

ANNUAL/TRIENNIAL REASSESSMENT

20 USC 1412 (a) (7), 1414 (A-C), 34 CFR 300.128, 300.220

56205 (a), 56320-333, 56380(a), CCR Title 5, 3021-3029

POLICY

It shall be the policy of the Sacramento County SELPA that a review will be conducted on at least an annual basis to review the child's progress. This review shall include, but is not limited to, the achievement of annual goals, the appropriateness of placement, and/or to make any necessary revisions.

The LEA shall conduct a reassessment of each child with a disability at least once every three years, or more frequently, if conditions warrant a reassessment or if the child's parent or teacher requests a reassessment and a new Individualized Education Program (IEP) to be developed.

PROCEDURES

ANNUAL ASSESSMENTS

The Sacramento County SELPA procedures for IEP Parent Notification and Participation ensure that each LEA in the SELPA completes annual assessments within required timelines. (See Resource Guide for specific SELPA forms)

The student's IEP is scheduled for review by the IEP team at least once a year. Assessments and IEP meetings will take place within 60 calendar days of receipt of the signed assessment plan. In addition, a special review of the placement may be requested at any time by:

- Any staff member who provides services to, or who knows, the student and has a specific concern.
- The student's parent/guardian
- A student whose due process rights were transferred at the age of 18
- Upon receipt of a written request, the IEP team administrative designee shall schedule a review meeting within 30 calendar days.

Parents and members of the IEP team must be notified by established notification procedures. The IEP team may:

- Review student progress on his/her goals and objectives.
- Modify the IEP by referring the student to a more intensive or less intensive program.

- Recommend the continuation of the current program.

TRIENNIAL ASSESSMENTS

All reevaluations are conducted within three calendar years of the last assessment or more frequently if requested by the student's parent or teacher. The reevaluation determines if the student continues to have a disability and if he/she continues to require special education services. It also determines how he/she is involved in and progressing in the general education curriculum. Assessment and IEP meetings shall be completed within 60 calendar days upon receipt of the signed assessment plan.

The SELPA and districts utilize a Management Information System which tracks student IEP and three year reevaluation due dates. Districts might also review student files at the beginning of each school year or conduct a review of class lists. A list is then compiled of students whose three-year reevaluations are due in that school year. The list is sent to the appropriate personnel, which may include the school psychologist, the classroom teacher, and the special education administrator for monthly monitoring and follow-up. A completed three-year reevaluation is recorded in the student MIS file to assure continued monitoring.

The term "evaluation" is used synonymously with "assessment" to designate the process for identifying children with disabilities and conducting the triennial evaluations.

ASSESSMENT PLAN

For all individuals, birth to 21 years of age, referred for special education services, an initial Assessment Plan is developed within 15 days of referral (not counting days between the student's regular school sessions or terms or day of school vacation in excess of five school days from the date of receipt of referral), based on intake interview information, Student Study Teams findings and recommendations, or parent request for evaluation. The Notice of Procedural Safeguards is included. An Assessment Plan is developed for all initial and triennial evaluations or any time an individual assessment is conducted. The Assessment Plan contains the following:

- a. Reason for the proposed assessment, other options considered, interventions and modifications attempted, and description of evaluation procedures relevant to the proposed action;
- b. Description of the type of evaluation, materials, and procedures;
- c. Assessment personnel identified by title and evaluation area;
- d. The student's primary language and English language proficiency status;
- e. A statement that tests and other evaluation materials will be provided and administered in the student's primary language or other mode of communication, and if not, the reasons why it is clearly not feasible, including any available independent evaluations;

- f. Results of recent evaluations, including any available independent evaluations;
- g. Information the parent requests to be considered;
- h. The necessity for alternative modes of assessment, if appropriate;
- i. Parent consent and date.

The proposed Assessment Plan is provided in the primary language of the parent/guardian, unless to do so is clearly not feasible, and written in language easily understood by the general population. The parents have at least 15 days from receipt of the proposed Assessment Plan to arrive at a decision. Written consent of the parent or guardian is obtained prior to conducting the assessment.

