



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

DEC 30 1998

Ms. Ginny Duncan  
Early Intervention/Preschool Coordinator  
Parent Education Network  
333 East Seventh Avenue  
York, PA 17404

Dear Ms. Duncan:

This is in response to your letter to Judith E. Heumann and me in which you request clarification on two issues related to Pennsylvania's Early Intervention System. Each of your questions has been addressed separately below:

1. Does the service coordinator constitute one of the disciplines or professions required on the Multidisciplinary Evaluation Team?

Response: Depending on the standards of the State, a service coordinator could serve on the Multidisciplinary Evaluation Team. Part C of the Individuals with Disabilities Education Act (Part C) requires that the lead agency is responsible for ensuring "the performance of a timely, comprehensive, multidisciplinary<sup>1</sup> evaluation<sup>2</sup> of each child, birth through age two, referred for evaluation including assessment<sup>3</sup> activities related to the child and the child's family." (34 CFR §303.322(a)(1)). Evaluation and assessments of a child must be conducted by

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<sup>1</sup> Multidisciplinary is defined as "the involvement of two or more disciplines or professions in the provision of integrated and coordinated services including evaluation and assessment activities in §303.322 and the development of the IFSP in §303.342." (34 CFR §303.17).

<sup>2</sup> Evaluation means the "procedures used by appropriately qualified personnel to determine a child's initial and continuing eligibility under this part." (34 CFR §303.322(b)(1)).

<sup>3</sup> Assessment means the "ongoing procedures used by appropriate qualified personnel throughout the period of the child's eligibility under this part to identify -

(I) The child's unique strengths and needs and the services appropriate to meet those needs; and

(ii) The resources, priorities, and concerns of the family and the supports and services necessary to enhance the family's capacity to meet the developmental needs of their infant or toddler with a disability." (34 CFR §303.322(b)(2)).

personnel trained to utilize appropriate methods and procedures, be based on informed clinical opinion, and include a review of pertinent records related to the child's current health status and medical history, an evaluation of the child's current level of functioning in each of five developmental areas, and an assessment of the unique needs of the child in each of the five developmental areas including the identification of services appropriate to meet those needs. (34 CFR §303.322(c)).

The State may design and implement its early intervention system, including the employment of appropriate personnel, in any manner it chooses as long as the system is consistent with Part C and 34 CFR Part 303. To serve as a member of the Multidisciplinary Evaluation Team, a service coordinator must meet the standards of the State which must be consistent with the requirements of Part C including §303.322 requiring that personnel conducting the evaluation and assessment of each child be trained to utilize appropriate methods and procedures. Thus, a service coordinator meeting these requirements could be one of the disciplines/professions required on the Multidisciplinary Evaluation Team.

2. Can Pennsylvania categorically exclude service providers from initial evaluations under Part C?

Response: As stated in our response to the previous question, the State may design and implement their early intervention system in any manner it chooses as long as the system is consistent with 34 CFR Part 303. The State must ensure that a child receives a timely, comprehensive, multidisciplinary evaluation by qualified personnel. It is the responsibility of the State to determine which individuals are qualified to perform evaluations and assessments, consistent with the requirements in 34 CFR Part 303 including §§303.12(e), 303.21, and 303.322(c). As stated with the issue above, it is possible for a service provider to also be qualified to perform evaluations. However, unlike our answer in our November 26, 1996 letter to Pennsylvania (attached to your inquiry), which states that "a State may not . . . establish policies that categorically exclude service providers as participant in IFSP meetings," in the case of initial evaluations there is no regulatory requirement that service providers be members of the team. Therefore, subject to the regulations cited above regarding qualified personnel, States have discretion in forming evaluation teams

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We hope that this information provides necessary clarification on these issues. If you have further questions, please contact Ms. Sarah Willis, OSEP's Part C contact for Pennsylvania, at (202) 205-8658.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Hehir".

Thomas Hehir  
Director  
Office of Special Education Programs

cc: Jackie Epstein  
Part C Coordinator