

# Wabash Miami Area Program for Exceptional Children

## Procedures for Reevaluations

The School Corporation has the responsibility to reevaluate any student who already receives special education and related services if the case conference committee needs more or new information to determine appropriate services and eligibility. Any subsequent evaluation of a student in special education is considered a reevaluation.

1. The teacher of record will collect ongoing data on each student on his or her case load. Any time there is a case conference, the committee will determine if additional information is needed to provide the student with a free, appropriate public education. If no additional information is determined necessary, and the committee agrees that eligibility is accurate, the committee can decide that a re-evaluation is not necessary. State law requires this discussion at least every three years, but the minimum requirement for our local district is at each annual case review.
2. A parent or teacher may request **consideration** for a reevaluation at any time. The parent or teacher should contact the teacher of record and a case conference will be held to discuss the request. The teacher of record will collect existing data relevant to the proposed reevaluation from multiple sources (School Psychologist, Speech and Language Pathologist, Physical Therapist, Occupational Therapist, other Special Education staff), invite possible team members to the conference, and the committee will make the decision. For parent request only, the parent will receive written notice within (10) school days of the committee's decision whether or not to reevaluate. In this case, the IEP is the written notice.

Appropriate reasons to reevaluate:

- need to look at a new eligibility category
- need for further assessment in behavior
- assistive technology screening warrants further evaluation
- consideration for dismissal from special education services
- related services consideration

Inappropriate reasons to reevaluate:

- need for new information on levels of academic functioning

The following items are NOT considered reevaluation:

- (1) a test or other evaluation that is given to all students unless, before administration of the test or evaluation, consent is required from parents of all students.

- (2) a screening of student by a teacher or a specialist to determine appropriate instructional strategies for curriculum implementation.
- (3) a review of existing data
- (4) the collection of progress monitoring data when a student participates in a process that assesses the student's response to scientific, research based interventions (RtI) described in Section 2 of Article 7, Indiana's Special Education Law.

3. If the case conference committee determines at an annual case review that reevaluation is necessary to reestablish eligibility for special education and related services, reevaluation must occur prior the next annual case review, unless the parent and School Corporation agree otherwise.
4. If the case conference committee determines a reevaluation is needed for any other reason (different eligibility category, new related service needs, new needs related to assistive technology, Functional Behavior Assessment, or other), the reevaluation must occur and the case conference convened within fifty (50) school days of the date that the written parent consent is received by licensed personnel.
6. Prior to reevaluation, the parent will be provided with written notice of the reevaluation and the parent must provide consent. Parental consent does not need to be obtained if the School Corporation makes reasonable efforts to obtain consent and the parent fails to respond. To document reasonable efforts, the School Corporation must keep a record of its attempts to obtain parental consent per Article 7 [7-40-8 (k)] in Indiana IEP.
7. A parent may challenge the school's refusal to evaluate by requesting mediation or a due process hearing according to Article 7 (see Article 7 and Procedural Safeguards in the links on the left of this web page).
8. If the parent refuses to consent to reevaluation, the School Corporation may, but is not required to, pursue reevaluation by requesting mediation or a due process hearing. The School Corporation does not violate its obligation to reevaluate the student if it declines to request mediation or a due process hearing.
9. Once consent is obtained, existing data will be reviewed, including, but not limited to:
  - 1) Past evaluations and information provided by the parent
  - 2) Classroom based data including grades, work samples, behavioral observations and/or data
  - 3) Related Services data and observations
  - 4) Classroom based, local, or state test scores

5) Relevant medical information

Existing data collection will be discussed in a case conference committee meeting with the parent. This may be by phone if the parent requests it. Parent consent and input is required to do a reevaluation, unless the parent fails to respond and a record of attempts to involve the parent is kept.

10. As soon as consent is obtained the Notice of Reevaluation and signed consent form will be emailed or faxed (260-563-2749) to the WMAP office.

11. When Wabash Miami Area Program staff receives the signed consent form, they will enter the appropriate dates into the database.

12. Wabash Miami Area Program staff will email the Reevaluation, Reevaluation timeline/due date to the appropriate staff.