The assessment will be completed within 60 days of receipt of the parent's/guardian's written consent (not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days from the date of receipt of referral). If the assessment personnel have legitimate reasons, they may request an extension of the timeline. Such an extension requires written approval from the parent, guardian or surrogate.

A copy of the Notice of Procedural Safeguards is printed on the reverse side of the Assessment Plan. The Parent Handbook is user-friendly, and may be distributed to the parents at the Referral for Special Education Assessment, IEP meetings, or upon request.

ASSESSMENT PROCESS

Evaluations are conducted by competent multi-disciplinary team members, including at least one teacher or specialist knowledgeable in the area of the suspected disability. Attention is given to the student's need for specialized services, materials, and equipment when the low incidence disabilities of visual, hearing, and severe orthopedic impairment are suspected. Students assessed for initial and three-year evaluations have a vision and hearing screening unless parental permission is denied. Assessment personnel are competent and appropriately trained to administer and interpret test results and, when necessary, are knowledgeable and understanding of cultural and ethnic backgrounds and competent in both the oral and written skills of limited English proficient students. When appropriate, an interpreter is used and the evaluation report must document this.

Individuals are assessed in their primary language or other mode of communication unless it is clearly not feasible to do so. All areas of suspected disability are evaluated. Tests and materials used for evaluation are selected and administered so as not to be racially, culturally, or sexually discriminatory and to reflect the individual's skills and aptitude levels. IQ scores are not contained in files of African-American students. The evaluation process ensures that no single procedure or evaluation is the sole criterion for determining placement. Staff work collaboratively to ensure that a student with a suspected low-incidence disability is assessed by qualified and trained personnel, in all areas related to the suspected disability, consistent with state guidelines.

ASSESSMENT REPORT

Assessment personnel prepare a written report(s) of the results of each evaluation. Although evaluation report formats vary across districts within the SELPA, each contains the following required components:

- a. Results of test administered in the primary language of the student by qualified personnel;
- b. A statement regarding the validity of the evaluation;
- c. A statement regarding whether the tests are valid for the purpose for which they are used;
- d. Whether the student's needs can be met in the regular classroom;
- e. If the student may need special education and related services;
- f. Relevant behavior noted during the observation of the student in an appropriate setting;
- g. The educationally relevant health, developmental, and medical findings, if any;
- h. A determination of the effects of environmental, cultural, or economic disadvantage;
- i. The need for specialized services, materials, and equipment for students with low incidence disabilities;
- j. Consideration of independent assessments; and
- k. The basis for making the determination of eligibility.

For a student with a suspected learning disability, the members of the IEP team shall document the determination of eligibility including:

- a. The student has a specific learning disability;
- b. The basis for making the determination;
- c. The relevant behavior noted during the observation of the student;
- d. The relationship of that behavior to the student's academic functioning;
- e. The educationally relevant medical findings, if any;
- f. Whether there is a severe discrepancy between achievement and ability that is not correctable without special education and related services; and

- g. The determination of the IEP team concerning the effects of environmental, cultural, or economic disadvantage.

INDEPENDENT EDUCATIONAL EVALUATIONS

If a parent disagrees with an evaluation conducted by the LEA, the parent must inform the district in writing of the disagreement and request an independent educational evaluation. Upon receipt of a parent request for an independent educational evaluation (IEE), the district may initiate a due process hearing to show that its evaluation is appropriate, or provide the parents with information about how an IEE may be obtained at public expense and the applicable criteria for the evaluation. An evaluator must not be a regular employee of the district responsible for the education of the child, must conduct evaluations in accordance with all requirements of federal and state law, and be appropriately credentialed and/or licensed to conduct the evaluation. If the parent declines the independent evaluators contracted by the district the parent may retain another individual to conduct the evaluation at private expense and have the results of the evaluation considered by the LEA if it meets the agency criteria. If the decision by the district special education administrator or hearing officer is that the district's evaluation was not appropriate, the parent may request reimbursement for the private evaluation.