



ECSE Priority Area 5:

# Evaluation and Eligibility

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Children aged 3 through 5 who are suspected of having a disability must be evaluated through a comprehensive and individualized process to determine their eligibility for Early Childhood Special Education (ECSE) services under Part B of the Individuals with Disabilities Education Act (IDEA). Evaluations must be planned and conducted by a multidisciplinary team that includes the child’s parent and qualified professionals, at least one of whom has expertise in the area of suspected disability. In Oregon, these evaluations must be thorough, culturally responsive, and based on a variety of tools and strategies that capture the child’s developmental, functional, and educational needs.

# Ensuring Appropriate and Inclusive Eligibility Determinations

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The purpose of this priority area is to ensure that evaluations are conducted in accordance with federal and state requirements and lead to well-informed, equitable eligibility decisions. Teams must evaluate children in all areas of suspected disability or developmental delay, avoid using a single test or procedure as the sole criterion, and include the parent as an equal partner throughout the process. Teams are also responsible for ensuring that data gathered from evaluations directly inform the child’s IFSP and guide decisions about supports and services needed for meaningful participation in everyday activities.

Evaluations must be revisited as appropriate and completed prior to determining that a child is no longer eligible for ECSE services.

By using this protocol, ECSE team will assess whether the program is meeting IDEA and Oregon Administrative Rule requirements related to evaluation and eligibility. Reviewers will examine evaluation reports, eligibility statements, team membership, and evidence of parent participation. The protocol ensures that evaluations are timely, comprehensive, and tailored to the needs of each child. If noncompliance is identified, programs are expected to address and correct findings as soon as possible. All noncompliance must be fully corrected within one year of written notification from the Oregon Department of Education (ODE), and earlier when it impacts a child’s eligibility or access to services.

**Record Review Item: EE -1 34 CFR §§ 300.305; 300.501; OAR 581-015-2105**

| Record Review Item   | Potential Documentation   |
|--|---|
| <p><b>The need for the most recent evaluation or reevaluation was determined by a team that included:</b></p> <ul style="list-style-type: none"><li>• <b>At least two professionals, one of whom is a specialist in evaluating and educating children with disabilities, and</b></li><li>• <b>The parent</b></li></ul> | <ul style="list-style-type: none"><li>• Eligibility determination form</li><li>• Team meeting notes</li><li>• Evaluation planning documentation</li><li>• Evaluation or reevaluation request form</li><li>• Apply this standard to the most recent evaluation or reevaluation of the child.</li></ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"><li>• Documentation shows a team made up of:<ul style="list-style-type: none"><li>○ Two or more professionals representing different roles or disciplines</li><li>○ At least one specialist with expertise in evaluating/educating children with disabilities</li><li>○ The parent, or documentation of efforts to include them</li></ul></li><li>• The decision to initiate an evaluation or reevaluation was collaborative, and evidence of this decision is documented (e.g., in team meeting notes or on the eligibility form)</li><li>• If the parent did not attend, confirm that notice of the meeting and opportunity to participate were provided</li></ul> |

## Evidence of Compliance

YES

Mark  **YES** if there is evidence that all of the following are true:

- The evaluation or reevaluation was planned by a team including the parent and at least two qualified professionals
- One of the professionals has expertise in evaluating and educating children with disabilities
- Documentation shows collaborative planning and agreement about the need for evaluation

NO

Mark  **NO** if there is evidence that any of the following are true:

- There is no documentation of a team decision to conduct the evaluation
- Fewer than two professionals were involved
- No evidence that a specialist participated
- Parent participation is missing and not documented

**Record Review Item: EE -2.** 34 CFR § 300.300; OAR 581-015-2735; OAR 581-015-2740; OAR 581-021-0030(2)

| Record Review Item  | Potential Documentation   |
|---|---|
| <p><b>Written parental consent was obtained prior to the initial evaluation or reevaluation.</b></p> <p><b>Provide the date of consent as documented in the student file.</b></p> | <ul style="list-style-type: none"><li>• Signed Consent for Evaluation form (initial or reevaluation)</li><li>• Evaluation plan or notice</li><li>• ecWeb upload of signed consent</li><li>• Evaluation administration dates</li><li>• Meeting notes (if consent was discussed or provided)</li></ul> <p><b>Apply this standard to the most recent evaluation or reevaluation of the child.</b></p> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"><li>• Written consent was obtained before any evaluation activities were conducted</li><li>• Consent is signed and dated and uploaded into ecWeb</li><li>• Verbal consent is not sufficient</li><li>• If an intelligence or personality test was administered:<ul style="list-style-type: none"><li>○ Confirm specific written consent was obtained in accordance with OAR 581-021-0030(2)</li><li>○ No testing of this type may occur without written consent, regardless of other circumstances</li></ul></li><li>• If the team determined that no new evaluation was needed (review of existing information only), mark this standard as N/A and include a comment explaining the reason</li></ul> |

