



## Northern Lights Special Education Cooperative

[www.nlsec.org](http://www.nlsec.org)

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### Re-evaluation Due Process Guidelines

#### Re-evaluations:

When preparing for a student's three year re-evaluation, case managers must allow adequate time for all team members to complete the evaluation. Once a signature is received, the evaluation team has 30 school days to complete the evaluation and hold the meeting. The team should look at starting the assessment at least 2 months before the 3 year due date (date previous evaluation was completed).

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. 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 of Evaluation/Re-evaluation

If the decision is to collect evaluation data, send/provide parents with Prior Written Notice of Educational Evaluation/Re-evaluation and check 'b'. (This notice is for a re-evaluation). Then check "based upon a review of existing data regarding the child, additional testing is needed to determine if your child continues to have a disability and needs special education services." Make sure to include the Notice of Procedural Safeguards.

Date on PWN: \_\_\_\_\_ Filed on: \_\_\_\_\_

Step 3: 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 4: 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 5: Prior Written Notice (PWN)  
Send or provide parents copy of IEP and Prior Written Notice/Parent Consent and select “Your child’s IEP/IFSP or IIP is changed as noted in the attached form. the school district will proceed with this change unless you object to it in writing within 14 calendar days of the notice.”

Date on PWN: \_\_\_\_\_ Filed on: \_\_\_\_\_

Step 6: Parent Consent/Objection Form  
Permission for must be signed by parents and returned or 25 calendar days elapse after parent receipt of notice. Because the 14 calendar days begin after parent receipt of notice, count 16 days instead to allow for mailing time. Begin IEP services the day after parent signature is obtained or the 16 days lapse. If you receive parent signature before the 16 days lapse, the start services date must reflect this. The end date of services is one year after the service start date. When you send a new or amended IEP home for parents to sign, the start/end date of services will not be included on that paperwork because you have not received the parent’s signature or allowed 16 days to pass. It is suggested that you include a note to provide or allow 15 days for passive consent. After receipt of signature or the 16 days, enter the start date on the IEP, and send a copy of the updated services page to parents. It is not necessary to send another full IEP home to the parents. File copy in student’s special education folder.

Signature Date: \_\_\_\_\_ 14 Day Rule: \_\_\_\_\_ Filed on: \_\_\_\_\_