



Northern Lights Special Education Cooperative

www.nlsec.org

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Date: 6/9/2015

Initial Evaluation Due Process Guidelines

Initial Evaluation:

This process is to be followed when considering a special education evaluation on a student for the first time (student is currently not receiving special education services). Before an initial evaluation for special education is conducted, the student must have had two documented "pre-referral" interventions conducted. These interventions may be waived if there is an urgent need to conduct an evaluation or when parents request a special education evaluation.

Step 1: Notice of a Team Meeting- Evaluation Plan

Attempt to notify parent 7-10 days before this meeting. There is no "legal" requirement to conduct evaluation planning meetings. The decision to formally hold such meetings should be made at a building level. It is highly recommended that such a meeting be held for all initial evaluations. This is to acquaint parents and student with the process and staff involved. It may also be beneficial to hold evaluation planning meetings when the case is complex or when parents request. If a meeting is not held with the parent, the team must include parent information as it is a required part of the evaluation.

Date on Notice: _____ Filed on: _____

Step 2: Prior Written Notice for Initial Evaluation

When the decision is to collect evaluation data, send/provide parents with Prior Written Notice of Educational Evaluation and check 'a'. "This notice is for an initial evaluation to determine your child's eligibility for special education services. The school district must receive your signed permission before it can begin the evaluation." Include Procedural Safeguards Notice. File copy in student's special education folder.

Date on PWN: _____ Filed on: _____

Step 3: Parental Consent/Objection for Evaluation Plan

Written permission received (must document attempts to obtain parent's written permission before an initial evaluation can be conducted. Note: Passive consent does not apply with initial evaluation). The 30 school days timeline starts when the district receives the parent's written permission. The evaluation must be completed within 30 school days.

Date of Permission: _____ Filed on: _____

Step 4: Notice of a Team Meeting

Send Parents Notice of team meeting and select “to discuss evaluation results and determine if your child is eligible for special education and related services.” It is likely that a revised Individualized Education Plan (IEP) will be developed, also check “To consider the development of an Individualized Education Plan (IEP) or Individualized Family Service Plan.” Best practice includes attempting to contact parent by phone and then sending out the notice (attempt to notify parents 7-10 days before the meeting). Include Procedural Safeguards notice and document attempts to invite parents to this meeting. The student must also be invited to any team meeting where transition will be discussed. Provide a copy of notice to all invitees. File copy in students in student’s special education. File hard copy in the student’s special education folder.

IDEA 2004 states that a member of the IEP team is not required to attend an IEP meeting, in whole or in part, if: a) The parent of a child with a disability and the district agree, due to the fact that the member’s area of the curriculum or related services is not being modified or discussed; b) The parent’s agreement must be in writing; or c) The member submits, in writing to the parents and the team, his or her input into the development of the IEP prior to the meeting. (Use the Excusal Form or Nonattendance at an Individualized Education Plan (IEP) Meeting when implementing this process (found in Sped Forms; Agreement Regarding IEP Team Member Attendance.

30 Day Evaluation Completion Date: _____ Filed on: _____

Step 5: ESR Results/IEP Meeting Held and IEP Developed (if student re-qualified)

Final draft of ESR and IEP must be completed (written and sent to the parent) within 10 school days after the IEP planning meeting.

Date of Meeting: _____ Filed on: _____

Step 6: Prior Written Notice (PWN)

Send or provide parents a copy of IEP and Prior Written Notice/Parent Consent. File in student’s special education folder.

Date on PWN: _____ Filed on: _____

Step 7: Parent Consent/Objection Form

Written permission received (must document attempts to obtain parent’s written permission before initial services can begin. Note: Passive consent does not apply with initial evaluation)

Signature Date: _____ Filed on: _____