> 	<input type="text"/> 	<input type="text"/>   <small>abc ✓</small>	<input type="text" value="-Select-"/> 
Communication Skills	<input type="text"/> 	<input type="text"/> 	<input type="text"/>   <small>abc ✓</small>	<input type="text" value="-Select-"/> 
Health	<input type="text"/> 	<input type="text"/> 	<input type="text"/>   <small>abc ✓</small>	<input type="text" value="-Select-"/> 
Hearing	<input type="text"/> 	<input type="text"/> 	<input type="text"/>   <small>abc ✓</small>	<input type="text" value="-Select-"/> 

NHSEIS looks at the

Most Recent
Review Date

This date can be the same as the

Date Completed

NHSEIS – EVALUATION REPORT DATE



Enter the date of the written Evaluation Report indicating all evaluations have been completed.

Evaluation Report

Evaluation Report Date:



This date is after
all evaluations
are completed.

Compliance! → The *Evaluation Report Date* must be before the end of the 60-day timeline.

WHAT IS THE RESPONSIBILITY OF THE SCHOOL BEFORE THE MEETING TO DETERMINE ELIGIBILITY FOR SPECIAL EDUCATION?

Ed 1107.04(d) requires that the LEA shall provide parents with copies of each examiner's evaluation and assessment report(s) at least 5 days prior to the meeting of the IEP team at which the evaluation and assessment report(s) will be discussed.

The LEA shall provide the report(s) by sending the report(s) to the parents via US mail unless the parents and the LEA agree upon another method.

The parent may waive, in writing, the sending of the reports.

ELIGIBILITY DETERMINATION

Click on view evaluation requirements in NHSEIS

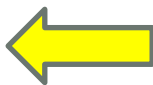
When information is entered properly, you will be able to check to make sure you have what you need for the disability

Eligibility Determination



Instructions - Use this page to create an Eligibility Event for the student. Please remember to create a Final copy of the Eligibility Reporting Form to create a Proposed event, then make sure to enter the Parent Response.

[View Evaluation Requirements](#)



Evaluation Requirements

Disability Identification

Required Evaluation Components

Acquired Brain Injury

- Academic Performance
- Health
- At least two of:
 - Adaptive Behavior
 - Communication Skills
 - Intelligence
 - Social/Emotional Status

Autism

- Academic Performance
- Adaptive Behavior
- Communication Skills
- Health

Deafness

- Academic Performance
- Hearing

Deaf-Blindness

- Academic Performance
- Hearing
- Vision

DISABILITY DETERMINATION MEETING

Disability Determination - *Does the child have a disability?*

Evaluation Review and Discussion → The IEP team, must include **PARENTS** and **QUALIFIED EXAMINERS**, review all and draw upon all information and data gathered.

Determine Educational Needs → Based on the data, determine the child's educational needs, if any.

* **academic**

* **developmental**

* **functional**

Disability Decision → Does the child have an educational disability in the suspected area(a) discussed at the evaluation?

If **NO**, student is not eligible for special education.

If **YES**, determine category and review need for special education.

NHSEIS - ELIGIBILITY

Eligibility Determination

New Eligibility Information

New Eligibility Date:



Eligible?

-Select- ▼

New Disability
Identifications:

Primary: -none- ▼

Secondary: -none- ▼

Third: -none- ▼

This date **MUST** be on or before
the end of the 60-day timeline.

SPECIAL EDUCATION PROCESS FOR ELIGIBILITY IN THE NEW HAMPSHIRE SPECIAL EDUCATION INFORMATION SYSTEM (NHSEIS)

NHSEIS Referral Review—

No evaluation → If a student is referred, but there is no parent consent to evaluate, do not enter the referral in NHSEIS.

OR

Parent Gives Consent → If a parent provides consent for evaluation, enter the data into NHSEIS by order of the special education process:

- 1) Referral
- 2) Parent Consent
- 3) Eligibility Determination (whether eligible or non-eligible)

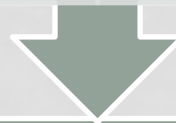
Noncompliance! → Inaccurate data entry causes noncompliance.

COMPLETE THE ENTIRE ELIGIBILITY PROCESS!

Parent Consent

Parent Consent is granted

Assessments done for area of suspected disability



Eligibility Determination

Eligibility Determination date entered into NHSEIS

Found Eligible? Yes or No entered



Disability Identification

If "yes" to eligibility then disability classification chosen from "Primary" dropdown

Disabilities can only be selected if appropriate assessments have been entered into NHSEIS.

Compliance! → Once a student is in NHSEIS, **the entire process** must be completed and entered in NHSEIS within 60-days or the results will be noncompliance.

NONCOMPLIANCE PROBLEMS

EXAMPLE #1

At the meeting, the IEP team decides more information is needed—

Incorrect action→ The IEP team continues with the same referral and gathers more testing information going far beyond 60-days.

Problem → Decisions to conduct additional evaluations occurs at a referral meeting ONLY.

Compliance! Solution→

- Complete the **Evaluation Summary** and date **Evaluation Report**;
- Select “**no**” next to the **Eligible?** box;
- Enter the *date of the meeting*; and
- Exit the child from NHSEIS.

Next → Start again with a new referral and written consent to evaluate.

NONCOMPLIANCE PROBLEMS

EXAMPLE #2

The school district and the parents decide to discontinue testing—

Incorrect action → Stop testing and move on.

Problem → The count of days does not stop, ever- and the initial evaluation goes far beyond 60-days.

Compliance! Solution →

Complete the *Evaluation Summary* for each area of assessment with consent:

- Enter the **date testing was discontinued** for all dated fields;
- Enter the same date for the **Evaluation Report**;
- Enter information in **Results** regarding discontinued testing; and
- Select qualified examiner.
- Select “**no**” next to **Eligible?**;
- Enter the **date of the meeting**;
- Exit the child from NHSEIS.

