

El Priority Area 5:

# Evaluation and Eligibility (EE)

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# Table of Contents

Ensuring Accurate and Inclusive Eligibility Determinations in Early Intervention (EI) .....	2
<b>Record Review Item: EE EI -1</b> 34 CFR § 303.24; 303.321; OAR 581-015-2775 .....	3
Evidence of Compliance .....	4
<b>Record Review Item: EE EI -2</b> 34 CFR § 303.420; OAR 581-015-2730.....	5
Evidence of Compliance .....	6
<b>Record Review Item: EE EI - 3</b> 34 CFR § 303.321; 34 CFR § 303.401; OAR 581-015-2775; OAR 581-015-2780 .....	7
Evidence of Compliance .....	8
<b>Record Review Item: EE EI - 4</b> 34 CFR § 303.321, 303.322; OAR 581-015-2800 .....	9
Evidence of Compliance .....	10
<b>Record Review Item: EE EI -5</b> 34 CFR § 303.321; OAR 581-015-2775, OAR 581-015-2815(3)(e).....	11
Evidence of Compliance .....	13
<b>Record Review Item: EE EI - 6</b> 34 CFR §§ 303.24, 303.321; OAR 581-015-2750; OAR 581-015-2780 .....	14
Evidence of Compliance .....	15
<b>Record Review Item: EE EI - 7</b> 34 CFR § 303.321; OAR 581-015-2775.....	16
Evidence of Compliance .....	17
<b>Record Review Item: EE EI -8</b> 34 CFR § 303.321; OAR 581-015-2780.....	18
Evidence of Compliance .....	19
<b>Record Review Item: EE EI - 9</b> 34 CFR § 303.24; 303.321; OAR 581-015-2775; OAR 581-015-2700(23) .....	20
Evidence of Compliance .....	21

Early Intervention (EI) services in Oregon begin with a comprehensive, multidisciplinary evaluation process that determines a child's eligibility for services under IDEA Part C. In alignment with 34 CFR § 303.321 and Oregon Administrative Rules (OAR 581-015-2775), this process is designed to ensure that infants and toddlers with disabilities are identified early and accurately, and that families are actively involved in decisions regarding their child's developmental needs and potential eligibility for services.

# Ensuring Accurate and Inclusive Eligibility Determinations in Early Intervention (EI)

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The purpose of this priority area is to ensure that evaluations are timely, comprehensive, culturally and linguistically appropriate, and conducted by qualified professionals from at least two different disciplines. Eligibility may be established through documented developmental delays or diagnosed physical or mental conditions that are likely to result in delay. All evaluations must include parent input, assess all relevant developmental domains, and result in a written eligibility determination that includes team member agreement and a clear rationale. This ensures that decisions are equitable, data-informed, and grounded in both professional expertise and family insight.

High-quality eligibility practices promote access to services for young children with disabilities and uphold procedural safeguards for families. They also ensure that children who qualify receive services that are appropriately matched to their developmental needs and strengths.

By using this protocol, the Early Intervention (EI) ODE team will respond to a series of questions to assess whether the program is meeting key federal and state requirements related to evaluation and eligibility determination, as outlined in 34 CFR § 303.321. If noncompliance is identified, it is recommended that the EI program correct these findings as soon as possible. In all cases, noncompliance must be fully corrected within one year of receiving written notification from the Oregon Department of Education (ODE). Additionally, if noncompliance affects a child's access to timely eligibility decisions or services, the program must address the issue within a shortened timeline in accordance with ODE regulations.

Record Review Item	Potential Documentation
<p><b>The need for an evaluation or reevaluation was determined by a multidisciplinary team that included:</b></p> <ul style="list-style-type: none"><li>• <b>At least two professionals from separate disciplines or professions (one of whom must be 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>• IFSP</li><li>• Evaluation planning meeting notes</li><li>• Contact logs or emails documenting team input</li><li>• Evaluation reports noting team members and their roles</li><li>• Referral team forms or multidisciplinary meeting records</li></ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"><li>• The decision to conduct the most recent evaluation or reevaluation was made by a team that includes:<ul style="list-style-type: none"><li>○ The parent</li><li>○ At least two professionals from different disciplines</li><li>○ A team member who is a specialist in evaluating and educating young children with disabilities</li></ul></li><li>• Documentation (meeting notes, contact logs, evaluation planning forms) clearly shows that these individuals participated in the decision-making</li><li>• Team composition and roles are documented in a way that confirms all required participants were involved</li></ul>

