

## TECHNICAL ASSISTANCE DOCUMENTS

These technical support documents have been provided to guide the review and subsequent revision of policies, practices and procedures in order to address inappropriate referrals to special education. This process can be used as the structure for identifying improvements and changes, as well as for the development of strategic plans to reduce inappropriate identification. The process includes a survey of division practices, a record review analysis, the National Center for Culturally Responsive Educational Systems rubric for analysis of current practices, and a template for a strategic plan:

**A Survey of Division Practices** – This survey is designed to capture a general overview of the practices and procedures used to support students in general education programs and in determining a student’s eligibility for special education services. It is structured in three parts: 1) early identification process, 2) team meetings, and 3) decision-making/eligibility. It will be useful in facilitating and organizing the student record review analysis. Use this survey to examine and compare your practices within schools across your division to determine inconsistencies and any variables that may contribute to inappropriate identification. This is the first step in your self-analysis and is for your division use only.

**Student Academic Intervention Checklist** – This checklist provides representative samples of interventions to address learning, behavior and environmental challenges students face on a regular basis. A glossary of terms is also included.

**Record Review Analysis** –The record review requires a comparison of your division’s practices and procedures with those presented in the “early identification” and “team meetings” sections of the survey. Identify the pre-referral or screening processes for your school division and determine if the processes are working effectively and consistently in each of your school sites. Has this process reduced the number of students being referred for special education evaluation and/or have students responded positively to the intervention strategies and support? This is also for division use only, but maintained with the record review documentation.

**A Division Self-Assessment - National Center for Culturally Responsive Educational Systems (NCCRESt) Rubric** – This is a division-wide self-assessment of institutional policies and practices in general and special education to identify and address which policies and practices may contribute to disproportionate representation of students from culturally and linguistically diverse populations in special education. “The NCCRESt Rubric for Looking at Division Practices” ([nccrest.org](http://nccrest.org)) and/or the “Summary Rubric for Looking at Division Practices” (included in the attachments) are highly recommended tools designed to guide the examination.

**Division Plan of Action to Eliminate Disproportionality** – This template is used to document your action plan to examine policies, practices and procedures to address disproportionate representation in special education due to inappropriate identification.

**VIRGINIA DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION IDENTIFICATION PROCESS SURVEY**

**The following survey has been developed as a tool to assist local school divisions in identifying and examining the processes and procedures used to support students. Local school divisions are to identify the practices and procedures available to support children in the general education programs and in determining a student's eligibility for special education services. This information will be helpful in developing more consistency and a formalized approach to enhance instructional support for all students and may contribute to promising practices to address disproportionality in the special education identification process.**

**There are a variety of terms used throughout the state to describe team meetings for the purpose of referring students for assistance, developing, implementing and monitoring intervention strategies, and referral for special education services. For the purposes of this survey, there are three levels of intervention identified: 1) Level I - refers to the earliest initiative by a teacher or other school staff to seek assistance for a student's needs. This may be a formal or informal process. This is sometimes referred to as early identification services; 2) Level II - refers to a team that gives consideration to interventions, within the context of the special education referral as one of the options. At this level, the team develops strategies for children with needs beyond regular education programming. This is sometimes referred to as a problem solving team or child study team; and 3) Level III refers - to the process involved in determining a child's eligibility for special education services.**

**Each level of the survey may be completed by various general and special education personnel, depending upon the structure of your school teams and the referral process. Typically, Level I may most appropriately be answered by classroom teachers or general education staff. Level II should be answered by the school problem solving team, and Level III of the survey should be answered by the members of the eligibility committee and/or school psychologist. The surveys can be answered by individuals or completed as a team task.**

## LEVEL I: Consultation

### Early Intervention Services Survey

**Level I refers to the earliest initiative (the formal or informal process) by which a teacher or other school staff seeks assistance for a student's academic or behavioral needs. This is sometimes referred to as early intervention services.**

#### **Instructions:**

In completing this survey, please respond in a manner that represents how you believe the early intervention process typically works in your school/schools.

