



# ELIGIBILITY DETERMINATION CONFERENCE

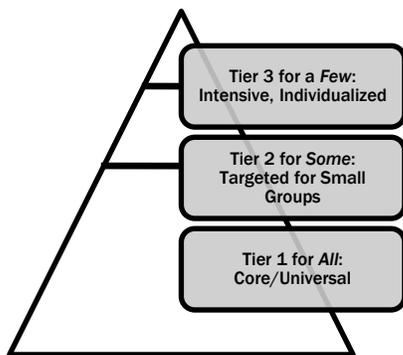
## Addressing the Needs of All Students

### Multi Tiered Interventions and Supports

Multi-Tiered System of Supports (MTSS): A data-driven decision making framework for establishing the academic, behavioral and social-emotional supports needed for a school to be an effective learning environment for all students.

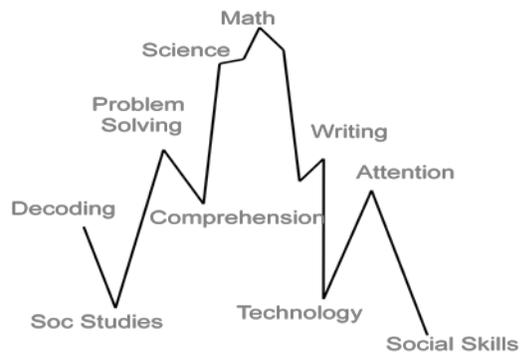
- In Virginia, we refer to this framework as the Virginia Tiered System of Supports (VTSS)
- VTSS represents the integration of Response to Intervention (RtI) and Positive Behavioral Interventions and Supports (PBIS)

Continuum of Supports



Consider a student named Jackson:

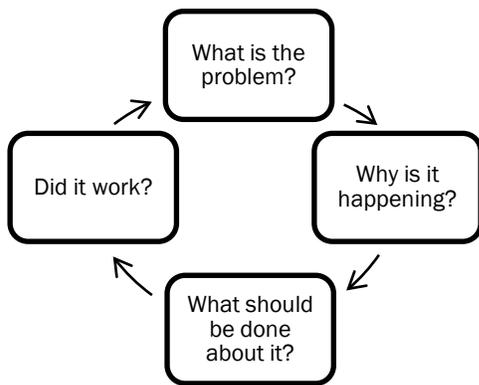
Label the supports, not the student



### Core Principles

- Intervene early
- Use a multi-tier model of service delivery
- Use research-based, scientifically validated interventions/instruction
- Use data to make decisions
- Use a problem-solving methodology
- Monitor student progress to inform instruction and intervention

## Problem-Solving Method



## Problem Solving Teams

Commonly used at Tier 2 / Tier 3  
Use of problem-solving methodology

Problem Solving Teams may be known as:

- Pre-Referral Team / Child Study Team
- Student Support Team
- Early Intervention Team
- Instructional Consultation Teams
- Intervention Development Team
- Multi-disciplinary Problem Solving Team
- RtI Team / PBIS Team / MTSS Team

Think about...

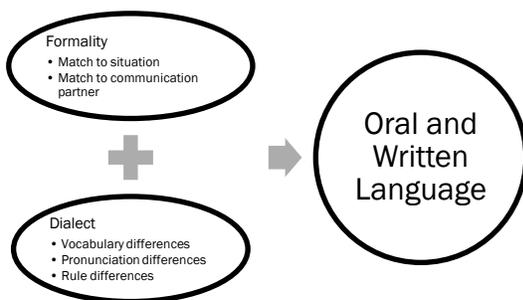
- Progress monitoring intervention data can provide information regarding successful or unsuccessful instructional strategies.
- The data obtained from implementing and monitoring interventions can provide valuable information if the child is referred for special education evaluation; it can inform the eligibility determination process.