## Evidence of Compliance

### YES

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

- The decision to evaluate was made by a team including the parent and at least two professionals from different disciplines
- One professional is identified as a specialist in evaluating/educating children with disabilities
- Documentation such as meeting notes, contact logs, or planning forms confirms the required team composition

### NO

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

- Fewer than two professionals were involved in the decision to evaluate
- The team lacked a specialist in evaluating and educating children with disabilities
- The parent was not included in the decision
- There is no documentation confirming the participation of required team members

**Record Review Item: EE EI -2 34 CFR § 303.420; OAR 581-015-2730**

Record Review Item	Potential Documentation
<p><b>Written parental consent was obtained prior to the initial evaluation or re-evaluation of the child for Early Intervention (EI) services.</b></p> <p><b>Include the date of written consent.</b></p>	<ul style="list-style-type: none"><li>• Consent for Evaluation form (with parent signature and date)</li><li>• Evaluation reports with dates of testing or data collection</li><li>• Procedural Safeguards documentation</li><li>• Contact logs or communication records</li><li>• Meeting notes</li></ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"><li>• Written consent was obtained before any evaluation activities occurred</li><li>• The consent form includes a description of each evaluation procedure to be conducted</li><li>• The date on the consent form precedes the date(s) of evaluation(s)</li><li>• Procedural Safeguards were provided to the parent at or before the time of consent</li><li>• Consent is documented on the appropriate form (verbal consent is not sufficient)</li></ul>

## Evidence of Compliance

### YES

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

- The parent signed a written consent form **before** the evaluation was conducted
- The consent form includes a description of each evaluation procedure
- Procedural Safeguards were provided to the parent before or at the time of consent
- Dates on the consent form and evaluation report confirm the correct sequence

### NO

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

- Evaluation occurred **before** written consent was obtained
- The consent form lacks required components (e.g., missing procedure descriptions, missing date)
- There is no written consent in the file
- Procedural Safeguards were not provided or there is no documentation showing they were

Record Review Item	Potential Documentation
<p><b>Each child referred for Early Intervention must receive a comprehensive evaluation that:</b></p> <ul style="list-style-type: none"> <li>• <b>Is conducted in all areas of suspected disability or developmental delay, or</b></li> <li>• <b>Is based on a diagnosed physical or mental condition likely to result in developmental delay</b></li> <li>• <b>Includes evaluation of vision, hearing, health, and all five developmental domains:</b> <ul style="list-style-type: none"> <li>○ <b>Cognitive, communication, motor, adaptive, social-emotional</b></li> </ul> </li> <li>• <b>Include curriculum-based assessments (e.g., AEPS, HELP)</b></li> <li>• <b>May include medical or other records to establish eligibility</b></li> <li>• <b>Results in a written evaluation/eligibility report</b></li> <li>• <b>A copy of the report must be provided to the parent as soon as possible (not required to be at the eligibility meeting)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Evaluation/Eligibility report</li> <li>• IFSP Present Levels of Development (PLOD)</li> <li>• Assessment protocols</li> <li>• Evaluation planning or team meeting notes</li> <li>• Parent communication logs</li> <li>• Evaluation form with parent receipt checkbox marked</li> <li>• Notations such as “cc: parent” or distribution statements on the report</li> </ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"> <li>• Evaluation was comprehensive, covering all developmental domains and relevant health, hearing, and vision</li> <li>• Evaluation team was multidisciplinary and considered the child’s individual needs</li> <li>• If eligibility was based on a diagnosis, confirm that it meets the definition of a condition likely to result in delay</li> <li>• The report uses accessible language and includes family input when applicable</li> <li>• There is evidence that the evaluation report was provided and explanted to the parent and must be in the primary language of the family (e.g., signed receipt, communication log, “cc” on report)</li> </ul>

## Evidence of Compliance

### YES

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

- The evaluation included all required areas or was based on a qualifying diagnosed condition
- All five developmental domains and vision, hearing, and health were addressed
- Curriculum-based assessments were appropriately included
- A written report was developed, explained and provided to the parent in their primary language
- Documentation shows that the parent received the report (e.g., checkbox marked, communication log entry, or distribution note)

