

In order for students to receive special education services, the student must have a need for the services and must be evaluated, in order to be determined eligible for the services. Under Article 7, the public schools in the state of Indiana have guidelines to follow regarding the evaluation that leads to placement of students in special education services. The public schools must “establish, maintain, and implement written procedures that ensure the location, identification, and evaluation” of students that are between the ages of three and twenty-two who fall under special education services (Child Find, 2008).

The public schools’ duty to implement written procedures for special education evaluation is Child Find, which is under Article 7. The students must legally reside within the jurisdiction of the public school, and even if they do not attend the public school but do attend another type of schooling service within the jurisdiction, they are still eligible. Students who are wards of the state, students who are considered homeless under Article 7’s definition, mobile students, migrant students, or students who are possibly a student with a disability in need of special education regardless of the time between grade advancement are all students all examples of the types of students that Child Find is used to help determine possible special education services elevation (Child Find, 2008). Child Find also includes responsibilities for other public agencies and charter schools to follow the same procedures to maintain and implement written procedures for evaluation as public schools do.

Article 7 also addresses early intervening services that are important for all students, especially starting young, that implement skills the students may need to

advance academically. Article 7's comprehensive and coordinated early intervening services are for students who are not yet identified as needing special education services, but still require extra attention and help in the general education classroom setting for behavioral and academic skills (Comprehension and Coordinated Early Intervening Services, 2008). Article 7 gives public schools in Indiana a budget of fifteen percent of funding under Part B, for early intervening services and the funds are used for professional development for teachers and other staff members. The professional development will include scientifically based literacy instruction, adaptive and instructional software instruction, and behavioral evaluation and services instruction (Comprehension and Coordinated Early Intervening Services, 2008). Early intervening services are implemented for students to find those who are at-risk, and can include a response to intervention approach intertwined with the services (Mire & Montgomery, 2009). If the at-risk student is suspected to have a disability, further evaluation will be considered with parents consent but should not be delayed; free and appropriate public education should be not be created or denied either according to Article 7 (Comprehension and Coordinated Early Intervening Services, 2008).

In order for public schools to find the students who are in need of special education and have a disability, the schools will use a tier response for all students in general education classrooms, called Response to Intervention, or RTI. RTI is a process used to determine the need for special education services by students that may or may not have a disability, which has not yet been identified. As previously mentioned, Article 7 states that while a student is being evaluated with Response to Intervention, the evaluation is in a general education setting and should not have a FAPE created or

limited so that the evaluation is appropriate and not interfered with (Comprehensive and Coordinated Early Intervening Services, 2008). Response to Intervention is separated into three tier levels that start with all students tested in the general education room, and then the results will condense to the children who show signs of a possible disability and need more instructional approaches.

The standard approach to RTI includes measurements that are for curriculum instruction. Response to Intervention has three tiers, and follows as Tier 1, Tier 2, and Tier 3. Tier 1 will screen all students in the general education classrooms in order to find the students who are struggling with the curriculum, shows need for differentiated curriculum, and are not on track academically. The students who show the need for extra help academically and instructionally will move on to Tier 2; around eighty percent of students will not move on from Tier 1. The twenty percent that moves on to Tier 2 will be further assessed with different instruction strategies and receiving more help from a special education teacher or other professionals in the school – for instance, the use of a resource teacher and a resource classroom. Fifteen percent of students will benefit from the attention and help they receive at Tier 2 and will not need further assistance – the last five percent of students will move on to Tier 3 (Yell, 2014). Tier 3 is for students who need inclusive help academically and will receive special education services after further evaluation.

Response to Intervention is a team approach, with the general education teachers and special education teachers, to find students with problems academically and to find the best-fit solution per each child. The process is to include all children, and find specific students who may need special education services. Some students will not have

to go through the RTI process, because their disability is already known and they are either already on an IEP or on some type of similar plan, or will be in the near future. For the students who will be undergoing the RTI process, the general education teacher and special education teacher must work collaboratively with each other in the process, as RTI is implemented in the general education classroom. As a student goes forward to each tier, more time may be spent outside of the general education room and instead with the special education teacher or another professional selected by the school. The general education teacher will be responsible for trying new ideas in Tier 1, differentiating instruction for students, and collecting data for the evaluations. The special education teacher will oversee the processes, will work with the students that are furthering into Tier 2 and Tier 3, and determine further testing (Yell, 2014). The further the student goes in Response to Intervention, the most one-on-one instruction the student will have at longer intervals – which may be with either the special education, another professional, or the general education teacher, depending on where the school places the student.