## Unique Considerations for Special Populations

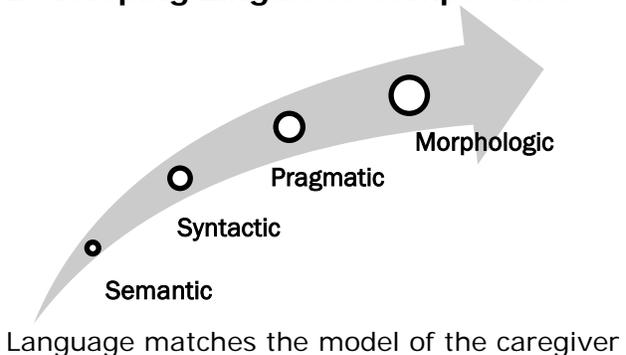
Students who are Culturally and Linguistically Diverse (CLD) include:

- Native speakers of a language other than English.
- Native English speakers who may exhibit communication differences due to local community dialectal and cultural variations.

## The Unique Variations of English



## Developing Linguistic Competence



Consider a Student

- What is their exposure to SAE/School English?
  - Media
  - Home
  - Community

- What is their skill level with SAE/School English?
  - Awareness or Production
  - Oral and Written

*“There is no reason to believe that any nonstandard vernacular is itself an obstacle to learning. The chief problem is ignorance of language on the part of all concerned....” -William Labov, American Linguist*

Check of Expressive Language: Which sentences are correct in English?

1. I am enjoying the conference.
2. Nice dis conference pogam.
3. He done left before da session was over.
4. I ain't got no handout for dis session.

Determine using:

- Standard American English (SAE)
- Dialects of English

Non Standard English Systems

- Viewed as English speakers
- Share many common rules with Standard American English (SAE)
- Differences in subsystems of the language
  - Phonology – inventory of sounds may differ
  - Semantics – meanings of words and vocabulary may differ
  - Syntax – rules may differ (negation, pronoun use, etc.)
  - Pragmatics – rules may differ (turn taking, eye contact, etc.)
  - Morphology – rules may differ (plurals, tense markers, etc.)

Consider Vocabulary	
Formal Vocabulary	Informal Vocabulary
Depart	
	Dip
Jealous	
	Sick

Standard English Learners - Students speaking a dialect of English that is not SAE  
 Hawaiian Creole English (HCE) Southern White English (SWE)  
 African American English (AAE) Chicano English (CE)

*Does the use of a dialect impact educational performance?*

## Common Language Patterns in Virginia: Overlap for Southern White English (SWE) and African American English (AAE)

Language Feature	Example
Zero past tense	"I pull( <u>ed</u> ) the rope."
Habitual <i>be</i> and Zero-marked <i>be</i>	"He <u>be</u> tired." "You ( <u>are</u> ) pretty."
Completive <i>done</i>	"She <u>done</u> passed the test."
Subject –verb agreement	"Your friend like( <u>s</u> ) to play."
Multiple negation	"I'm <u>not</u> hungry <u>no</u> more."
Auxiliary <i>ain't</i>	"He <u>ain't</u> gonna like that one."
Zero-marked plurals	"She went to get the two dog( <u>s</u> )."

### Explicit Instruction in General Education

#### Grammar & Syntax Areas

##### Grammar and Syntax Rules

- Review VDOE Progression Charts (link on VDOE SLP page)
- Identify evidence of deficits
- Teach grammar and syntax rules

Students should identify various dialects and apply correct rules for

- Narration
- Dialogue

#### Vocabulary Instruction

- Define formal and informal words
- Identify appropriate use
  - Dialogue
  - Narration

Students should be able to:

- Identify informal words
- Translate or replace with SAE or more formal vocabulary

#### Reviewing Student Work

*My friend didn't have no money. I use mines to buy a sick game wif the two truck. Its da bomb!*

The standard is SAE: Identify "errors"

## Instructional Implications

- If the classroom expectation is SAE and the student speaks AAE or SWE, are these errors?
- Does the student have exposure to the skill?
- Has explicit instruction been provided in the general education setting?

