

VIRGINIA SERVICE PATHWAY

Regulatory Citations

From 2007 Notice of Proposed Rulemaking

Evaluation: (303.320(a))

- Must be timely, comprehensive and multidisciplinary.
- An evaluation is the method used to review the assessments of the child and the family to determine a child's initial and continuing eligibility under this part, consistent with the definition of infant or toddler with a disability.
- In conducting an evaluation, no single procedure may be used as the sole criterion for determining a child's eligibility under this part.
- A child's medical and other records may be used to establish eligibility (without conducting an assessment of the child and the family) if those records contain information required under this section regarding the child's level of functioning in the developmental areas.

Assessment of the Child: (303.320(b))

- Means reviewing available pertinent records that relate to the child's current health status and medical history and conducting personal observation and assessment of the child in order to identify the child's unique strengths and needs, including an identification of the child's level of functioning in each of the following developmental areas: cognitive development; physical development, including vision and hearing; communication development; social or emotional development; and adaptive development based on objective criteria, which must include informed clinical opinion.
- Qualified personnel must use their informed clinical opinion to assess a child's present level of functioning in each of the developmental areas and the lead agency must ensure that informed clinical opinion may be used by qualified personnel to establish a child's eligibility under this part even when other instruments do not establish eligibility, but informed clinical opinion may not negate the results of assessment instruments used under paragraph (b)(1) of this section to establish eligibility

Assessment of the Family: (303.320(c))

- Means identification of the family's resources, priorities, and concerns, and the supports and services necessary to enhance the family's capacity to meet the developmental needs of the family's infant or toddler with a disability, as determined not just through the use of an assessment tool, but through a voluntary personal interview with the family

Assessment for Service Planning: (303.320(d))

- If the child meets the definition of infant or toddler with a disability (i.e., the child is eligible for Part C) an assessment of the service needs of the infant or toddler with a disability and the child's family must include a

review of the evaluation (including the assessment of the child and family) and available pertinent records and conducting personal observation and assessment of the infant or toddler with a disability in order to identify the early intervention services appropriate to meet the child's unique needs in each of the developmental areas.

Prior Notice: (303.421)

- Prior written notice must be given to the parents of a child a reasonable time before the lead agency or an EIS provider proposes, or refuses, to initiate or change the identification, evaluation, or placement of the child, or the provision of early intervention services to the infant or toddler with a disability and that infant's or toddler's family.