#### **1. Please rank the top three contributory factors that are considered when a student is having academic or behavioral difficulties.**

- Academic history
- Developmental level
- Classroom climate
- Socioeconomic Status
- Cultural factors
- Language factors
- Instruction issues
- Other \_\_\_\_\_

#### **2. When a student is having academic or behavioral difficulties what is typically the first response to address such issues?**

- Consultation with other staff
- Individual classroom teacher interventions
- Parent/family contact
- Review student records (ex., grades, attendance, etc.)
- Collect baseline data – frequency, intensity and duration of behaviors
- Discussion of the problem with the student
- Other \_\_\_\_\_

#### **3. Which three interventions are typically used to address student concerns?**

- Tutoring
- Remediation
- Differentiated Instruction or other instructional changes
- Schedule Changes
- Counseling contact
- Behavior Intervention Plan
- Referral to specialized programs in general education (ex., Title I)
- Other \_\_\_\_\_

**4. How is the effectiveness of the interventions measured? (Select all that apply.)**

- Parent reports
- Grade changes
- Informal observations with anecdotal report
- Behavioral charts
- Instructional based assessment
- Other\_\_\_\_\_

**5. How often do the early intervention services decrease the need for further interventions?**

- Almost Never
- Some of the time
- Often
- Almost Always

**6. What other options are available to meet the student's needs if further intervention is required?**

- Referral to school based team
- Referral to other school services (ex. Truancy, Disciplinary, etc.)
- Referral to community based services/programs (ex. Private Counselor)
- Other\_\_\_\_\_

## LEVEL II: Team Meetings

Level II refers to a team that gives considerations to interventions and strategies for children with needs beyond regular education programming. Within the context of options, special education referrals are discussed. This is sometimes referred to as a problem solving or child study team.

### Instructions:

In completing this survey, please respond in a manner that represents how you believe the identification process typically works in your school/schools.

#### 1. What is the preferral team at your school called?

- Student Support Team
- Child Study Team
- Teacher Assistance Team
- Problem Solving Team
- Other \_\_\_\_\_

For the purposes of this survey, the team identified in #1 will be referred to as the Problem Solving Team on subsequent questions.

#### 2. Who are the regular members of the Problem Solving Team? (Select all that apply.)

- Parent
- Classroom teacher of the referred child
- General education teacher(s)
- Special Education teacher
- Principal/designee
- Guidance Counselor
- Social Worker
- Speech Therapist
- School Psychologist
- Reading Specialist
- Student (as appropriate)
- Other \_\_\_\_\_

#### 3. Who leads the Problem Solving Team? (Select one answer only.)

- General Education teacher
- Principal or Designee
- Guidance Counselor
- Social Worker
- Speech Therapist
- School Psychologist
- Instructional Support Teacher
- Special Education teacher
- Other \_\_\_\_\_

**4. What is the primary function of the Problem Solving Team? (Select one answer only.)**

- Suggest instructional and/or behavioral interventions to address student's academic needs and then monitor the effectiveness of the interventions
- Determine whether a referral to the Special Education Committee is warranted
- The team performs both functions listed above
- Other \_\_\_\_\_

**5. Rank order the most frequent referral source to the Problem Solving Team.**

- Teachers
- Parents
- Principals/Assistant Principals
- Support Staff
- Outside agencies/professionals
- Other \_\_\_\_\_

**6. On your team, what problem solving processes are used most often? (Rank order the top three, if applicable).**

- Team members review student information that is available, and then collaboratively brainstorm to recommend several different instructional or behavioral interventions to address student needs
- Seek assistance from reading/math/behavioral/educational specialists, etc.
- Interview the parent concerning the child's developmental, academic and behavioral history
- Determine what interventions have been previously attempted
- Refer for a comprehensive evaluation to determine if a disability exists
- Other \_\_\_\_\_

**7. Who provides assistance to teachers with implementing the recommendations made by the Problem Solving Team? (Rank order up to 5, if applicable)**

