

IDENTIFICATION, REFERRAL AND ASSESSMENT

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CHILD FIND PROCEDURES (EC 56300-56303)

The Referral for Special Education (form EV-1) is used by school staff when a referral is made for special education eligibility or services. This referral may also be received from teachers, parents, etc. (EC 56302) via letter, walk-in request or a phone call. Referrals are accepted for children ages 0-21.

When the parent initiates the referral, it constitutes a formal referral for individual student assessment and form EV-7 (Referral for Assessment for Special Education) is also filled out. Formal assessment procedures and timelines then proceed. The basic information on the form EV-1 and EV-7 will be completed by the office receiving the request and referred immediately to the special education department who will assign a case carrier.

REFERRAL (CCR Title 5 § 3021; EC 56302; 34 CFR § 300.220)

All individuals, birth to 21 years who are referred for special education and or related services, must be assessed (34 CFR § 300.220 & 300.128, EC 56300-302). Parent approval is required prior to conducting any assessment/evaluation for special education eligibility or continuation/elimination of special education services.

If the parent does not provide consent for an initial assessment, or parent fails to respond to a request to provide the consent, the LEA may pursue the initial assessment utilizing procedures in CCR Title 5 § 56501(3)(a)(e) and EC 56321(c).

For pupils age 0-2.11 the district Special Education Director may forward the referral to SBCSS, East Valley Operations' Early Start Program. For pupils age 3-5.11 the district may choose to provide district placement and/or DIS services or they may refer the student to SBCSS, East Valley Operations.

All referrals for special education and related services initiate the assessment process and must be documented. When a verbal referral is made by a parent, the person receiving the referral should request the referral be made in writing and must offer to assist if the parent needs such assistance. All referrals made by school personnel or individuals other than a parent or the parent's legal representative, must contain a brief reason for the referral as well as documentation of general education program resources that have been considered, utilized and/or modified, and why they were unsuccessful or not appropriate. When appropriate, the results of the intervention(s) should be documented on forms EV-1, EV-7 and in the psycho-educational assessment report.

ASSESSMENT/EVALUATION **(EC 56320-56321; 34 CFR §300.530-532; CCR Title 5 §3023)**

Definition of Terms

Initial evaluation is the term used in federal statutes and regulations to describe a system of assessment procedures, test results, and interpretation of observations and findings that includes IEP decision making. The IEP team determines whether a student has a disability and is eligible for and requires special education services to benefit from instruction in the school district's general curriculum.

Generally, federal statutes address assessment as the administration of standardized diagnostic test instruments, structured interviews, and focused observations of the student in a teaching and learning environment. The term **assessment** in California statutes and regulations has the same meaning as does the term **evaluation** in IDEA, 20 USC Section 1414. The terms **initial evaluation** and **reevaluation** describe the overall decision making in regard to eligibility for special education. Specific test results are combined with an analysis of the student's learning process over an extended period of instruction. For infants and toddlers with disabilities (birth through two years of age) the term **evaluation** means the description of the procedures used by qualified personnel to determine an infant's or toddler's present level of development. **Assessment** refers to the ongoing procedures that qualified personnel use to identify the infant's or toddler's unique strengths and needs throughout the period of an infant's or a toddler's eligibility for early intervention services.

Introduction

Initial evaluation and reevaluation are broad terms that apply to all individual testing, including observation and data-gathering activities that may result in decisions about a student's educational needs. Evaluations for special education are undertaken with informed parental consent to determine whether a student suspected of having a disability requires special education or, in the case of a three-year reevaluation, continues to require those services. Evaluations encompass review and analysis of student records and provision of new assessments to gain information about the student's present levels of performance. The purpose of all evaluation activities is to help IEP team members make informed decisions about an individual student. The intent is to collect information about how to teach and help a student with a disability to learn in the way that he or she is the most capable.

In general, the more severe the disability or the younger the child, the wider the range of required evaluation information. In all cases, information should be gathered from a variety of sources in order to assure a comprehensive and multifaceted profile of the child's characteristics, levels of performance and needs.

