

## Evaluation and Determination of Eligibility

All children shall be provided an equal opportunity to receive an appropriate education at public expense. This includes persons with disabilities regardless of the nature of the disability. The local school district and the AEA shall provide appropriate educational services and related services to individuals identified in need of special education. Special education services shall be provided from birth until the appropriate education is completed or age 21, in accordance with Iowa Code 281.8.

The AEA shall establish an identification and eligibility process that ensures the early identification of individuals who require special education services and related services. The identification process shall identify those individuals who require special education and/or related services.

The identification and evaluation process will utilize a systematic problem-solving process that, at a minimum, includes a description of the problem, data collection and problem analysis, intervention design and implementation, progress monitoring and the evaluation of intervention results. The identification and evaluation process shall include interactions with the individual, the individual's parents, school personnel, and others having specific responsibilities for or knowledge of the individual. Active parent participation is solicited throughout the process. The AEA, in conjunction with the LEA, shall provide interventions in an attempt to resolve the presenting problem or behaviors of concern in the general education environment prior to consideration for special education services. Results of the general education interventions are to be documented. In circumstances when the development and implementation of general education interventions are not appropriate to the needs of the individual, the educational team may determine that a full and individual initial evaluation shall be conducted.

The determination of eligibility and need for service shall draw upon a preponderance of information from a variety of sources. The General Education Intervention/Problem Solving, IEP, or IFSP teams shall document and carefully consider all the information obtained and consider the least restrictive or natural environments. The individual shall not be determined to be an eligible individual if the determinant factor is a lack of instruction in reading or math or limited English proficiency.

The Procedures Manual details the requirements and shall meet the compliance regulations of the Individuals with Disabilities Education Act (IDEA), the Iowa Code, and the Iowa Administrative Rules of Special Education.

### Legal References:

20 USC §§ 1401, 1412(a)(7); 1414  
34 CFR §§ 300.126; 300.320-321; 300.530-536  
[281] IAC 256B  
[281] IAC §§ 41.18(1)(g); 41.50(1)(a-c); 41.47(3); 41.48;  
41.48(1); 41.48(2); 41.48(3); 41.48(4)

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