- Teacher assistant
- Special education teacher
- Reading specialist
- Title I aides
- School Psychologist
- School Social Worker
- Principal/Assistant Principal
- Parent
- Instructional Support Teacher (IST)
- School Counselor
- Speech/Language therapist
- None, the teacher functions independently
- Other \_\_\_\_\_

**8. Which approach is typically used for monitoring the success of the Problem Solving Team's recommendations?**

- The team reconvenes at a predetermined time to review progress (e.g., 6 weeks after the initial meeting)
- The team reconvenes as needed to review progress
- School staff completes an informal review of the student's progress
- A formal model is used to monitor progress (Describe \_\_\_\_\_)
- Other \_\_\_\_\_

**9. How often is consideration given to cultural, environmental and economic factors that may be related to a student's academic needs?**

- Almost Never
- Some of the time
- Often
- Almost Always

**10. How often are students not referred for a special education evaluation due to cultural or environmental factors?**

- Almost Never
- Some of the time
- Often
- Almost Always

**11. How often does the perceived level of parent/guardian support influence the decision to refer children for a comprehensive special education evaluation?**

- Almost Never
- Some of the time
- Often
- Almost Always

**12. On average, how often does a problem solving team meet to discuss a child prior to referring for a special education evaluation?**

- Once
- Twice
- Three times or more

**13. How often do referrals to the Problem Solving Team become referrals for a comprehensive evaluation for special education services?**

- Almost Never
- Some of the time
- Often
- Almost Always

**14. What effort is typically made by the Problem Solving Team to increase cultural awareness if the referred child is from a different culture?**

- Attempt to consult with individuals knowledgeable of the culture
- Increase knowledge through reading
- Interview the parents to obtain culture specific information
- No efforts are made
- Other \_\_\_\_\_

**15. If efforts are made to increase cultural awareness, then how is this documented?**

- Use of school system forms
- Team meeting notes
- Other \_\_\_\_\_
- No formal documentation is made

**16. How are the needs of English Language Learners (ELL) who experience academic/behavioral difficulties primarily addressed?**

- A referral is made to the ELL specialist
- A referral to services outside the school system is made
- A Dual Language Assessment is completed
- Students are referred to the Student Support/Child Study Team
- Referral is made for a comprehensive special education evaluation
- Other \_\_\_\_\_

**17. In regards to the problem solving team process, which of the following entities have provided training opportunities? (Select all that apply.)**

- State agency
- Individual schools
- Local school district
- Training is not routinely provided
- Other \_\_\_\_\_

**18. Does your school division provide training on a regular basis to assist you in participating in the problem-solving process?**

- Yes
- No

**19. Were you provided any formal training to assist you in participating in the problem solving process?**

- Yes
- No

**20. How would you rate your school division's knowledge regarding IDEA's response to intervention?**

- Very Limited
- Limited
- Very Aware
- Ready to Implement



### **LEVEL III: DECISION-MAKING/ELIGIBILITY TEAM**

**Level III refers to the process involved in determining a child’s eligibility for special education services.**

**Instructions:**

In completing this survey, please respond in a manner that represents how you believe the identification process typically works in your school/schools.

**1. What information is considered in making eligibility decisions?**

- Standardized test results
- Data obtained from classroom observation
- Performance on group administered standardized tests
- Work Samples and teacher narrative information
- Curriculum/instructional based assessments
- Other \_\_\_\_\_

**2. How is information about environmental, cultural, and economic disadvantage considered in the decision making process?**

- Information obtained through parent interview is reviewed by the eligibility committee
- Potential cultural factors that may impact the student’s behavior in school are shared with the eligibility committee
- Anecdotal information shared during the eligibility meeting is reviewed
- Other \_\_\_\_\_

**3. What additional provisions are made when assessing students from cultural and linguistically diverse backgrounds?**

- Assessment of the student’s language skills in English and first language prior to initiating evaluations (Dual language assessment)
- Assessment conducted by bi-lingual evaluators
- Assessment supported by bi-lingual interpreters
- Use of non-verbal test measures
- Assessment administrator is a person of the same ethnicity or gender
- Other \_\_\_\_\_

**4. What other options are available to address student instructional and behavioral needs if the decision is that the student is not eligible for special education services?**

