



# ASSESSMENT OF HOME SCHOOL STUDENTS WITH DISABILITIES

Oregon State law provides that home school children with disabilities may be evaluated for “satisfactory educational progress” according to the recommendations of an individualized education plan (IEP) or privately developed plan (PDP).

**To remain in compliance with home school laws, students must be assessed at the end of age-appropriate grades 3, 5, 8 and 10 by August 15.** The same assessment schedule applies to disabled and non-disabled children. Parents are free to teach their child by using materials and curricula appropriate to the child’s disabling condition and outlined in an IEP or PDP. For assessment purposes only, the child must be assigned a grade level that is calculated by the child’s chronological age (per OAR 581-021-0026(6)).

Under OAR 581-021-0029(b) “Child with a disability” means a child between the ages of 6 and 18 whose parent or guardian seeks exemption from compulsory school attendance under ORS 339.030(1)(c) or (1)(d) [registered for home schooling through ESD] and who meets eligibility criteria for a specific disability category under OAR 581-015-0015. Therefore, if you believe that your child has a disability and you want to have your student assessed according to a current IEP/PDP instead of standardized achievement testing, your child **must** be evaluated for a disability by her/her resident public school and found to be disabled under OAR 581-015-0051. This evaluation must occur every three years.

Qualifying disabilities under OAR 581-015-0015 include:

- An autism spectrum disorder
- A communication disorder
- Deaf blindness
- An emotional disturbance
- A hearing impairment
- Mental retardation
- An orthopedic impairment
- Another health impairment
- A specific learning disability
- A traumatic brain injury
- A vision impairment

Children who have a mental or physical impairment, which substantially limits one or more major life activities, are considered disabled under Section 504 of the Rehabilitation Act.

If a student is found to have a disability by the resident public school, he or she may qualify for an IEP (a written individualized education program). An IEP is developed for the student by a special education team at

the resident public school. For students with a current IEP, parents may submit a report in lieu of standardized test scores. This report must consist of:

- A current Statement of Eligibility for Special Education from the student's resident public school. To maintain this status, the student must be re-evaluated by the public school every 3 years.
- A statement that the student has a current IEP on file at the resident public school.
- A statement signed by the student's IEP team indicating whether or not the student has made satisfactory progress appropriate to his/her age and disability.

Parents may choose to use the format of Lane ESD's "SAMPLE IEP Report Form". This form can be found on their website at [www.lesd.k12.or.us/homeschool.html](http://www.lesd.k12.or.us/homeschool.html). If this form isn't used, all the required elements must be included in the report.

For parents who are not interested in receiving IEP services for their child through the resident public school, a privately developed plan (PDP) is another option for meeting the needs of their disabled student. State regulations define a PDP as "an individual plan developed by a team including the parent and one or more private service providers to address the educational needs of a child with a disability". *OAR 581-021-0029(1)(d)*.

The parent must choose one or more private service providers to address the educational needs of the child. The parent and private service provider(s) make up the student's educational team. This team must then create a PDP for the student. Under state law, a PDP shall include individual educational goals for the student and a statement indicating how satisfactory educational progress will be determined for that student. "Satisfactory educational progress" means "educational progress across academic and/or developmental areas appropriate to the child's age and abilities". State regulations specify that the student does not have to meet all of the plan goals for the team to determine that the student is making satisfactory educational progress. *OAR 581-021-0029(1)(d)*.

For students with a current PDP, parents may submit a report in lieu of standardized test scores. This report must consist of:

- A current Statement of Eligibility for Special Education from student's resident public school. To maintain the student must be re-evaluated by the public school every 3 years.
- A copy of individual educational goals for the student. Educational goals are specific statements, written in measurable terms that describe what the student can reasonably accomplish academically and/or developmentally, in light of student's age and abilities, in a school year ending August 15. There should be a direct relationship between the goal statements and the student's present levels of educational performance.
- A statement indicating how satisfactory educational progress has been determined for the student. "Satisfactory educational progress" means educational progress across academic and/or developmental areas appropriate to the child's age and abilities. The student need not complete all individualized educational program or privately developed plan goals for the team to determine that the student is making satisfactory educational progress.
- A statement signed by the student's educational team indicating whether or not the student has made satisfactory progress appropriate to his/her age and disability.

Parents may choose to use the format of the Lane ESD "SAMPLE-PDP Report form". This form can be found on their website at [www.lesd.k12.or.us/homeschool.html](http://www.lesd.k12.or.us/homeschool.html). If not, all the required elements must be included in the report.

**It is the parent's responsibility (not the other members of the student's education team) to forward the IEP/PDP report to Lane ESD. Parents should keep a copy of all reports turned in to Lane ESD.**

If any sections of the report are incomplete or unclear to Lane ESD home school program staff, parents will be contacted and requested to provide further information. The report will not be accepted until all required criteria are clearly met in accordance with OAR 581-021-0029.

For more information about home schooling students with disabilities, please visit the Oregon Department of Education website [www.ode.state.or.us/teachlearn/](http://www.ode.state.or.us/teachlearn/).

Legal References(s): ORS 339.030; ORS 339.035(5); OAR 581-015-0015; OAR 581-021-0026; OAR 581-021-0029