### NO

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

- Evaluation was not comprehensive or did not include required developmental areas
- Vision, hearing, or health were not evaluated or documented
- Report was not written or not provided to the parent
- No documentation exists showing the parent received the evaluation report
- Evaluation was not clearly individualized or did not reflect multidisciplinary input

Record Review Item	Potential Documentation
<p><b>An evaluation was conducted prior to determining that a child is no longer a child with a disability and therefore no longer eligible for Early Intervention (EI) services.</b></p>	<ul style="list-style-type: none"><li>• Exit evaluation report</li><li>• Reevaluation planning notes</li><li>• Team meeting notes documenting the decision to exit</li><li>• Parent communication logs</li><li>• Prior Written Notice of the eligibility determination</li><li>• Documentation of vision, hearing, health, and all five developmental domains</li></ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"><li>• The decision to exit the child from EI was based on a comprehensive evaluation</li><li>• The evaluation includes all required components, similar to a reevaluation:<ul style="list-style-type: none"><li>○ Vision, hearing, health</li><li>○ Cognitive, communication, motor, adaptive, social-emotional</li></ul></li><li>• Evaluation results support the determination that the child no longer meets the criteria for a disability under Part C</li><li>• Documentation reflects a team decision based on data, not informal observation or service discontinuation alone</li><li>• Parent was informed of the outcome and decision-making process</li></ul>

## Evidence of Compliance

### YES

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

- A comprehensive evaluation was conducted prior to exiting the child from EI services
- The evaluation addressed all required developmental and health areas
- Team meeting documentation confirms a data-based decision to exit the child
- Prior Written Notice or team notes confirm that the parent was informed

### NO

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


- The child was exited from EI without an evaluation
- Evaluation was incomplete or did not meet reevaluation criteria
- No documentation exists to support the team's decision that the child no longer qualifies
- Parent was not informed or involved in the decision to exit

Mark  **N/A** if:

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

**Record Review Item: EE EI -5** 34 CFR § 303.321; OAR 581-015-2775, OAR 581-015-2815(3)(e)

Record Review Item	Potential Documentation
<p><b>The evaluation or re-evaluation:</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, including input from parents and information related to the child’s participation in appropriate activities</b></li> <li>• <b>Did not rely on a single procedure or assessment as the sole criterion for determining eligibility</b></li> <li>• <b>Used assessments that:</b> <ul style="list-style-type: none"> <li>○ <b>Were not racially or culturally discriminatory</b></li> <li>○ <b>Were administered in the child’s native language or mode of communication</b></li> <li>○ <b>Were valid and reliable for the purposes intended</b></li> <li>○ <b>Were used in accordance with publisher instructions</b></li> <li>○ <b>For children with limited English proficiency, measured the child’s disability, not English language skills</b></li> <li>○ <b>For children with sensory, manual, or speaking impairments, were selected to appropriately assess abilities</b></li> <li>○ <b>Were tailored to specific</b></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Evaluation reports</li> <li>• IFSP Present Levels of Development (PLOD)</li> <li>• Assessment protocols</li> <li>• Data review forms</li> <li>• Referral forms</li> <li>• Parent interview records or communication logs</li> <li>• Documentation of family-directed assessment</li> <li>• Documentation of interpreter use (if applicable)</li> </ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"> <li>• Multiple tools were used to assess the child across all relevant domains</li> <li>• Parent input is reflected in evaluation documentation (interviews, questionnaires, referrals, communication logs)</li> <li>• Information related to the child’s participation in appropriate activities is included</li> <li>• No single test or tool was used to determine eligibility</li> <li>• Evaluation tools were linguistically and culturally appropriate</li> <li>• If the child has documented sensory, motor, or communication impairments, evaluation methods were adapted appropriately</li> <li>• Tests were selected based on unique child needs and administered by qualified personnel</li> <li>• Variations from standard administration are explained in the evaluation report (if applicable)</li> <li>• Family-directed assessment was conducted, if the family chose to participate, and includes priorities, concerns, and supports needed</li> </ul>