Non-Discriminatory Assessment Procedures

Before any action is taken with respect to the initial placement of child with a disability in special education instruction, an individual assessment of the student's educational needs must

be conducted with parent consent, by qualified persons, in accordance with requirements including, but not limited to, all the following:

1. Testing and assessment materials and procedures used for the purposes of assessment and placement of individuals with exceptional needs are selected and administered so as not to be racially, culturally or sexually discriminatory.
2. Tests and other assessment materials meet all the following requirements:
 - a. Are provided and administered in the student's primary language or other mode of communication, unless the assessment plan indicates reasons why such provision and administration are not clearly feasible.
 - b. Have been validated for the specific purpose for which they are used.
 - c. Are administered by trained personnel in conformance with the instructions provided by the producer of such tests and other assessment materials, except that individually administered tests of intellectual or emotional functioning will be administered by a credentialed school psychologist.
3. Tests and other assessment materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
4. Tests are selected and administered to best ensure that when administered to a student with impaired sensory, manual or speaking skills the test produces results that accurately reflect the student's aptitude, achievement level or any other factors the test purports to measure, and not the student's impaired sensory, manual or speaking skills unless those skills are the factors the test purports to measure.
5. No single procedure is used as the sole criterion for determining whether a student is an individual with exceptional needs and for determining an appropriate educational program for the student.
6. The student is assessed in all areas related to the suspected disability including, if appropriate, health and development, vision, including low vision, hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. A developmental history is obtained, when appropriate. For students with residual vision, a low vision assessment must be provided.
7. The assessment of a student, including the assessment of a student with a suspected low incidence disability, shall be conducted by persons knowledgeable of that disability. Special attention shall be given to the unique educational needs, including, but not limited to, skills and the need for specialized services, materials and equipment consistent with guidelines established in Education Code Section 56136.

Assessments shall be administered by qualified personnel who are competent in both the oral or sign language skills and written skills of the individual's primary language or mode of communication and have a knowledge and understanding of the cultural and ethnic background of the student. If it is not feasible to do so, an interpreter must be used, and the assessment report shall document this condition and note that the validity of the assessment may have been affected.

Intelligence tests will not be administered to any African-American child for special education purposes. Newly enrolled African-American students transferring from other states must have any I.Q. scores, and/or reference to them, purged from their education records.

The normal process of second language acquisition, as well as manifestations of dialect and sociolinguistic variance shall not be diagnosed as a disabling condition (CCR Title 5, 3023).

Initial Evaluation/Assessment Timelines

When a referral for a school-age student (3-21 years old) is made, the assessment(s) and the IEP team meeting to complete the review of the evaluation(s), must be conducted within sixty (60) days of the receipt of written parental consent for specified assessment activities. If this timeline occurs at the end of the school year, allowance is made for the evaluation to be completed when the next school year begins. Timelines for schools on year-round schedules should follow the school calendar without interruption except for school holidays that exceed five school days. For school holidays that exceed five school days, the sixty (60) day timeline is extended by an equal number of days (EC 56321). Any other extension of assessment timelines requires parental agreement in writing (EC 56344).

The forty-five (45) calendar day assessment timeline for infants and toddlers begins with the date of referral. The determination of eligibility and the development of the Individualized Family Service Plan (IFSP) must have taken place within that period. A child's IFSP must be reviewed annually and periodically to determine the child's degree of progress in meeting the outcomes specified in the plan.

ASSESSING STUDENTS WITH LIMITED ENGLISH PROFICIENCY (EC 56362.7; CCR Title 5 §3023)

The definition of native language in IDEA refers to the language normally used by the parents of the English-learning student. If a disability is suspected for an English learning student, school districts should provide and administer tests and other evaluative measures using the student's native language or other mode of communication, unless it is clearly not feasible to do so.

Procedural safeguards during the evaluation process are the same for all students, with these additional requirements for those with limited English proficiency (LEP):

1. The assessment plan for evaluation must be provided in the native language of the parent or other mode of communication used by the parent, unless doing so is clearly not feasible. If use of an interpreter is necessary this must be documented on the assessment plan (form EV-9).
2. The assessment plan must indicate the student's primary language.
3. Procedures and test materials for use with students having limited-English proficiency, as defined in Education Code Section 52163(m), must be in the individual's primary language.

To consider whether an English language learner suspected of having a disability is eligible for special education, the IEP team determines whether the learning disability is demonstrated in the student's native language and in English. Test procedures and interpretation of results must cover the student's achievement in the district curriculum and in the district-adopted, or if enrolled, the structured English immersion program. In addition, the IEP team must consider whether a lack of school attendance, a lack of instruction in reading or mathematics, temporary physical disabilities, social maladjustment, or environmental, cultural, or economic factors contribute to the student's performance.

School records, including the home language survey (form found in cum), language assessments and the individual learning plan are reviewed for information about language in the home and of the student. Parents are also interviewed regarding preferred language of the student as well as their judgment of the student's language proficiency in the primary language. Results are documented (forms EV-7 and EV-20 Section I).