Response to Intervention is designed to try to find students who are in need of special education services, and possess a disability that has not been identified. The students will go through scientific-based instruction for their curriculum that will have different levels of assessment and instruction settings. Students may be placed in groups of different sizes, small groups or individual instructions. Throughout RTI, if the student is observed to need further evaluation for the decision of the student needing special education services and having a disability, then measures will be taken in order to properly identify the student.

If the student possesses a need for further observation throughout the tiers of RTI, the school will conduct an evaluation on the student. In order for a student to be evaluated for special education services, teachers, school personnel, or parents may request evaluation. The parents' role in the evaluation is to give written permission before the student receives an evaluation. The school will then respond to the parents or teachers, and confirm or deny further evaluation while giving the parents their procedural safeguards – which are the laws for parents to know about their student and student's education (Yell, 2014). The school will also inform the parents of the timeline for the evaluation, the evaluation process, why the student is being evaluated, and when a case conference will happen in order to discuss the findings of the evaluation – if the student has a disability and is in need of special education services (Initial Educational Evaluation; Public Agency Written Notice and Parental Consent, 2008). If the evaluation finds that the student has a disability and is eligible for special education services, the case conference committee will begin to create the student's Individualized Educational Plan.

There are different scenarios for when the evaluations must take place – in normal situations, the evaluation must take place in fifty school days, including having the case conference meeting. There are five situations, where the evaluation timeline may be different. For instance, if the RTI process is already complete and the student has not benefited from it, the school has twenty days to obtain parent consent in order to evaluate the student and then have the case conference (Yell, 2014). Twenty school days will also be the timeline for students who are expelled from school. If a student received early intervention services from birth, then the student will have to have their case conference, special education services arranged, and any evaluations completed by their third

birthday. If a student moves to another public school after the parents requested evaluation at the previous school, then the new school must provide evaluations as soon as possible. The last possible situation where evaluations and the case conference will not be limited to fifty school days is the scenario that the parents are not presenting the student to be evaluated on multiple occasions. Regardless of the situation, all evaluations cannot be discriminatory towards students and cannot hinder their FAPE and education – no matter the student's socioeconomic status, ethnicity, non-English speaking, gender, race, etc.

The case conference is held to look over results from evaluations, and to plan an appropriate education plan for the student. The results will convey strengths and weaknesses, and the case conference committee will plan accordingly to how the student best learns with appropriate instructions. If the case conference determines the student is in need for special education services, the IEP will be created. The findings of the evaluation should improve the students' academic setting and instructions in order to provide the least restrictive free and appropriate public education after finding the student's disability.

The case conference should include a public agency representative, a special education teacher, a general education teacher, anyone with information about the student's learning, and most importantly the student's parents. The public agency representative is normally the principal, but can be any public agency participant, who knows the resources of the public agency and is able to provide these resources, as well as implement the IEP to the best of their knowledge. The special education is the student's current teacher of record, and has knowledge about the student and special

education services, while the general education teacher provides information about standards and general curriculum for the school. Extra individuals who may be in the case conference can range from speech pathologists, school nurses, social workers, to school psychologists and their role is to provide information about the student and their learning and behavior. Parents provide information about the student that the school may not be aware of, while being important in the decision making of the IEP (Yell, 2014).

In addition to the standard special education model of Response to Intervention, as well as the evaluation method, there is a traditional method in special education. The traditional method follows IDEA, and includes providing children with disabilities FAPE, LRE, and providing the student's family with their procedural safeguards. The traditional model has the case conference committee determine the student's FAPE under the IEP, and include for the student to be educated with their nondisabled peers as much as possible. The tradition model of special education requires the case conference committee to try and provide education in the general education classroom before placing the student in a separate setting. The student will receive special education services based on their assessment of "cognitive ability, academic achievement, functional performance, health, social-emotional status, and physical/motor abilities" and their identified disability that is one of the thirteen categories of disabilities (McLaughlin & Nolet, 2004). To goal of the traditional model of special education is to provide students with disabilities access to the general education curriculum to the highest extent possible, while still providing accommodations and related services when needed (Williams, 2012).

## References

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