

# Disability Rights Nebraska

Protection and Advocacy for People with Disabilities

This is basic information and does not constitute legal advice.

## Multidisciplinary Team (MDT) Evaluation

### What is a Multidisciplinary Team (MDT) Evaluation?

When a child is suspected of having a disability, a parent or school district can refer a child for an evaluation. Usually, the child is evaluated by a group of people called the Multidisciplinary Team (MDT). It is the responsibility of the MDT to evaluate the abilities and needs of a child who has been referred for evaluation. The MDT must decide if your child is eligible for special education services. The MDT will write their decisions in a report.

The specific qualified professionals chosen as team members chosen for a MDT will depend on the type of suspected disability<sup>1</sup>. However, the MDT should always include you, the child's parent<sup>2</sup>.

The timeline of getting your child evaluated and placed in a special education program:

- If someone else refers your child for an MDT Evaluation, the school district must give you notice and tell you of your parental rights (see "Individualized Education Program (IEP)" material)<sup>3</sup>.
- You must give your consent before the MDT can evaluate your child.<sup>4</sup>
- The initial MDT Evaluation shall be completed within forty-five (45) days, unless the child changes school districts within that period or if the parent repeatedly fails or refuses to produce the child for evaluation.<sup>5</sup>
- Once the MDT Evaluation is complete, the school district must hold an IEP meeting within thirty (30) calendar days<sup>6</sup>.
- As soon as possible following the development of the IEP, special education and related services must be made available to the child, in accordance with the child's IEP.<sup>7</sup>

<sup>1</sup> Rule 51 sec. 006.04; 00.3.45 (2010)

<sup>2</sup> Rule 51 sec. 003.45; 006.03A (2010)

<sup>3</sup> Rule 51 sec. 009.04A (2010)

<sup>4</sup> Rule 51 sec. 009.08A1 (2010)

<sup>5</sup> Rule 51 sec. 009.04A1; 009.04A1a (2010)

<sup>6</sup> Rule 51 sec. 009.04A2 (2010)

<sup>7</sup> Rule 51 sec. 009.04A3

## What does the MDT consider when evaluating a child?

The MDT may consider various things and tests when evaluating your child. Your child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities<sup>8</sup>. Examples of considerations the MDT may use include, but are not limited to:

- Tools used to gather relevant functional, developmental, and academic information about your child;
- Whether your child has a specific learning disability;
- Any standardized tests given to your child; and
- Information from you and your child's teachers<sup>9</sup>.

No single measure or assessment is used to decide if your child has a disability or to plan your child's Individual Education Program (IEP)<sup>10</sup>.

## What must be in a MDT Evaluation?

What must be included in a MDT Evaluation depends on the type of suspected disability.

- If your child is suspected of having a specific learning disability, the MDT Evaluation must include:
  - A statement of whether your child has a specific learning disability;
  - Your child's educational needs;
  - The basis for making the determination;
  - Relevant behavior noted while the MDT observed your child and whether that behavior affects your child's academic functioning;
  - Educationally relevant medical findings, if any;
  - A list of the MDT Team members. Each team member must certify in writing that the report reflects his or her conclusion. If the report does not, then the team member must submit a separate statement presenting his or her conclusion<sup>11</sup>.
- For all other suspected disabilities, the MDT Evaluation must include:
  - A statement of whether your child qualifies as a child with a disability;
  - Your child's educational needs;
  - The basis for making the determination;
  - A list of the MDT members. Each team member must certify in writing that the report reflects his or her conclusion. If the report does not, then the team member must submit a separate statement presenting his or her conclusion<sup>12</sup>.

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<sup>8</sup> Rule 51 sec. 006.02C10 (2010)

<sup>9</sup> Rule 51 sec. 006.02C; 006.02C14a (2010)

<sup>10</sup> Rule 51 sec. 006.02C9 (2010)

<sup>11</sup> Rule 51 sec. 006.03F (2010)

<sup>12</sup> Rule 51 sec. 006.03E (2010)

Once either evaluation is completed, a copy of the evaluation report must be given to you.

### **What if the MDT determines that my child does not qualify for special education services?**

If the MDT determines that your child does not qualify for special education services, you have two options:

- A problem solving team must create a plan to assist the teacher(s) in providing regular education to the child, or
- You may request an Individual Educational Evaluation (IEE) (see “Individual Educational Evaluation” material). You can request an IEE if you disagree with the evaluation that was conducted by the school district’s MDT. If you make an IEE request, the school district must give you information about where an IEE may be obtained and the school district’s criteria for an IEE.

### **How do I request a Multidisciplinary Team Evaluation?**

It is a good idea to put all communications regarding your child’s special education services between you and school administrators and staff in writing. Make sure to write down conversations and events that affect your child’s schooling. Note the date, who was involved, what was said, and the resolution. You may want to create and maintain a file with all of your child’s school information such as report cards, evaluation reports, and Individual Education Programs (IEPs).

All requests for evaluations or meetings should be made in writing to your child’s school principal. You should keep a copy for your own records. Send your written request to the school via certified, return receipt requested mail. Attach the return receipt to your copy of the request and keep this in your file.

### **Additional resources:**

- Individual Education Program. Disability Rights Nebraska
- Independent Educational Evaluation. Disability Rights Nebraska
- Nebraska State Resources. NICHCY (2006). This is a list of organizations in Nebraska that you can contact for more information and to advocate for your child with a disability.
- Parental Rights in Special Education. Nebraska Department of Education Special Populations Office (August 2007).

## Sample Letter

You may wish to use similar language when requesting a Multidisciplinary Team (MDT) Evaluation for your child:

[Principal's Name]  
[School's Name]  
[School Address]  
[City, State, Zip code]

Re: [Your child's name] – Request for a Multidisciplinary Team Evaluation

Dear [Principal's Name]:

Please consider this letter as a formal request for a Multidisciplinary Team Evaluation for my child, [Your child's name]. It is my understanding that I have a right to obtain an evaluation pursuant to the provisions of 92 NAC 51-006 (Nebraska Department of Education, Rule 51).

I believe my child may have [suspected disability] and therefore may be entitled to receive special education services and assistance. If necessary, I would be happy to discuss my reasons with you in detail. I am willing to sign any authorization form necessary for this evaluation.

I appreciate your prompt attention to this request and ask that you respond in writing by [insert a date two (2) weeks from the time mailed]. Thank you.

Sincerely,

[Your Name]  
[Your Address]  
[Your City, State, Zip]  
[Your Phone number]