Record Review Item	Potential Documentation
<p><b>educational needs</b></p> <ul style="list-style-type: none"><li>• <b>Included a family-directed assessment, if the family elected to participate, using a tool and an interview to identify the family’s resources, priorities, and concerns</b></li></ul>	

## Evidence of Compliance

### YES

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

- Multiple assessment tools and strategies were used, including parent input
- All relevant domains and appropriate activities were evaluated
- No single procedure was used to determine eligibility
- Tools used were culturally and linguistically appropriate
- Evaluation was individualized and addressed specific needs
- Family-directed assessment was conducted, when elected by the family

### NO

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

- Evaluation relied on a single test, tool, or observation
- Parent input is missing or not documented
- Tools were not linguistically or culturally appropriate, or not adapted for impairments
- There is no documentation that the child's educational needs were evaluated in all relevant domains
- Family-directed assessment was not conducted or documented when the family agreed to participate

**Record Review Item: EE EI - 6** 34 CFR §§ 303.24, 303.321; OAR 581-015-2750;  
OAR 581-015-2780

Record Review Item	Potential Documentation
<p><b>The eligibility team includes parents and personnel from at least two disciplines and individuals knowledgeable about the child.</b></p>	<ul style="list-style-type: none"><li>• Eligibility meeting attendance records (e.g., IFSP signature or participant pages)</li><li>• Eligibility determination statement or documentation</li><li>• Meeting notes</li><li>• Parent invitation/meeting notice</li><li>• Communication logs or email confirmations regarding parent attendance</li></ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"><li>• The most recent eligibility determination was made by a multidisciplinary team including:<ul style="list-style-type: none"><li>○ The parent</li><li>○ At least two professionals from different disciplines (e.g., EI specialist and speech-language pathologist)</li><li>○ Individuals with knowledge of the child</li></ul></li><li>• If a parent was not present, verify that a meeting notice was sent in advance to allow participation</li><li>• Team composition should be clearly documented on meeting forms or in notes</li></ul>

## Evidence of Compliance

### YES

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

- Eligibility determination included a parent and two professionals from different disciplines
- Documentation shows team members had knowledge of the child
- If the parent did not attend, there is evidence they were provided sufficient notice and opportunity to participate

### NO

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

- Fewer than two professionals participated in the eligibility decision
- Parent participation was not documented and no evidence of advance notice is present
- Team composition does not reflect required multidisciplinary and child-knowledgeable participants

Record Review Item	Potential Documentation
<p><b>An eligibility evaluation was completed in compliance with state and federal regulations for a child suspected of having:</b></p> <ul style="list-style-type: none"> <li>• <b>Autism Spectrum Disorder</b></li> <li>• <b>Deafblindness</b></li> <li>• <b>Developmental Delay</b></li> <li>• <b>Deaf or Hard of Hearing</b></li> <li>• <b>Orthopedic Impairment</b></li> <li>• <b>Traumatic Brain Injury</b></li> <li>• <b>Visual Impairment</b> <b>OR</b></li> <li>• <b>The child has a diagnosed physical or mental condition likely to result in developmental delay</b></li> </ul>	<ul style="list-style-type: none"> <li>• Evaluation and eligibility reports</li> <li>• Referral and intake notes</li> <li>• Physician statement documenting qualifying condition</li> <li>• Multidisciplinary team notes or staffing reports</li> <li>• Documentation of assessments in all developmental areas</li> </ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"> <li>• If the child was suspected of one of the listed disabilities, the evaluation addresses all eligibility criteria specific to that category</li> <li>• The evaluation covered all suspected areas of delay or disability, even if not the primary area of concern</li> <li>• If eligibility was based on a diagnosed condition, documentation from a licensed physician, physician assistant, or nurse practitioner is included</li> <li>• The eligibility team reviewed the diagnosis and determined eligibility</li> <li>• All developmental areas were assessed prior to the child’s initial IFSP, even when eligibility was based on diagnosis</li> </ul>

## Evidence of Compliance

### YES

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

- The evaluation addressed all eligibility criteria for the child's suspected disability category
- All suspected disabilities and developmental needs were evaluated
- Eligibility was based on a qualifying diagnosis from a licensed medical provider, and the team reviewed it
- Prior to the initial IFSP, all developmental areas were assessed, regardless of the eligibility category