📖 *Understanding English Language Variation in U.S. Schools*

📖 *We Do Language: English Language Variation in the Secondary English Classroom*

## English Language Learners

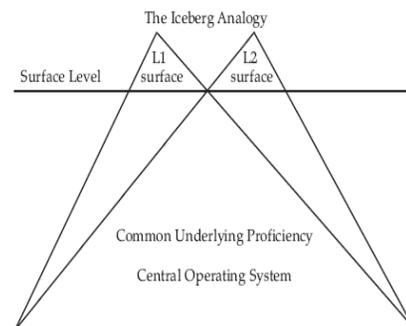
### Second Language Acquisition

- Second language (L2) is typically acquired in two ways:
  - Naturally
  - Formal instruction
- Two types of English language proficiency
  - Basic Interpersonal Communication Skills (BICS)
  - Cognitive Academic Language Proficiency (CALP)

Basic Interpersonal Communication Skills (BICS)	Cognitive Academic Language Proficiency (CALP)
<ul style="list-style-type: none"> <li>• Social, conversational language used for oral communication. It is needed to function in everyday social contexts</li> <li>• Offers many cues to the listener and is context-embedded</li> <li>• It usually takes about 1-3 years for ELLs to become fully proficient in comprehending context-embedded social language</li> <li>• Insufficient to facilitate academic success</li> </ul>	<ul style="list-style-type: none"> <li>• CALP is the context-reduced language of the academic classroom</li> <li>• Required for academic success</li> <li>• Ability to communicate thoughts and ideas with clarity and efficiency</li> <li>• Learners with well-developed CALP in L1 tend to gain CALP in L2 at a faster rate</li> <li>• Takes from 5-7 years to develop, sometimes longer</li> </ul>

## Common Underlying Proficiency

(Cummins & Swain, 1986 "Language proficiency and academic achievement")



## Implications

- There is a common area of language proficiency which provides the foundation for use of both languages
- The stronger the student's CALP is in L1, the easier it will be to acquire CALP in L2
- The language the student is using in the classroom needs to be sufficiently well-developed to be able to process the cognitive challenges of the classroom
- A student's language ability can easily be overly-estimated by looking at the BICS and not realizing the complexity and difficulty that ELLs have in acquiring CALP in the L2

## Culture of Poverty

Early Language Experiences: Quantitative and Qualitative Differences (Hart and Risley, 1995)

	Words heard /hour	Words heard/ 4 yrs	Affirmatives /hour	Prohibitions/ hour
Professional Family	2,153	45 million	32	5
Working Class	1,251	26 million	12	7
Welfare	616	13 million	5	11

### Why Does The Gap Persist?

*"Three-year-old children in professional families had a vocabulary as large as that of the parents in the study who were on welfare."*

(Barton, 2004)

Cumulative Language Experiences:

- The 30 Million Word Difference
- The Effects of Weaknesses in Oral Language on Reading (5.2 yrs.)

Consider Home Culture Experiences

- Locus of control for behavior
- Structure and use of routines
- Use of rigid time limits
- Temporal concepts
- Narrative Use (stories)
- Executive functioning skills
  - Planning
  - Self regulation
  - Choice making

## Evidence-Based Supports

### Preschool

- Program development
- Parent training sessions

### School age

- Language supports
- Explicit instruction on language variation
- Narrative language skills
- Choice making
- Structure and routines

## School Based Teams and Special Education

### Specific Word Use in Regulation

Referral – For evaluation to determine if a child is a child with a disability

Evaluation – The 65 business day process that includes review of existing data and gathering of new data if consent is provided

Assessment – Tests and other measures administered by staff to gather new data on a child suspected of having a disability

### Requirements

- Regulations must be followed
- Once a law or regulation is written, LEAs have *“interpretive authority”* when regulations are open for interpretation
- Interpretations cannot conflict with the law or regulation
- Interpretations may be written as:
  - Policies
  - Procedures
  - Guidance

#### Did you know?

**The term Child Study was removed from Virginia regulations in 2009.**

### Regulations on School Teams

Each school shall have a team

Team shall include:

Referring source

At least one teacher

Others may participate

Principal or designee

At least one specialist

One person must be knowledgeable about alternative interventions and procedures to access services

### School Teams & Referral Process

- May make a referral for evaluation when a disability is suspected
- Once a suspicion of a disability is raised, it must be addressed by the team
- RtI programs or other alternative research based interventions must not delay an evaluation when a disability is suspected

<b>School Based Team Functions</b>	
<p>In General Education</p> <ul style="list-style-type: none"> <li>• Data-driven intervention design and implementation</li> <li>• Frequent monitoring of student progress/response to intervention</li> <li>• May make a referral for evaluation when a disability is suspected</li> <li>• May not delay the Special Education process when a disability is suspected</li> </ul>	<p>In Special Education</p> <ul style="list-style-type: none"> <li>• Administrator of Special Education (ASE) may ask team to assist after the referral</li> <li>• May review data and identify additional data to be collected if certain conditions are met</li> </ul>

<b>What is the Team's Function</b>
<p>Is the team acting as a general or special education team?</p> <ul style="list-style-type: none"> <li>• Information and documentation</li> <li>• Notice requirements</li> <li>• Activities of the team</li> <li>• Team membership</li> </ul>

<b>Changing Roles of the Team</b>
<p>If the team begins as a general education team but then suspects a disability and wants to determine additional data needs and seek consent, what must happen according to regulations?</p> <ul style="list-style-type: none"> <li>• Prior Written Notice</li> <li>• Parental Participation</li> <li>• Documentation</li> <li>• Calculation of Timelines</li> </ul>

### **Documenting Need for Assistance**

Consider other terminology

- Request for Assistance
- Student Assistance Team Form
- Instructional Consultation Team Request

Address "suspicion of a disability"

- Check boxes
- Radio buttons

## **Referral and Determination of Needed Data**

### **Virginia Regulations**

Referrals (8 VAC 20-81-50-D)

Determination of Needed Data (8 VAC 20-81-70)

Guidance on Evaluation and Eligibility for the Special Education Process

Go to: [www.doe.virginia.gov](http://www.doe.virginia.gov) -> Special Education -> Technical Assistance

## **Referral for Special Education**

- Suspicion of a disability
- Referrals may be made by:
  - Screening process
  - School Team
  - Individuals (e.g., parents, teachers, administrators)
- Referrals must be documented and included in the student's educational record

### **Documenting the Referral**

Documentation must include:

- Name of referring source and date
- Description of concerns
- Information about any strategies attempted
- Parent must be provided with a copy of the Procedural Safeguards Notice

### **Referral: Special Education Evaluation**

- 65 business day timeline from receipt by special education administrator
- Role of staff receiving referral
- Use of school team
  - Before suspicion of disability
  - After referral form is submitted

### **Referrals and School Teams**

- How does the team differentiate between a request for assistance (i.e., pre-referral interventions) and a referral for a suspicion of a disability?
- How is this documented?

### **Refusing a Referral for Evaluation**

- It is permissible to refuse a referral for evaluation
  - ASE may refuse a referral
  - ASE may refer to the team and the team may refuse a referral if no suspicion of a disability exists
- Prior Written Notice (PWN) must be provided to the parents for any refusal to evaluate

### **Prior Written Notice**

- Parents must receive prior written notice within a reasonable time when school divisions propose or refuse to conduct an evaluation, initiate or change in a student's identification, educational placement, or the provision of a free appropriate public education (FAPE)

- Prior written notice has seven parts
- PWN E-Learning Modules available on VDOE Web site

### **Case Example**

Referral notes excessive absence and tardies that are affecting the student's grades and does not indicate a suspicion of a disability. What are the options? What should be documented?

