

GADSDEN INDEPENDENT SCHOOL DISTRICT

Special Education Staff Meeting  
November 21, 2008

## Compliance Issues

VOLUME 1, ISSUE 1

1. Question: For a new evaluation as part of a Reevaluation, in which areas must the district (re)assess the student?

Answer: The student must be reassessed in **ALL areas that were assessed in his/her initial evaluation** UNLESS the student has been exited (*at an IEP meeting prior to the current meeting*) from a related service since the initial evaluation. In that case, if the IEP team, or the parent, believe or suspect there may *still* be an educational need in that related service area, the new comprehensive must also include a new evaluation in that area. In addition, if there are **any new areas of suspected disability** since the initial evaluation, those areas must be included in the new evaluation. **There must be clear evidence of suspected disability (in order to support) before they are tested.**

NOTE: It is NOT an acceptable practice to exit a student from a related service, or speech only, and *at the same meeting* ask for a new evaluation.

### Discussion:

- If student on initial eval does not qualify for a related service should they be tested on the reeval for that related service? **See above**
- A student SLI only; teacher request comprehensive evaluation—Is it necessary to jump back to the SAT? Not necessarily but there must be documentation of interventions tried
- What about Adaptive Behavior Scale since it is administered to all initial EC children? Only if there is a suspicion of MR
- For exceptionality of DD other 12 exceptionalities have to ruled out
- Reevaluation determination, reevaluation must be mentioned on Written Notice
- Written Notice should list what evaluations are to be done.
- Do NOT do a reevaluation/ reevaluation determination on an amendment or prior written notice

2. Question: What areas must be selected on the Consent for Evaluation form prior to an Initial evaluation?

Answer: **All** (and **only**) areas of suspected disability based on information in the SAT/Referral Packet. **There must be clear evidence of suspected disability before they are tested.** If additional areas are identified during the evaluation process (*which should NOT happen if the SAT process was implemented*

*correctly*) the parent must initial and date the new area on the Consent for Evaluation form prior to expanding the scope of the evaluation.

**Discussion:**

- 60 day timeline is still going even if diag see that another eval needs to be given. EX: Diag sees that there is a low VMI score and sees a need for an OT eval? There must be informed consent from parent.  
*Concern is that sometimes when this happens the related service is not immediately notified and sometimes is asked to do an eval 1 or 2 days before the IEP meeting.*

3. Question: May a student be eligible for special education even if they are performing at age-level expectancy in general education classrooms?

Answer: **YES.** An *example* is a student with a severe orthopedic impairment, **performing at age-level expectancy in all academic areas in general education** but needs special instruction in *physical education* (which includes, among other things, the development of physical and motor fitness).

**Discussion:**

- What about a student that needs to be exited from a related service but the IEP committee has asked for an eval? Possible solution is to put student on monitor until other evals are done. EX: If student receives OT services and then exits should that child keep on with OT services? Yes until the other evals have been done or place student on monitor.
- What about when there is a reevaluation determination where there can be up to a year wait; is the related service carried on even though the student does not need services? Yes until the other evals have been done or place student on monitor.

4. Question: May an IEP team exit a student from special education when he or she no longer meets the category-specific eligibility criteria *even though*

- he or she has not demonstrated the ability to function independently, access and perform adequately in the general curriculum, and
- has not demonstrated that he or she is no longer in need of special education services?

Answer: **NO.** If the team believes the student should be exited from special education after meeting both criteria above, the student should be:

- 1) placed on A-level Monitor for a transition period for the rest the current semester, and
- 2) referred immediately to the SAT team for the implementation of any accommodations or programs needed for the student to succeed in general education.

IF the transition period is successful, the student will be exited as written in the IEP. If the transition period is NOT successful, the IEP team should reconvene prior to the exit date and reconsider the decision to exit the student.

**Discussion:**

- It is not advisable to exit a student from special education services at mid semester or school year.

5. Question: Is it OK to write related services time in terms of minutes or hours per **month**, or to write the service “as needed”?

Answer: **NO. Related services are to be recorded on IEPs in terms of minutes or hours per week.**

For next meeting, discussion on **PARENT REQUEST FOR TESTING BEFORE AN SAT HAS BEEN HELD.**

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