Parent rights should be provided in the parent's primary language and the explanation interpreted when necessary.

Any LEP student who has developed minimum English language proficiency and has been referred for special education assessment must be assessed for skills in both English and his/her primary language, unless it is clearly not feasible to do so.

Assessments of LEP students shall be conducted by qualified personnel (EC 56362.7) employing procedures, tests and materials which are selected and administered so as not to be racially,

culturally or sexually discriminatory; and are validated for the specific purpose for which they are intended. (EC 56001(j) and EC 56320)

All assessments will be administered by examiners who are competent in both oral and written skills of the individual's primary language or mode of communication (e.g., sign language), and have knowledge and understanding of the cultural and ethnic background of the student (EC56362.7). If it is not feasible to do this, an interpreter must assist the examiner. The assessment report will then document this condition and address the issue of validity.

Psychological Assessment

When a psychological assessment is indicated, the assigned psychologist has the responsibility to determine what is needed in order to make a valid assessment. Spanish-speaking or LEP students will be referred to a bilingual school psychologist when available. When the necessary support services are not available within the district, an attempt will be made to obtain these required specialist services outside the district.

In the event that the LEP student's primary language is other than Spanish, interpreters, if feasible, will be used to assist with the translation of test items and instructions. In order to obtain needed information, the assessment may emphasize non-verbal factors.

Assessment is typically done in the following areas: ability, language, perceptual/processing, academics and social/emotional areas. The nature of the referral will help determine which areas are to be assessed. Special focus is placed on the appropriateness of special education, bilingual instruction, ESL support and special variables crucial to optimizing the student's acquisition of English, given his or her unique profile.

Language Assessment

When the results of the preliminary assessments indicate a possible expressive or processing language disorder, a referral is made to the Language/Speech/Hearing Specialist. Formal tests may be given in Spanish and/or English. Each case will be considered independently to best determine whether problems in language processing and/or expression of the primary language are contributing to the learning problems.

Some tests are available in the Spanish language; others have Spanish norms. Interpreters may work with language specialists in the assessing process, and are especially helpful in developing and analyzing language samples.

Assessments frequently rely on informal processes, such as evaluating the student's use of language in the home, comparing his facility in language with siblings and peers and observing his responses to instructions and directions. When the specialist is not familiar with the student's primary language, interpreters may be used in assisting with the assessment.

The normal process of second language acquisition as well as manifestations of dialect and sociolinguistic variance shall not be diagnosed as a disabling condition.

Other Assessment by Specialists

Assessments are occasionally needed in other areas, primarily in the health field and adaptive physical education. Interpreters are useful in translating directions when LEP pupils need assessment in a language other than English.

Special caution is needed to make sure students understand directions, and that a lack of response is not incorrectly interpreted to mean an inability to perform a task.

Assessment Documentation

Documentation in assessment reports written for LEP special education pupils will include, but is not necessarily limited to, the following information:

1. The impact of language, cultural, environmental and economic factors on learning.
2. How standardized tests and techniques were altered.
3. Use of translations of English tests. Include reference of validity and reliability.
4. Limitation of relying on nonverbal measures, and comparison of those results to results of other areas assessed.
5. Examiner's level of language proficiency in language other than English and its effect on interpretation of results.
6. Use of an interpreter and its effect on test results and overall assessment.
7. Cross-validation of information from home setting that supports findings from more formal measures.

Bilingual children placed in special education are eligible to continue receiving the same bilingual services after placement in special education as they were receiving before special education placement. The IEP team together with the bilingual staff will determine services appropriate for the child. Linguistically appropriate goals and objectives will be developed as determined by the IEP team.

ASSESSMENT FOR BEHAVIOR PROBLEMS

When an evaluation determines that a student has a behavior problem which is related to the student's disability, the student's IEP will include development of a Behavior Support Plan describing the behavior problem, how it is to be handled or responded to (including situations which would call for disciplinary action), and the special education and related services, such as counseling, which are being provided to address the problem. Complete behavior procedures are described in the Behavior Support Manual published by the EVSELPA.

Prior to imposing disciplinary measures upon a special education pupil, the responsible regular or special education staff will consult the student's IEP for information as to the relationship between the student's behavior and his/her disability and for guidance in imposing the discipline.

Where discipline of a special education student is proposed but the student's IEP does not contain the information described in the first paragraph above, the District will obtain and consider information from qualified staff, which addresses how the student's disability may affect his/her behavior and the appropriateness of the proposed disciplinary measures.