## **Examining Existing Data and Need for Additional Data**

### **Review of Existing Data**

- A discrete step in Virginia regulation
- A sample form was developed to document the step
- Group members
- Same as IEP team [includes parents]
- Others as appropriate
- Document summary of discussion and describe any additional information needed

### **Data Sources May Include:**

- Intervention progress monitoring/ RtI data compiled by school team
- Evaluations and/or medical information provided by the parent(s) of the child
- Medical/health records
- Observations or anecdotal records
- Screening information
- Classroom-based data or assessments
- Grades and progress notes
- Attendance records
- Discipline referrals
- Qualitative information from teachers/parents

### **Determination of Any Needed Data**

Check criteria for potential disability areas

- Specific disability
- Exclusionary factors
- Educational impact
- Need for specialized instruction

### **Is there any additional data needed to determine:**

- Whether the student has (or continues to have) a disability
- Student's educational needs

**Suspicion of Other Health impairment due to ADHD:** What additional data may be needed to determine whether the student has a disability?

<b>Examples of Additional Data</b>	
<b>Observations</b> <ul style="list-style-type: none"> <li>• Structured observation with quantitative on task/off task data</li> <li>• Different types of activities</li> <li>• Peer comparison</li> </ul>	<b>Social history</b> <ul style="list-style-type: none"> <li>• Inclusion of targeted questions regarding the presence of ADHD type symptoms in the home environment</li> </ul>
<b>Educational/Academic</b> <ul style="list-style-type: none"> <li>• Include academic fluency skills</li> <li>• Response to specific behavioral interventions and/or accommodations targeting student's attention difficulties</li> <li>• Work samples with/without accommodations provided</li> </ul>	<b>Rating scales</b> <ul style="list-style-type: none"> <li>• Broad-band vs. narrow band</li> <li>• Multiple raters (including parent/caregiver)</li> </ul>
	<b>Psychological</b> <ul style="list-style-type: none"> <li>• Cognitive assessment to include processes typically impacted by attention such as working memory, processing speed, executive functioning</li> </ul>

### **Data Review Process**

1. Review existing data
2. Determine if additional data is needed
3. Determine areas to gather data
4. Secure permission from parents
5. Document the process
  - Summary of meeting
  - Consent for evaluation
  - PWN

## **Educational Identification vs. Medical/Clinical Diagnosis**

### **Medical/Clinical Diagnosis**

- Virginia eligibility criteria does not require a medical diagnosis
- A medical diagnosis must be considered, but is not sufficient to make eligibility determination
- Sufficient data required to document all criteria are met and to determine eligibility
- Most likely need to gather additional data to be able to make the determination
  - Presence of an impairment
  - Adverse impact on educational performance
  - Need for specially designed instruction

# Evaluation: Regulatory Requirements and Best Practices

## Evaluation Regulations and Guidance

### Virginia Regulations require:

Assessments and evaluation materials are:

- Selected and administered so as not to be discriminatory on a racial or cultural basis
- Provided and administered in the child’s native language and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so

### Virginia Guidance

- “Evaluators should consider the impact of socio-economic factors when selecting evaluation tools, during assessments, and when interpreting data...”
- “Eligibility committee must consider environmental, cultural, and economic influences prior to determining if a child has a disability.”

### Guidance on Observations

- Required for all eligibility decisions
- Formal
- Informal
- Conduct in natural settings
- Permission required for initial evaluation conducted after the referral is made

### Assessment Methods

- Choosing Battery Components
- Keep the referral question in mind
- Use multiple methods
- Consider available instruments carefully
  - Technical adequacy
  - Validity and reliability
  - Sensitivity and specificity