## Evidence of Compliance

YES

Mark  **YES** if there is evidence that all applicable statements are true:

- Written, signed, and dated consent was obtained prior to the most recent evaluation or reevaluation
- Consent was documented and uploaded to ecWeb
- For intelligence/personality testing, specific written consent was obtained before administration
- Consent was obtained for both initial and additional testing, when applicable

NO

Mark  **NO** if there is evidence that any of the following are true:

- No written consent exists for the evaluation or reevaluation
- Consent was signed after the evaluation occurred
- Verbal consent was given instead of written consent
- Intelligence or personality testing was completed without required written consent

Mark  **N/A** if:

- The team reviewed existing data and determined that no additional evaluation was needed
- Documentation supports this decision and a comment is provided

**Record Review Item: EE –3.** 34 CFR §§ 300.304, 300.306; OAR 581-015-2790, 581-015-2795

| Record Review Item  | Potential Documentation   |
|---|---|
| <p><b>The most recent evaluation or reevaluation:</b></p> <ul style="list-style-type: none"> <li>• <b>Was conducted in all areas of suspected disability(ies), developmental delay, or educational need, regardless of whether they are commonly linked to the suspected disability</b></li> <li>• <b>Identified the child’s special education and related service needs</b></li> <li>• <b>A copy of the evaluation/eligibility report was provided to the parents</b></li> </ul> | <ul style="list-style-type: none"> <li>• Evaluation or reevaluation reports</li> <li>• Eligibility determination statement</li> <li>• IFSP – Eligibility documentation section</li> <li>• Staffing/eligibility meeting notes</li> <li>• Parent receipt documentation:               <ul style="list-style-type: none"> <li>○ Checkbox or “cc:” noted on the report</li> <li>○ Communication or teacher log</li> <li>○ Meeting notes reflecting distribution</li> </ul> </li> </ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"> <li>• Evaluation addresses all areas of concern or suspected disability (e.g., hearing screening for communication delays, vision screening for visual impairment, adaptive and cognitive functioning for developmental delay)</li> <li>• The report includes a summary of findings that identify special education and related service needs</li> <li>• The evaluation is comprehensive, includes multiple data sources, and reflects a team-based approach</li> <li>• Documentation shows that parents were provided a copy of the evaluation report—either during the meeting or as soon as possible afterward</li> <li>• Parent receipt must be clearly documented (e.g., checkbox on form, delivery log, or meeting summary)</li> </ul> |

## Evidence of Compliance

YES

Mark  **YES** if there is evidence that all of the following are true:

- The evaluation covers all areas of suspected need and eligibility criteria
- The report identifies the child's special education and related service needs
- A copy of the report was provided to the parent and documentation of receipt is included

NO

Mark  **NO** if there is evidence that any of the following are true:

- Evaluation failed to assess one or more relevant areas of suspected need
- The child's special education needs are not identified or discussed
- There is no documentation that the report was shared with the parent
- Report was not distributed in a timely manner

**Record Review Item: EE -4. 34 CFR § 300.305; OAR 581-015-2800**

| Record Review Item   | Potential Documentation   |
|--|---|
| <p><b>An evaluation or reevaluation was conducted prior to determining that the child is no longer a child with a disability and no longer eligible for ECSE services.</b></p> | <ul style="list-style-type: none"><li>• Reevaluation reports</li><li>• Exit documentation</li><li>• Eligibility determination statement</li><li>• Parent notification</li><li>• Meeting notes</li></ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"><li>• If the child was exited from ECSE, confirm that a reevaluation was conducted before the decision</li><li>• The reevaluation must meet the same criteria as a typical reevaluation, including:<ul style="list-style-type: none"><li>○ Assessment in all areas of concern or suspected disability</li><li>○ Review of existing data and updated information</li><li>○ Involvement of qualified professionals and the parent</li></ul></li><li>• Documentation shows that the team’s decision to exit the child was based on comprehensive evaluation data</li><li>• Parent was notified of the team’s intent to reevaluate and/or the decision to exit the child from services</li></ul> |

## Evidence of Compliance

### YES

Mark  **YES** if there is evidence that all of the following are true:

- A comprehensive reevaluation was conducted before exiting the child from ECSE
- Evaluation addressed all areas of concern
- Documentation includes a clear determination that the child no longer qualifies for special education services
- The parent was informed, and the team decision is supported by data

### NO

Mark  **NO** if there is evidence that any of the following are true:

- The child was exited from ECSE without a reevaluation
- The reevaluation was incomplete or did not assess all relevant areas
- There is no evidence that the decision was based on current evaluation data
- Parent was not notified or involved in the decision-making process

Mark  **N/A** only if:

- The child has not been exited from services and is still receiving ECSE services

