

Reevaluation of Special Education Students

Record Keeping
Requirement

I. Reevaluation

A. A reevaluation shall be conducted:

1. If conditions warrant a reevaluation;
2. If the child's parent(s) or teacher requests a reevaluation;
3. At least once every three years (triennial reevaluation), but not more than once per year unless the School Division and the parents agree otherwise; or
4. When a child graduates with less than a standard diploma and has not reached the maximum age for eligibility.

II. Conduct a review

A. As part of a reevaluation, the special education teacher/case manager shall ensure that an IEP team and other qualified professionals, as appropriate, along with the evaluation providers or their documentation if they cannot be present, conduct the review.

B. This team reviews the reason for the reevaluation request, if applicable, and existing evaluation data on the child, including:

1. Evaluations and information provided by the parent of the child;
2. Current classroom-based assessments and observations;
3. Observations by teachers and related services providers; and
4. Student's response to research-based interventions.

C. Identify, on the basis of the above review, and with input from the child's parent, what additional data, if any, are needed to determine:

1. Whether the child continues to have a particular disability or has any additional disabilities;
2. The present levels of academic performance and related developmental needs of the child;
3. Whether the child continues to need special education and related services; and
4. Whether any modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general curriculum.

III. Additional data

- A. The IEP Committee shall request tests and other evaluation materials necessary to determine continued eligibility, present level of performance, educational need, and any IEP/related services modifications.
- B. All evaluations will be completed in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally.
- C. The parents shall be informed of any proposed evaluation using the Notice of Intent Form.

IV. Requirements if no additional data are needed

- A. If the determination is that no additional data are needed to determine whether the child continues to be a child with a disability, the IEP Team shall notify the child's parent of that determination and the reasons for it, and the right of the parent or parents to request an evaluation about the student's educational needs and to

determine whether the child continues to be a child with a disability, using the IEP Addendum Form.

- B. The IEP Team is not required to request an evaluation to gather additional information to determine whether the child continues to have a particular disability, unless requested to do so by the child's parent.
- C. This process shall be considered the evaluation, if no additional data are needed.

V. Notice and parental consent when additional information is needed

- A. Secure parental consent on form SE-5.
- B. Provide Notice of Intent proposing an evaluation.
- C. If for a triennial reevaluation, the IEP Team can demonstrate that it has taken reasonable measures to obtain that consent, and the child's parent has failed to respond, the IEP Team shall proceed as if consent has been given by the parent. Reasonable measures include providing notice to the parent in writing, by telephone, or in person with proper documentation.
- D. Parental consent and Notice of Intent are not required before:
 - 1. Review of existing data as part of an evaluation or reevaluation; or
 - 2. A teacher's or related service provider's observations or ongoing classroom observations.

VI. Transfer students

- A. When a student transfers between school divisions, in the same academic year, the Supervisor of Referrals and Assessments will coordinate the administration of assessments between school divisions.

VII. Timelines

- A. Evaluations, when required, shall be completed within 65 business days of the receipt of the referral by the special education administrator.
- B. If the reevaluation is the evaluation required every three years, the evaluation shall be initiated no less than 65 business days prior to the third anniversary of the date eligibility was last determined. The evaluation shall be completed in 65 business days.