NONCOMPLIANCE PROBLEM UNFORESEEN CIRCUMSTANCE

The parents cancel the meeting at last minute.

Noncompliance! → There is no exception for cancelled meetings that cause delay beyond the 60-day timeframe.

Option → Make an effort with the parent—

- **USE TECHNOLOGY!!!** We've been forced to become efficient with virtual social platforms – even available for free by apps;
- Offer to participation by phone, during lunch or break;
- Speak to the importance of their child's education;
- Speak to the complexity of scheduling this meeting with multiple teachers, providers, and specialists who do not work in the building;
- Speak to the obligation of state and federal requirements not to delay the meeting.

ALLOWABLE EXCEPTIONS TO THE 60 DAY TIMEFRAME

Allowable exceptions are:

Parent Exception → The parent of a child repeatedly fails or refuses to produce the child for the evaluation;

New Student Enrollment → A child enrolls in a school of another public agency after the 60-day timeframe has begun, but before disability determined.

School District Disaster → Experiences a serious disruption, occurring over a relatively short time which exceeds the ability of the school to resume daily functions

Compliance! → These are the only three exceptions.

PARENT EXCEPTION FORM

NEW HAMPSHIRE STATE DEPARTMENT OF EDUCATION
BUREAU OF SPECIAL EDUCATION

PARENT:
EXCEPTION TO THE 60-DAY TIMELINE

Based on CFR §300.301(d)

Exceptions to the 60-day timeline may be made when the parent of a child repeatedly fails or refuses to produce the child for the evaluation.

District Name: _____

Student SASID #: _____

Dates shown in NHSEIS:

Referral: _____

Parent consent to evaluate: _____

Eligibility Determination: _____

Please provide us with a copy of the student history page from NHSEIS for this student.

Describe the student's situation and any supporting evidence that the parent of the child repeatedly failed or refused to produce the child for evaluation.

Special Education Director or Designee

Date

Please return to: Bridget Brown, NHDOE, 101 Pleasant Street, Concord, NH 03301
FAX 271-1099

This exception form would be used for the following reasons:

- Child was out sick for an extended period of time;
- Family incidence that prevented the availability of the child to complete evaluations; or
- Other child and/or family prolonged problem that caused unavailability.

Documentation Evidence Needed:

- Must clearly indicate parent could not make the child available to evaluate for a prolonged period of time.
- Doctor's note
- Absence or tardy schedules; or
- Emails or other written documentation that supports the allowable exception

**The form and supporting evidence must be submitted to the NHDOE to conduct a desk audit

NEW STUDENT ENROLLMENT EXCEPTION FORM

NEW HAMPSHIRE STATE DEPARTMENT OF EDUCATION
BUREAU OF SPECIAL EDUCATION

**NEW STUDENT ENROLLMENT:
EXCEPTION TO THE 60-DAY TIMELINE**

Exception to the 60-day timeline may be made when a child enrolls in a school of another district after the timeframe for initial evaluations has begun, and prior to a determination by the child's previous district as to whether the child is a child with a disability.

District Name: _____

Student SASID #: _____

Dates shown in NHSEIS:

Referral: _____

Parent consent to evaluate: _____

Date enrolled in your district: _____

Please provide us with a copy of the student history page from NHSEIS for this student.

If this student enrolled in your district after the initial evaluation began at another district this student may be removed from your district count.

If this student enrolled in your district before the initial evaluation began please do not submit this form or other documentation. The NHDOE will not be able to remove the student from your district count.

Special Education Director or Designee

Date

This exception form is used if a student moves into the district after the start/during of an initial evaluation.

- In this case, the child's previous district and new district should work together to ensure that the entire process of eligibility for special education is completed.
- Evidence: submit the form and the NHSEIS *Student History* or documentation school attendance.

SCHOOL DISTRICT DISASTER EXCEPTION FORM

NEW HAMPSHIRE STATE DEPARTMENT OF EDUCATION
BUREAU OF SPECIAL EDUCATION

***SCHOOL DISTRICT DISASTER:
EXCEPTION TO THE 60-DAY TIMELINE***

Exception to the 60-day timeline may be made when a school district experiences a serious disruption, occurring over a relatively short time which exceeds the ability of the school to resume daily functions including evaluations of students with disabilities.

District Name: _____

Student SASID #: _____

Dates shown in NHSEIS:

Referral: _____

Parent consent to evaluate: _____

Date(s) of school district disaster: _____

Please provide us with a copy of the student history page from NHSEIS for this student.

Please provide documentation that supports the dates and reason for the school district disaster.

Special Education Director or Designee

Date

Please return to: Bridget Brown, NHDOE, 101 Pleasant Street, Concord, NH 03301
FAX 271-1099

This exception form is used if a district experiences a serious disruption, occurring over a relatively short time, which exceeds the ability of the school to resume daily functions including completion of an initial evaluation.

- Examples: School roof caving in, no school due to emergency situation
- State of NH declared state of emergency
- COVID is NOT a disaster, it is a pandemic

**QUESTIONS?
COMMENTS?**

THANK YOU FOR YOUR TIME



New Hampshire

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Improving Outcomes for Students with Disabilities



Thank you for attending today's training!

We value your feedback and your time.

A survey money link will be forwarded to you within 48 hours along with your professional development certificate (PD) certificate. If you could please take 1-2 minutes to complete the short survey. Responses are anonymous.

We use these surveys to collect data on the effectiveness of our trainings and on how we can continually make improvements to our trainings.

Thank you for your time & feedback!