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Associate Superintendent

TOPIC: REEVALUATION

INTRODUCTION: The reauthorization of the Individuals with Disabilities Education Act (CFR 300.533) has made substantial changes to the reevaluation process. California regulations (EC 56381) have incorporated these federal changes. The intent of these changes is to focus the IEP process on the instructional needs of students with disabilities.

Question 1: When is a reevaluation required?

Answer 1: A reevaluation is to be conducted at least once every three years or more frequently if conditions warrant or a student's parent or teacher request a reevaluations and a new individualized education program to be developed.

Question 2: Does this mean that we must conduct the same type of evaluation that was completed during the initial evaluation?

Answer 2: No, the reevaluation process begins with a review of existing evaluation data and information provided by parents of the student, current classroom- based assessments and observations and teacher and related services providers' observations. The IEP team must determine, using the existing data and input from the parents/guardians, whether there is sufficient information to answer the following questions.

- Does the student continue to be a student with a disability?
- What are the present levels of performance and educational needs of the student?
- Does the student continue to need special education and related services?
- Are any additions or modifications to the special education program and related services needed to enable the student to meet the measurable annual goals, and to participate, as appropriate, in the general curriculum?

Question 3: Is parental consent required to review existing data?

Answer 3: No, parental consent is not required for a review of existing data.

Question 4: What happens if the IEP team conducting the review prior to the third year determines that no additional data is needed to answer the questions above?

Answer 4: The IEP team is not required to conduct additional assessments. The IEP team must notify the parent/guardian of its determination and inform them of their right to request such an evaluation to determine whether their child continues to be a child with a disability.

Question 5: How does one assure that this process takes place prior to a three-year reevaluation?

Answer 5: The District requires that as part of each annual review prior to the third year that all existing student data is reviewed by the IEP team. The data is to be applied to each of the questions identified earlier in this FAQ. Based on this review the IEP team determines whether or not additional data is needed in preparation for the three year. This is to be documented on Page 6, Section H of the IEP. This also serves as the notification to the parent.

Question 6: What information and data do I use to develop the IEP?

Answer 6: The IEP team should use a variety of instructional data sources such as: 6 week or cluster assessments in reading, quarterly mathematic assessments, progress in meeting content standards, state and district assessments, progress toward meeting prior IEP goals, reports from other DIS providers, structured observations, student portfolios, parent and teacher reports, results of prior evaluations, and health and medical information.

Question 7: What happens if the IEP team determines that additional data are needed?

Answer 7: The IEP team must determine what data are needed to answer one or more of the questions above, then must administer tests or other evaluation procedures needed to generate the data required.

Question 8: Is parental consent required to conduct these additional tests or evaluation procedures?

Answer 8: Yes, an assessment plan must be developed and reviewed with the parent/guardian for consent. However, the IEP team may proceed without parent/guardian consent if it can demonstrate that it took reasonable measures to obtain parental consent and they failed to respond. Reasonable measures are such things as, documented telephone calls, copies of correspondence sent via certified mail and documented home visit and/or visits to the place of employment.

Question 9: If the IEP team conducting the review prior to the third year determines that additional tests or other evaluation procedures are required, must a written report be completed?

Answer 9: Yes, all assessors identified on the assessment plan must submit a written report in conformity with EC 56327. Assessors include Special Education teachers as identified on the assessment plan.

Question 10: Are there any other screenings that are required as part of the reevaluation?

Answer 10: All students are required to have a vision and hearing screening prior to the reevaluation. The assessment team may decide to use existing screening data or initiate the screening process as part of the reevaluation.

Question 11: Are there situations in which additional standardized testing and other evaluation procedures are required as part of the reevaluation?

Answer 11: Yes, any time the IEP team is considering any significant change in the student's educational placement, alternative educational settings resulting from expulsion proceedings, or a change in eligibility.

Questions and/or comments may be directed to your Local District Special Education Coordinator, Local District Psychological Services Coordinator, or to the Division of Special Education at (213) 241-6701.