**Types of Assessments**

Standardized and norm-referenced tests

Criterion-referenced measures

Dynamic assessments

Development scales

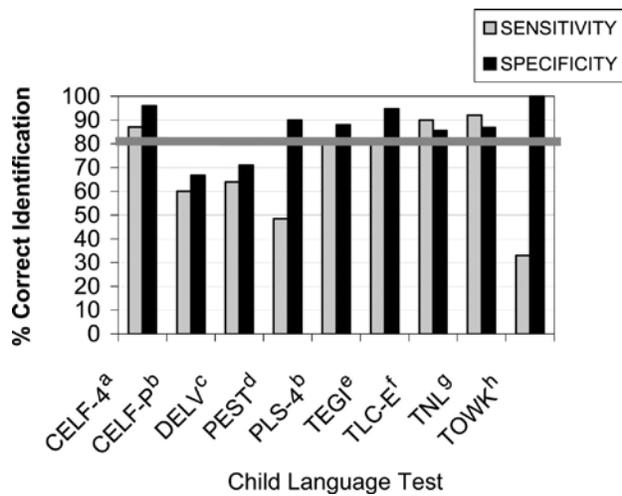
Play-based assessments

Checklists, observations, and interviews

Portfolio review and review of student file

<p><b>Sensitivity &gt;.80</b></p> <p><u>correctly ID impaired</u> (correctly ID impaired + incorrectly ID impaired)</p>	<p><b>Specificity &gt;.80</b></p> <p><u>correctly ID normal</u> (correctly ID normal+ incorrectly ID normal)</p>
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Figure 5. From Spaulding et al. (2006)



## Assessment Methods

### Dynamic Assessment

- Examines the ability to learn when provided explicit instruction – not what is already known
- May be existing data or gathered during evaluation period
- Is NOT the provision of SPED to students prior to eligibility

### Main Methods for the Dynamic Assessment

1. Testing the limits
2. Graduated prompting
3. Test-teach-retest

Dynamic Assessment of Diverse Children: A Tutorial (Gutiérrez-Clellen & Peña 2001)

**Readiness For Intervention:** Testing the limits and graduated prompting are more appropriate to determine readiness for intervention

**Differentiate Differences from Disorder:** Test-teach-retest methods are better suited to differentiate disorders from differences

### Test-Teach-Retest

- Length and structure varies
- Examples

### Mediated Learning

- The “Teach” part of test-teach-test for dynamic assessment
- Length and frequency of sessions (varies)
- Focuses on specific weakness/errors during assessment
- Examines effort and outcomes
  - Evaluator
  - Student

## Dynamic Assessment

- This can be done as part of the evaluation
- Data can inform interpretation and decision making
- Should be documented as part of the report
- Dynamic Assessment and Intervention kits (Pro Ed)

## Examine Effort and Outcomes

Student and Educator Effort	*		
		*	
			*
	Student Performance		
	Student Motivation		

## Case Study

- Educational assessment reveals the student has difficulty following directions that include time and sequence words (ex., first, next, then, after).
- What can you do to examine growth (modifiability) related to following directions using time and sequence concepts?
- How can this data be included in an evaluation report?

## Dynamic Assessment Video Notes:

### Considerations for Special Populations

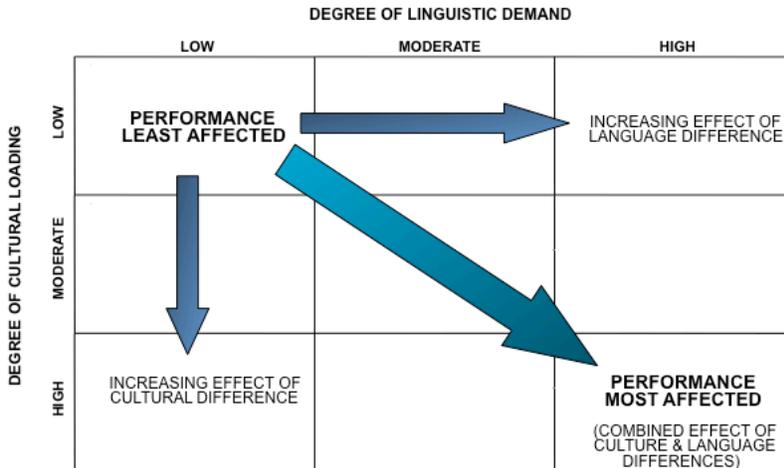
#### General Guidelines

- Take a broad, ecological perspective
- Collect data through a multidimensional, multitask approach
- Interpret results within the context of the student's unique cultural, linguistic, and experiential background