PARENT CONSENT (EC 56321)

Whenever an initial assessment or assessment for the development or revision of the individualized education program is to be conducted, including those requested by parents, the parent of the student must be given, in writing, a proposed assessment plan within fifteen (15) days of receipt of the referral for assessment unless the parent agrees, in writing, to an extension. Days between the student's regular school sessions or terms or days of school vacation in excess of five schooldays are not included in the fifteen (15) day requirement. A copy of the notice of parent rights shall be attached to the assessment plan and be explained to the parent/guardian. The plan and notice will be in the primary language or mode of communication of the parent unless to do so is clearly not feasible (form EV-9 and 9a).

No assessment shall be conducted unless the written consent of the parent is obtained prior to the assessment unless the public education agency prevails in a due process hearing relating to such assessment or in circumstances described in EC 56321(c-d) and EC 56321.1. The parent shall have at least fifteen (15) days from the receipt of the proposed assessment plan to arrive at a decision. Assessment may begin immediately upon receipt of such consent. Revision or deletion of tests specified in the assessment plan after parent signs approval must not occur unless the parent approves changes in writing. Such approval should be attached to all copies of the plan.

Initial and Continued Placement in Special Education:

The parent/guardian must give informed written consent before the school district can place a child in a special education program. If the parent/guardian refuses consent (in writing) for the initial or continued placement and receipt of special education and related services, the district is not required to develop an IEP and will not be considered to be in violation of the requirement to

make available a free and appropriate public education. The parent/guardian may only revoke consent in writing and this action cannot be retroactive. Once the parent/guardian revokes consent, the district will provide prior written notice (a letter confirming District's receipt of parent/guardian written request and explaining that the child's return to general education). If in the future the parent seeks re-enrollment in special education, the assessment will be treated as an initial assessment. (EC 56321[c], 56346,56506[e]; 20 USC 1414[a][1][C] and (c)(3), 34 CFR 300.9, and 34 CFR 300.300)

MULTIDISCIPLINARY GROUP (EC 56320-56324)

The assessment will be made by a multidisciplinary group of qualified persons, consistent with federal law and regulations. Such personnel must include at least one teacher or specialist with knowledge in the area of the suspected disability, or at least one specialist qualified to conduct diagnostic examinations or assessments in the primary area of the suspected disability. Psychological assessment must be by a credentialed school psychologist, who is also trained to assess appropriate cultural and ethnic factors of the student. Health assessments must be by a credentialed school nurse or a physician who is trained to assess cultural and ethnic factors appropriate for the student.

Assessment by Other Agencies (EC 56320; 60020)

A student shall be assessed in all areas related to the suspected disability by those qualified to make a determination of the student's need for the service before any action is taken with respect to the provision of services. Areas of designated instruction and related services include, but are not limited to, occupational therapy, physical therapy, psychotherapy, and other mental health assessments.

Occupational therapy and physical therapy assessments must be conducted by qualified personnel licensed by the appropriate State agency as specified in regulations developed by the California Department of Health Services in consultation with the California Department of Education.

Psychotherapy and other mental health assessments must be conducted by qualified mental health professionals as specified in regulations developed by the California Department of Behavioral Health in consultation with the California Department of Education.

Department of Behavioral Health (DBH)

The IEP team determines whether a referral to the Department of Behavioral Health (DBH) is necessary to determine if a student is in need of related services to benefit from their instructional program. The referral must first be approved and signed by the LEA Special Education Director before being sent to the DBH. Referrals for AB 2726 Residential Placement must be sent to the SELPA Program Manager for review prior to being submitted the DBH.

In accordance with DBH requirements, an expanded IEP meeting must be held with a DBH representative present prior to submitting an AB 2726 Residential Placement Referral. On students identified as having an emotional disturbance (ED) are eligible for AB 2726 Residential Placement.

California Children Services (CCS)

“Medically related” occupational and/or physical therapy may be provided to eligible students by the San Bernardino County Public Health Department’s California Children Services as prescribed and determined by that agency. “Educationally related” occupational or physical therapy may only be provided to a student identified as having a special education disability who has been evaluated by a licensed school occupational therapist or physical therapist and found to be in need of this related service in order to achieve their educational goals.

A DIS or related service may only be added to or deleted from the student’s individualized education program by the IEP team. Applicable assessment/evaluation results must be used as part of the IEP Team decision process.

Educational Occupational Therapy Assessment Referral

If a parent submits a written request for an assessment to determine eligibility for educational occupational therapy (OT) services or an IEP Team determines that an assessment is needed, an EV-60 form must be completed and submitted for approval to the district Special Education Director or County Principal along with a copy of the IEP, psycho-educational assessment report and (if applicable) written parent request.