- Referral back to the child study team
- Consideration is given to whether the student qualifies for accommodations through a 504 plan
- Resources are available within the general education program to offer instructional accommodations and differentiated instruction
- Support for behavioral difficulties is offered through school wide programs and individual behavioral plan development
- Referral to community agencies/private resources
- Other \_\_\_\_\_

**5. Who regularly participates on the special education eligibility committee?**

- Principal or designee
- Classroom teacher
- Special educator
- School psychologist
- School social worker
- Counselor
- Parent
- Other \_\_\_\_\_

**6. What information is examined to determine if the student has received appropriate instruction?**

- Flexible grouping is used
- Differentiated instruction is used
- School attendance records
- History of school changes
- Classroom observation data
- Progress reports
- Review of standardized test scores to determine the percentage of the class achieving benchmarks

**7. How is the eligibility decision made?**

- Consensus
- Majority of members voting
- Other \_\_\_\_\_

**8. How frequently do parents' attend eligibility committee meetings?**

- Almost Never
- Some of the time
- Often
- Almost Always

**9. What procedures does your school system have to ensure that assessments address the students' cultural, linguistic, and ethnic background?**

- Written procedures
- Informal procedures
- No formal or informal procedures are currently in place

**10. What does the school division make available to develop examiners' cultural competence to address cultural bias in assessment?**

- Professional development programs in cultural diversity
- Professional development programs in culturally competent assessment
- No formal or informal programs are currently provided
- Other

**11. How often do you feel pressured to make a student eligible for special education services whenever the data may not clearly support the decision?**

- Almost Never
- Some of the Time
- Often
- Almost Always

## RECORD REVIEW ANALYSIS

1. Identify the pre-referral or screening processes for your school division and determine if the processes are working effectively and consistently in each of your school sites. Has this process reduced the number of students being referred for special education evaluation or have students responded positively to the intervention strategies and support?
2. Examine the ethnicity enrollment in each disability category. When examining the numbers, compare yours to the state as a whole and compare the data between schools within your division to determine if there is disproportionality.
  - a) What are the ethnicities that have enrollment in emotional disturbance (ED), mental retardation (MR), other health impairments (OHI), specific learning disabilities (SLD), speech or language impairments (SP/L) and autism (AU)?
  - b) Are there any ethnicities with unusually low enrollment in these disabilities categories?
  - c) Are there any ethnicities with unusually high enrollment in these disability categories?
3. Identify any possible variables that have contributed to overrepresentation of certain ethnicities into the specific disability categories.
  - a) Examine closely the transfer student information. List the students in each of the disability categories who are currently receiving services in your division and were identified prior to enrollment in your school division. List and analyze via record review.
  - b) Are there any mitigating circumstances that could help explain any overrepresentation (i.e., consider the possibility of a high number of group homes in your school division which may serve a particular category of students)? Describe.
4. In light of a finding of disproportional representation of one or more minority groups in your school division, if you believe that your data are accurate, please describe the factors which you believe have contributed to the overrepresentation.
5. List all the cognitive, academic, adaptive and behavioral assessment measures used to evaluate students for special education placement. Are these assessment measures sensitive to culturally diverse practices or culturally diverse students?
6. After reviewing the above measures, answer the following questions:
  - a) Does your school division have sufficient numbers of personnel with the proper training to administer and to interpret these assessment measures? If not, could this lack of either personnel or proper training has led to over-representation?
  - b) After reviewing the measures and their sampling data, are the measures and assessments non-biased and appropriate for use with the populations in question? In the event you have found exceptions with either or both of (a) and (b) above how will you correct the situation? Be specific.

7. Describe the nature of training/professional development your school division has provided on such matters as instructional or behavioral interventions, cultural awareness for minority populations, implications of poverty for teaching and assessment, minority assessment, etc. to personnel involved in pre-referral, referral, evaluation and placement activities.
  - a) Are you satisfied with your school division's training and in-service efforts in this area? Why or why not?
  - b) If not, what will you do to improve in this area? Identify professional development activities for staff to be undertaken.