#### Issues Related to Standardized Test Bias

- Cultural Loading
- Language Loading
- Tests vary on both dimensions

## Cultural and Linguistic Classification of Tests



## General Guidelines for Expected Patterns of Test Performance for Diverse Individuals

		Low	Moderate	High
DEGREE OF CULTURAL LOADING	LOW	Slightly Different: 3-5 points Moderately Different: 5-7 points Markedly Different: 7-10 points	Slightly Different: 5-7 points Moderately Different: 7-10 points Markedly Different: 10-15 points	Slightly Different: 7-10 points Moderately Different: 10-15 points Markedly Different: 15-20 points
	MOD	Slightly Different: 5-7 points Moderately Different: 7-10 points Markedly Different: 10-15 points	Slightly Different: 7-10 points Moderately Different: 10-15 points Markedly Different: 15-20 points	Slightly Different: 10-15 points Moderately Different: 15-20 points Markedly Different: 20-25 points
	HIGH	Slightly Different: 7-10 points Moderately Different: 15-20 points Markedly Different: 20-25 points	Slightly Different: 10-15 points Moderately Different: 15-20 points Markedly Different: 20-25 points	Slightly Different: 15-20 points Moderately Different: 20-30 points Markedly Different: 25-35 points

From Flanagan, Ortiz & Alfonso, 2007

## Choosing Appropriate Tools

- Utilize best available tools with respect to the child's culture and language
  - Consider using language-reduced tests where necessary and appropriate but recognize that such tests may measure a narrower range of cognitive abilities/processes and are subject to the same problems with norms and cultural content as verbal tests
- Multi-method
- Norming sample
  - Is the student adequately represented?

## Cultural and Linguistic Bias

- Does it permit adequate opportunities to show true ability?
- Are tasks appropriate for the student's background?
- Does examiner have cultural information?
- Is prior knowledge a factor?
- What about the culture of poverty?

## **Reducing Bias**

- Adapt test items, content, stimuli, administration, or performance criteria as necessary to ensure more valid responding by the student after administering the test first in a standardized way
- Recognize that use of an interpreter can assist in collecting information and administering tests, however, score validity remains low even when the interpreter is highly trained and experienced
- Use systematic methods based on established literature for collecting and interpreting data in a nondiscriminatory way (e.g., CHC Culture-Language Matrix)

## **Example 1: ELL Student**

- Second grade boy was referred due to learning difficulties across all academic areas.
  - What factors need to be considered when choosing assessment methods/tools?
  - What factors need to be considered when interpreting results?
- Choosing assessment methods
  - Level of English language proficiency
  - Level of native language proficiency
  - Level of acculturation
  - Instruction in L1/L2
  - Linguistic demand/cultural loading of available instruments
  - Norming populations of available instruments
- Interpreting results
  - Convergence of data
  - Validity of standardized test data
  - Level of L1/L2 language proficiency
  - Length of exposure to L1/L2
  - Quality of instruction in L1
  - Instructional match in L2
  - Expected performance given linguistic demand/cultural loading of used instruments

## **Example 2: Student Suspected of OHI Due To ADHD**

- Choosing Assessment Methods
  - Practice items
  - Engagement level of materials
  - Length of test
- Interpreting Results
  - Validity of results due to testing behaviors



### **Non-Standard Administration**

- Describe performance
- The evaluation report must clearly state how administration varied from procedures specified in the manual
- Standardized scores should not be used to describe the child's performance
- Any variation from the test directions not allowed in the manual is considered non-standardized administration

### **Interpretation Considerations**

- Consider and discuss the role that language, culture, and experiential background factors play in the obtained results
- Report validity concerns using your clinical judgment
  - Behavioral observations
  - Language/cultural differences
  - Validity indexes
- One of the goals of the eligibility team is to conclude that any disabilities identified are not solely attributable to language acquisition and/or cultural issues
  - This does not negate the possibility that a disability is exacerbated or compounded by the language or culture issues