The district Special Education Director or County Principal will review the OT referral packet to ensure that it is complete and/or appropriate. They will forward the approved referral packet to the SELPA office. The SELPA OT will develop the OT assessment plan and send it to the parent for signature and approval to conduct the assessment.

After the OT assessment report is completed, copies will be sent to the student’s teacher, site principal, district Special Education Director and parent. The district will then schedule an IEP meeting to review the OT assessment results. Scheduling the date/time for the IEP meeting must be coordinated directly with the occupational therapist at (909) 798-8024.

Assistive Technology Assessment Referral

There are two types of assistive technology assessments available through the East Valley SELPA:

1. **ATAC Assessment:** This assessment is for students with a low incidence disability (deaf, deaf/blind, visual impairment, hard of hearing or severe orthopedic impairment). The ATAC referral form must be completed identifying a “Team Leader” who will assist in facilitating this assessment. This will usually be the student’s teacher or DIS case carrier. ATAC assessments usually take place at the ATAC Lab in Loma Linda where a wide

variety of assistive equipment and devices are available to assess the student's needs. The ATAC assessment teams usually include the student, parent, teacher and/or DIS specialist and the ATAC coordinator. The ATAC referral form and specific referral instructions are available at the East Valley SELPA office (909) 777-0835.

2. **WATI Assessment:** This is the Wisconsin Assistive Technology Institutes' assessment used to determine student needs through a survey process and subsequent IEP Team meeting. This assessment should be used for students that do not have a low incidence disability. An East Valley SELPA program specialist will facilitate assessment.

When a request for one of the above referenced assessments is submitted via written parent request or an IEP Team determines that an assessment is needed, an EV-60 form must be completed and submitted for approval to the district Special Education Director or County Principal along with a copy of the IEP, psycho-educational assessment report and (if applicable) written parent request.

The district Special Education Director or County Principal will review the assistive technology referral packet to ensure that it is complete and/or appropriate. The approved packet will be sent to the SELPA office. An assessment plan will be sent to the parent for signature and approval to conduct the assessment.

After the assistive technology assessment report is completed, copies will be distributed to the student's teacher, district Special Education Director and parent. The district will subsequently schedule an IEP meeting to review the assessment results. Scheduling the date/time for the IEP meeting should be coordinated directly with the EVSELPA program specialist that completed the WATI assessment or the ATAC Coordinator who conducted the ATAC assessment.

Alternative Assessment for African-American Students

On December 3, 1986, the California Department of Education issued a directive forbidding the use of I.Q. tests in the assessment of African-American pupils being assessed for special education purposes. It was recommended that districts use alternative means of assessment, which should include, and would not be limited to, assessments of the pupil's:

1. Personal history
2. Adaptive behavior
3. Classroom performance
4. Academic achievement, and evaluative instruments designed to point out specific information relative to a student's abilities and inabilities in specific skill areas.

In order to implement the directive in the East Valley, multiple facets and abilities of each child will be reviewed and considered in order to determine eligibility without the use of standardized I.Q. tests.

Areas of assessment for each child will be determined on an individual basis and must be done

by a qualified multidisciplinary team. Strengths or abilities as well as deficits will be determined and considered by the IEP team in determining eligibility.

The California Department of Education directive and list of prohibited tests is in Appendix C.

Multidisciplinary Assessment Report (EC 56327)

Those persons assessing a student must maintain a complete and specific record of diagnostic procedures and assessments employed, the instruments utilized, the conclusions reached and the proposed education or treatment alternatives indicated by the assessment results. Form EV-20 is a suggested format for the multidisciplinary assessment report.

The persons who assess the student shall prepare a written report of the results of each assessment. The report shall include, but not be limited to, all the following:

1. Whether the student may need special education and related services.
2. The basis for making the determination.
3. The relevant behavior noted during the observation of the student in an appropriate setting.
4. The relationship of that behavior to the student's academic and social functioning.
5. The educationally relevant health and development, and medical findings, if any.
6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services.
7. A determination concerning the effects of environmental, cultural or economic disadvantage, where appropriate.
8. The need for specialized services, materials and equipment for pupils with low incidence disabilities.

REEVALUATION REQUIREMENTS (EC 56381)

A reassessment will occur not more frequently than once a year, unless the parent and the LEA agree otherwise, and will occur at least once every three years, unless the parent and the local education agency agree, **in writing**, that a reassessment is unnecessary (EC 56381(a)(2)).