### NO

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

- The evaluation did not address all eligibility criteria for the suspected disability
- Areas of suspected disability were not evaluated or were overlooked
- The child was made eligible based on diagnosis without proper documentation or team review
- A child with a qualifying diagnosis was not assessed in all developmental areas prior to the first IFSP

Record Review Item	Potential Documentation
<p><b>The most recent eligibility determination document includes:</b></p> <ul style="list-style-type: none"> <li>• <b>A statement indicating whether the child met the minimum criteria for Early Intervention eligibility</b></li> <li>• <b>For children eligible under developmental delay, a statement indicating whether the child needs Early Intervention services</b></li> <li>• <b>The signature of each team member, indicating agreement or disagreement with the eligibility determination</b></li> </ul>	<ul style="list-style-type: none"> <li>• Eligibility determination form or statement</li> <li>• Evaluation report</li> <li>• Team meeting notes</li> <li>• IFSP signature page (if it includes eligibility acknowledgment)</li> </ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"> <li>• Documentation clearly states whether the child meets eligibility criteria under one of the approved disability categories:               <ul style="list-style-type: none"> <li>○ Autism Spectrum Disorder</li> <li>○ Deafblindness</li> <li>○ Developmental Delay</li> <li>○ Deaf or Hard of Hearing</li> <li>○ Traumatic Brain Injury</li> <li>○ Orthopedic Impairment</li> <li>○ Vision Impairment</li> <li>○ OR through a physician’s statement indicating a diagnosed condition likely to result in developmental delay</li> </ul> </li> <li>• For children found eligible under developmental delay, documentation must also confirm that the child needs Early Intervention services</li> <li>• All required team members have signed the eligibility determination, and if any disagree, their disagreement is noted in the documentation</li> </ul>

## Evidence of Compliance

### YES

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

- The eligibility form or report confirms the child meets minimum criteria for EI eligibility
- For developmental delay, there is a clear statement indicating the child needs EI services
- The eligibility determination includes team member signatures, with agreement or disagreement clearly indicated

### NO

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

- The eligibility documentation does not clearly state whether the child meets criteria
- For developmental delay, the child's need for services is not documented
- One or more team member signatures are missing, or disagreement is not documented
- The form is incomplete or fails to meet the criteria outlined in OAR 581-015-2780

**Record Review Item: EE EI – 9** 34 CFR § 303.24; 303.321; OAR 581-015-2775;  
OAR 581-015-2700(23)

Record Review Item	Potential Documentation
<p><b>The evaluation was conducted by a multidisciplinary team representing two or more separate disciplines or professions.</b></p>	<ul style="list-style-type: none"><li>• Evaluation report</li><li>• Assessment protocols or summaries</li><li>• Evaluation team or staffing notes</li><li>• IFSP documentation showing evaluators' roles and credentials</li><li>• Documentation of qualifications of personnel who conducted testing</li></ul> <p><b>Check for the following:</b></p> <ul style="list-style-type: none"><li>• The evaluation was completed by two or more professionals from different disciplines (e.g., an Early Intervention specialist and a speech-language pathologist)</li><li>• Each evaluator is trained and qualified, and meets the criteria set by the test publisher</li><li>• Documentation includes each evaluator's name, title, and role in the evaluation process</li><li>• For children eligible by diagnosed condition, confirm that all developmental areas were assessed either:<ul style="list-style-type: none"><li>○ As part of the initial eligibility determination, or</li><li>○ After eligibility was established, in preparation for the initial IFSP</li></ul></li><li>• A curriculum-based assessment (e.g., AEPS, HELP) may be used to help meet this requirement</li></ul>

## Evidence of Compliance

### YES

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

- The evaluation was conducted by at least two professionals from separate disciplines
- Evaluators are qualified and administered tools in accordance with publisher guidelines
- All developmental domains were assessed, especially in cases where eligibility is based on diagnosis
- A curriculum-based or other appropriate tool was used to complete developmental assessments

### NO

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

- Fewer than two disciplines were involved in the evaluation
- Personnel conducting evaluations are not qualified or do not meet test publisher standards
- For children with a diagnosed condition, developmental domains were not assessed before the initial IFSP
- There is no documentation showing which professionals conducted the evaluation and their roles