### **Remember that . . .**

- Dialect use is a factor in disproportional placement in remedial and special education
  - Disproportionality of African American children in special education. In L. C. Tillman (Ed.), *Handbook of African American Education* (pp. 383-398). Thousand Oaks, CA: SAGE Publications, Inc.
- Culture and Language can create an impact of up to 35 pts
  - Rhodes, R., Ochoa, S., and Ortiz, S., (2005) *Assessing Culturally and Linguistically Diverse Students: A Practical Guide*, Guilford Press

## **Eligibility Requirements**

### **Regulations**

#### **Eligibility**

- To determine if a child is or continues to be a child with a disability
- There is only eligibility criteria in Virginia ~there is no 'dismissal criteria'

- Eligibility is based on the presence of a disability, not on possible benefit from services
  1. Has an impairment
  2. Impairment causes adverse effect on educational performance
  3. Student requires specially designed instruction
- Must meet state and federal criteria

### **Medical & Educational Systems**

- IDEA mandates special education be free for those who are eligible
- Medical services are fee for service
- Educational systems do not fill prescriptions for medical services
- Medical information must be considered but is not sufficient to make an eligibility determination

### **Eligibility Meeting Process**

- Review purpose and process
- Review data
- Review criteria and requirements
- Disability criteria
- Exclusionary criteria

### **Reviewing Data**

- “No single measure or assessment is used as the sole criterion”
- Review all available information including: existing data (at time of referral), observations, evaluation results, outside reports
- Look for trends
- Examine inconsistencies
- Discuss educational need

### **Exclusionary Criteria (8VAC20-81-80 D 4)**

4. A child shall not be determined to be eligible under this chapter if the child does not otherwise meet the eligibility criteria, or the determinant factor is:
  - a. Lack of appropriate instruction in reading, including the essential components of reading instruction:
    - (1) Phonemic awareness,
    - (2) Phonics,
    - (3) Vocabulary development,
    - (4) Reading fluency, including oral reading skills, and
    - (5) Reading comprehension strategies;
  - b. Lack of appropriate instruction in math; or
  - c. Limited English proficiency.

## Disability Specific Criteria Notes:

### Documentation

#### Documenting Impairment

- Use of the eligibility checklists
- Criteria from Virginia regulations
- How does your team document impairment?

#### Documenting Adverse Effect

##### Academic impact

- Level of academic functioning (e.g., standardized achievement data, curriculum-based measures; classroom-based assessments; grades; work samples)
- Rate of learning (progress monitoring data)

##### Functional impact

- Adaptive functioning
- Social-emotional functioning  
Behavioral data (e.g., discipline reports, anecdotal records, FBA/BIP data, behavior progress monitoring data, systemic observations)
- Instructional time  
Office referrals; suspensions; attendance patterns

#### Documenting Need for Specialized Instruction

Does documentation show that:

- Adverse effect cannot be sufficiently addressed by interventions
- Adverse effect cannot be sufficiently addressed through accommodations

#### Case Study Notes:

### Decision Making

#### Making Decisions

- Eligibility determination is a team decision
- Strive for consensus ~ No voting
- Attach written statement presenting conclusions from members whose conclusions differ from the group
- Includes recommendations to 'the team' or IEP team

## **When Students Are Not Eligible**

### Document decision

- Attach
  - Forms
  - Member statement(s)
  - PWN
- Provide recommendations to the child's teachers or appropriate committee

### **Team Discussion**

- How do teams document "not eligible" when there is a disagreement?
- Does your LEA collect data for those who are no longer eligible but still receiving services because of the parental consent requirement?
- Do staff write "member statements"?

### **Additional Considerations**

- School staff responsibility to make a determination and provide documentation
- LEA Representative MUST agree
- PWN
- Procedural Safeguards
- Meeting and extending timelines
- Documentation

## **VDOE Eligibility Conference References**

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