Before determining a student no longer meets eligibility requirements for special education, a LEA must reassess the student. The reassessment is not required before the termination of a student's eligibility due to secondary school graduation with a regular diploma or due to exceeding age eligibility for FAPE (EC 56381(h)(i)(1)).

In addition, if the LEA feels the student continues to meet eligibility requirements for special education placement/services, a complete triennial reassessment is not required unless requested by the parent/guardian or determined necessary by a school team. When the team determines that no additional assessment is necessary, the parent/guardian must be notified of the decision, the reasons for it, and the right to request a reassessment (EC 56381(d)). The process below has been established for the school team to determine whether or not reassessment is necessary.

Procedures for Triennials

1. Approximately two (2) months prior to the triennial due date, the case carrier (psychologist, DIS personnel) reviews the student file to determine whether reassessment is necessary. If the case carrier determines testing is warranted to reestablish eligibility, an assessment plan will be forwarded to the parent/guardian and the triennial review process will be conducted as usual.
2. If the case carrier determines that reassessment may not be necessary to reestablish eligibility, he/she will consult with the teacher to garner support for this initial impression; the teacher is usually in a better position to assess classroom performance for this decision. The case carrier will subsequently complete the Reassessment Summary Page (form EV-100). If the initial impression remains that the student does not require reassessment testing to reestablish eligibility, the case carrier will contact the parent to complete the Reassessment Parent/Guardian Questionnaire (form EV-101) for triennial review purposes. The questionnaire will provide the parent's perspective on the need for reassessment. An IEP meeting should be scheduled after discussion with the parent. If the parent requests reassessment at any time during this process, an assessment plan is developed for their signature/approval and normal assessment procedures will begin.
3. For students who do NOT need additional reassessment, at the time of the IEP meeting, the IEP team completes the Reassessment Review (form EV-102) under the direction of the case carrier. The parent is always advised of his/her right to request additional assessment in other areas of suspected disability or to reestablish eligibility for special education services. Review is completed and copies given to the parent and special education case carrier. The purpose is to ratify the previous review discussion and determination NOT to reassess.

4. If the IEP team is in agreement that further assessment is NOT necessary, the triennial IEP is developed at this meeting, with the case carrier and/or teacher completing the forms and determining/writing new goals. The meeting is considered a triennial, and new triennial dates are established. If the parent/guardian requests additional assessment to reestablish eligibility for special education services, the case carrier completes an assessment plan, obtains the parent/guardian signature and proceeds with the normal triennial review process. The triennial IEP is held when reassessment is completed, within the sixty (60) calendar days of the parent/guardian signature.
5. If the parent/guardian does not attend the scheduled IEP meeting but has provided input, and the other IEP team members agree that reassessment is NOT necessary to reestablish eligibility, the IEP team completes the Reassessment Review (form EV-102) under the direction of the case carrier. A copy is mailed to the parent/guardian with the Reassessment Notification (form EV-103).
6. If unable to contact the parent/guardian through reasonable attempts (phone, mail), an IEP conference notice will be sent to the parent/guardian to attend the meeting. If parent/guardian attends the IEP meeting, the Reassessment Parent/Guardian Questionnaire (form EV-101) is completed. If the IEP team members agree that reassessment is not necessary to reestablish eligibility, the team completes the Reassessment Review (form EV-102), under the direction of the case carrier. The triennial IEP is then immediately held, with the case carrier and/or teacher completing the forms and developing new goals.
7. If unable to contact the parent/guardian through reasonable attempts (phone, mail), an IEP conference notice will be sent to the parent/guardian to attend the meeting. If parent/guardian does NOT attend the IEP meeting, and the remaining IEP team members agree that reassessment is not necessary to reestablish eligibility, the team completes the Reassessment Review (form EV-102), under the direction of the case carrier. A copy is mailed to the parent/guardian with the Reassessment Meeting Notification (form EV-104).
8. If the parent/guardian requests testing to reestablish eligibility for special education services at any time during this process, the IEP team follows through with this request before conducting the triennial review IEP meeting.

East Valley Special Education Local Plan Area
REASSESSMENT REVIEW

Student's Name _____ DOB _____ MIS ID# _____

School Site _____ District _____ Triennial Due Date _____

Initial Assessment/Eligibility Determination Date _____ Previous Triennial Dates (if any) _____

Current Handicapping Condition _____

Current Placement _____ Grade _____

Review of Records

Cognitive Ability:

- New cognitive/developmental assessment is needed to determine _____
- No new cognitive/developmental assessment is needed.