**Record Review Item: EE -5. 34 CFR § 303.321; OAR 581-015-2775**

| Record Review Item  | Potential Documentation  |
|---|--|
| <p><b>The most recent evaluation or reevaluation:</b></p> <ul style="list-style-type: none"><li>• <b>Used a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information</b></li><li>• <b>Included input from the parent(s)</b></li><li>• <b>Assisted in determining both:</b><ul style="list-style-type: none"><li>○ <b>Whether the child is eligible for ECSE services, and</b></li><li>○ <b>The content of the child’s IFSP, including how the disability affects participation in appropriate activities</b></li></ul></li><li>• <b>Did not rely on any single measure or assessment as the sole criterion for determining eligibility or educational need</b></li></ul> | <ul style="list-style-type: none"><li>• Evaluation reports</li><li>• Multiple assessment tools</li><li>• Data review forms</li><li>• Referral form or parent interview</li><li>• Eligibility determination documentation</li></ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"><li>• A variety of assessment strategies were used (e.g., standardized tests, observations, developmental checklists, curriculum-based assessments)</li><li>• Parent input was gathered and documented (e.g., interview, survey, or section in the evaluation report)</li><li>• Evaluation describes how the child’s disability impacts participation in appropriate activities</li><li>• No single test, observation, or tool was used to determine eligibility</li><li>• Evaluation materials were:<ul style="list-style-type: none"><li>○ Selected based on individual child needs</li><li>○ Culturally and linguistically appropriate</li><li>○ Valid and reliable for the purpose they were used</li><li>○ Administered by qualified personnel following standardized procedures</li></ul></li><li>• For children who speak a language other than English, ensure that:<ul style="list-style-type: none"><li>○ Materials are culturally and linguistically diverse</li></ul></li><li>• For children who have a sensory, manual, or speaking impairment, ensure that:<ul style="list-style-type: none"><li>○ Materials were adapted as needed and did not disadvantage the child</li></ul></li></ul> |

## Evidence of Compliance

### YES

Mark  **YES** if there is evidence that all of the following are true:

- Multiple types of tools and strategies were used to evaluate the child's functioning and needs
- Parent input is documented as part of the evaluation
- Assessment addressed both eligibility and content for IFSP development
- No single instrument or measure was used to determine eligibility
- Evaluation considered cultural, linguistic, or disability-related needs of the child

### NO

Mark  **NO** if there is evidence that any of the following are true:

- Evaluation relied on only one test, observation, or tool
- Parent input is not present or was not considered
- Evaluation did not address how the child's disability affects participation in activities
- Materials used were not appropriate for the child's language, culture, or disability
- Evaluation tools were administered by personnel not qualified per test publisher requirements

**Record Review Item: EE -6. 34 CFR § 300.306, 300.501; OAR 581-015-2795**

| Record Review Item   | Potential Documentation  |
|--|--|
| <p><b>The most recent eligibility determination was made by a team that included:</b></p> <ul style="list-style-type: none"> <li>• <b>A group of two or more qualified professionals, at least one of whom is knowledgeable and experienced in the area of the child’s suspected disability</b></li> <li>• <b>The ECSE teacher or provider</b></li> <li>• <b>The parent(s)</b></li> </ul> <p><b>If the parent did not attend, documentation must show that written notice was provided sufficiently in advance to ensure the parent had an opportunity to attend</b></p> | <ul style="list-style-type: none"> <li>• Eligibility determination statement</li> <li>• IFSP team member signature page</li> <li>• Attendance records</li> <li>• Meeting notes</li> <li>• Parent meeting invitation or notice</li> </ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"> <li>• The eligibility team included:               <ul style="list-style-type: none"> <li>○ At least two qualified professionals</li> <li>○ A member with expertise in the suspected area of disability</li> <li>○ The ECSE teacher or service provider</li> <li>○ The parent</li> </ul> </li> <li>• If the parent did not attend, verify:               <ul style="list-style-type: none"> <li>○ A written notice was sent in advance</li> <li>○ Documentation shows attempts to schedule at a mutually agreed upon time and place</li> </ul> </li> <li>• The meeting occurred in person or via alternate means (e.g., phone or video conference), if needed to support parent participation</li> <li>• The date of the most recent eligibility meeting is clearly documented</li> </ul> |

## Evidence of Compliance

YES

Mark  **YES** if there is evidence that all applicable statements are true:

- The eligibility team included the parent, ECSE teacher, and at least two qualified professionals
- One team member was experienced in the area of suspected disability
- If the parent did not attend, a written notice was provided in advance and opportunity for participation was offered

NO

Mark  **NO** if there is evidence that any of the following are true:

- Fewer than two qualified professionals participated in eligibility determination
- No team member had documented expertise in the suspected area of disability
- Parent was not included, and no documentation shows they were invited with sufficient notice
- Meeting participation is unclear or undocumented