Academic Achievement:

- New academic assessment is needed to determine _____
- No additional academic assessment is needed because current levels of functioning can be provided by IEP Team members.

Social/Emotional/Behavioral Functioning:

- New social/emotional/behavioral assessment is needed to determine _____
- No additional social/emotional/behavioral assessment is needed because current levels of functioning can be provided by IEP Team members.

Speech/Language Functioning:

- New speech/language assessment is needed to determine _____
- Speech/language skills are not adversely impacting academics.
- No additional assessment is needed because current levels of functioning can be provided by IEP Team members.

Auditory/Visual Perceptual Functioning:

- New assessment is needed to determine _____
- No additional assessment is needed because current levels of functioning can be provided by IEP Team members.

Physical Skills (Fine/Gross Motor) Functioning:

- New assessment is needed to determine _____
- No additional assessment is needed because current levels of functioning can be provided by IEP Team members.

Self-Help/Adaptive Functioning:

- New assessment is needed to determine _____
- No additional assessment is needed because current levels of functioning can be provided by IEP Team members.

Prevocational/Vocational Functioning (Transition):

- New assessment is needed to determine _____
- No additional assessment is needed because current levels of functioning can be provided by IEP Team members.

Health Status:

- New health update/medical report is needed to determine _____
- An updated vision screen/hearing screen is needed (if screening results are not available in cum file).
- No additional information is needed.

Other:

This is NOT an assessment plan nor a substitute for an assessment plan. This worksheet documents the decision making process occurring prior to possible assessment plan development.

Student's Name _____ DOB _____ MIS ID# _____

Recommendation

Based on the information provided on page 1, this student continues to meet eligibility for special education services and no further assessment is recommended

Based on the information provided on page 1, a full or partial assessment is recommended. An assessment plan will be forwarded to the parent for signature and, upon completion of assessment, the triennial IEP will be scheduled.

Today's Date _____ Case Carrier _____

Parent/Guardian Options

I have reviewed the Reassessment Review (EV-102a) worksheet and agree with the proposed plan.

I am requesting full assessment to include eligibility determination.

Comments _____

Signatures:

Signature Printed Name Parent/Guardian Date

Signature Printed Name Parent/Guardian Date

Signature Printed Name Student Date

Signature Printed Name Title Date

Signature Printed Name Title Date

Parent/Guardian Options: Parent rights/procedural safeguards are attached to the IEP Plan.

East Valley Special Education Local Plan Area
REASSESSMENT NOTIFICATION

Date _____

Student's Name _____ DOB _____ School District _____

Dear Parent/Guardian:

As you are aware, periodic assessments of your child are conducted to monitor his/her progress in special education. This information is used to assess the appropriateness of current goals and objectives, the current program and services being provided and whether your child continues to require special education. Previously, we were required to conduct a complete reassessment in all areas of suspected disability every three years, regardless of whether the IEP Team believed such a reassessment was necessary. Effective January 1, 1999, we are no longer required to routinely conduct a three-year reassessment using the same types of testing procedures we have in the past.

Federal and State laws and regulations allow us to review existing assessment data, with your input, to determine: (1) if a child continues to have a disability; (2) the child's present levels of performance and educational needs; (3) if a child continues to need special education and related services; and (4) if a child requires additions or modifications to the special education program. Based on that review, the IEP Team may conclude that a child does not require a three-year reassessment.

Based upon careful review of your child's records, previous assessments and consultation with you, special education and other school staff, the IEP Team has determined that further assessment is not necessary.

However, if you believe that additional assessment is necessary, please contact the staff member listed below to express your concerns and to request further assessment. We will conduct the assessment and you will receive notification of the IEP meeting to review the results. No changes will be made in your child's special education program or services without your permission and the recommendation of the IEP Team.

Contact Person: _____ Title _____ Phone # _____

EV-103 Rev. 3/21/00

East Valley Special Education Local Plan Area
REASSESSMENT MEETING NOTIFICATION

Date _____

Student's Name _____ DOB _____ School District _____

Dear Parent/Guardian:

As you are aware, periodic assessments of your child are conducted to monitor his/her progress in special education. This information is used to assess the appropriateness of current goals and objectives, the current program and services being provided and whether your child continues to require special education. Previously, we were required to conduct a complete reassessment in all areas of suspected disability every three years, regardless of whether the IEP Team believed such a reassessment was necessary. Effective January 1, 1999, we are no longer required to routinely conduct a three-year reassessment using the same types of testing procedures we have in the past.

Federal and State laws and regulations allow us to review existing assessment data, with your input, to determine: (1) if a child continues to have a disability; (2) the child's present levels of performance and educational needs; (3) if a child continues to need special education and related services; and (4) if a child requires additions or modifications to the special education program. Based on that review, the IEP Team may conclude that a child does not require a three-year reassessment.

Based upon careful review of your child's records, previous assessments and consultation with special education and other school staff, the IEP Team has determined that further assessment is not necessary. Reasonable attempts were made to gain parent/guardian input.

However, if you believe that additional assessment is necessary, please contact the staff member listed below to express your concerns and to request further assessment. We will conduct the assessment and you will receive notification of the IEP meeting to review the results. No changes will be made in your child's special education program or services without your permission and the recommendation of the IEP Team.

Contact Person: _____ Title _____ Phone # _____

EV-104 Rev. 4/21/00

INDEPENDENT EDUCATIONAL EVALUATION EC §56329(b)(c) & 34 CFR §300.502

If a parent/guardian disagrees with an assessment obtained by the local education agency, the parent may request an independent educational evaluation (IEE) by a qualified assessor be provided and paid for directly by the local education agency (LEA), or upon receipt of proof of payment, the LEA may reimburse the parent for obtaining the IEE. A parent is entitled to only one independent educational evaluation at public expense each time the LEA conducts an evaluation with which the parent disagrees.

To facilitate the IEE, the district of residence will provide the parent with a list of qualified assessors that may include the following:

- qualified assessor(s) from another local education agency within the SELPA; or
- qualified assessor(s) outside of the SELPA.

The list will include qualified assessor's names and their qualifications (degree, experience, etc.) or the name of nonpublic agencies that have qualified assessors.

However, if the district of residence feels that their original evaluation is appropriate, they may initiate a due process hearing to uphold this determination. (District should be absolutely sure evaluation is complete, accurate and testing is valid before taking this step.) District must have the EVSELPA Program Manager review the evaluation before informing parent that due process will be filed. If, after consultation with the EVSELPA Program Manager, the District denies the parent's request for an IEE, the District Special Education Director must send a prior written notice letter to the parent explaining the reason their request was denied (why the district believes their evaluation is appropriate) and stating that the District will file for due process to defend their evaluation. The due process request should be initiated within thirty days of the prior written notice to the parent. EVSELPA Program Manager will assist the District in filing for due process.

If the final decision resulting from the due process hearing is that the assessment is appropriate, the parent/guardian still has the right to obtain an IEE, but NOT at public expense. If the parent/guardian obtains an independent educational evaluation at their own expense, the results of the evaluation will be considered by the IEP team with respect to the provision of FAPE.

Procedure for Obtaining an Outside Qualified Assessor:

1. East Valley SELPA will assist districts in obtaining names and qualifications of assessors from within EVSELPA member districts and from other Districts/SELPAs.
2. The District Special Education Director or County Area Director will also contact other District Special Education Directors to determine which qualified assessors are available to provide the IEE. A list of available specialists will be developed and provided to the parent.
3. The parent will select a qualified assessor.
4. The District may contract with the qualified assessor to provide the independent educational evaluation OR the parent may obtain the IEE and the District will reimbursement the parent.
5. If the District is to pay the assessor directly, the District will develop the assessment plan and forward it to the parent for signature/approval. Upon receipt of the signed assessment plan, the District will make arrangements with the assessor to evaluate the student.

TIMELINES FOR THE DEVELOPMENT OF AN IEP (EC 56344)

An individualized education program (IEP) required as a result of an assessment of a student shall be developed within a total time not to exceed sixty (60) days, excluding days between the student's regular school sessions, terms or days of school vacation in excess of five school days, from the date of receipt of the parent's written consent for assessment, unless the parent agrees, in writing, to an extension. However, such an individualized education program will be developed within thirty (30) days after the commencement of the subsequent regular school year as determined by each district's school calendar for each student for whom a referral has been made twenty (20) days or less prior to the end of the regular school year. In the case of student school vacations, the sixty (60) day timeline will commence on the date that student school days reconvene.

REVIEW OF THE CLASSROOM ASSIGNMENT AT TEACHER'S REQUEST

A general or special education teacher may request a review of the classroom assignment of a special education student by submitting a written request to the District Special Education Director, County Area Director or their designee. The District Special Education Director/designee or County Area Director/designee will consider the request within ten (10) working days of receiving the document. If the review indicates a need for change in the student's placement, the District Special Education Director, County Area Director or their designee will convene an IEP meeting in a timely manner.