

The Reevaluation Report

All attendees are in listen only mode. Amy Smith: Good afternoon! Welcome to our webinar today. We'll be talking from 03:30 to 04:30 about the reevaluation report. If you have not already downloaded your handout for the presentation today the, the link to get the handout is just on the screen right now, so take a moment and get a handout for yourselves. [Pause] Amy Smith: My name is Amy Smith and I'm an educational consultant in PaTTAn Office in King of Prussia and I'll be going through the, the evaluation report with you this afternoon. My contact information is available on the very last slide, should you want to send questions to me later, there's a question that we don't get to today. If you're not familiar with PatTAN, PatTAN's into the Pennsylvania Training and Technical Assistance Network. We're the training and technical assistance arm of the Bureau of Special Education. Our mission is to support, promote the initiatives of the Department of Education and the Bureau of Special Education. Our goals are to build capacity for the local education agencies who serve students who are receiving special education. Pennsylvania Department of Ed has a commitment to the least restrictive environment to promote to, our goal is to ensure that students with an IEP are educated in a least restricted environment using supplemental aids and services, supports and services before considering a more restrictive environment. Again we're going to be talking about the reevaluation report today. We're going to go over a total of six different sections. Starting with the purpose we're going to talk about the most common errors that are made on reevaluation reports in the field. We'll look at the initial information section reevaluation report, the SLD, the specific learning disabilities component to the report and we have some resources for you to, to download and take a look at to, to help you as you're doing your reports. So let's start with the purpose of the reevaluation report. Reevaluation report is different than the evaluation report in that we are documenting a student information assessment and eligibility, decision information about a student who is already identified as receiving special education. If you're doing an evaluation on a student who has just a 504 plan that would be considered a regular ed student and that would be, you would be needing to do initial evaluation on that student, but if the student currently has a, a distinction of being identified as receiving special education as an IEP that when it's time to do an update of their status, you'll be using the reevaluation report. We're doing our presentation today because we're doing a one year series of webinars based on the, the evaluation process not because there are any changes to the reevaluation report itself or any changes to the laws or regulations. So there's no new information, but we just wanted to have an opportunity to share this information with you and answer any questions that might be in, in the field. I also want to mention that this webinar will be recorded and archived on the PatTAN website, be available in the next few weeks. So if you have colleagues who were not able to attend this afternoon, they'll be able to, they'll be able to hear this at their convenience. Alright, as I was putting together the presentation today, I wanted to try to focus on areas that were most problematic for, for folks. I contacted the Bureau of Special Education and they provided me with data on the ten most common errors that they find during compliance monitorings in the field and this data is for the 2008-2010 timeframe. Of those you are familiar or not familiar with the compliance monitoring process, the, every six years of your special education goes to a school district to monitor the special education process. Part of that monitoring includes pulling files of special ed students and doing a review of those files and they answer several hundred questions about each student and it's, it's things like would you know did you meet this timeline, was this signature there,

was this filled out completely. What I've asked them for are the ten areas that are most commonly inaccurate or, or were errors marked as errors on the compliance monitoring report. So as we go through the, the document today, I will stop and point out the different compliance that these ten, these top ten, these top ten errors. And hopefully we'll find give you a, a good, good understanding of what they are looking for so that these things can stop being errors and, and are done accurately at the local level. Alright, so let's start with the very beginning of the document, the initial information which is the basically the biographical information, the student identification information. Interestingly, the top error, the most common compliance error for the reevaluation is the exact the same one as for the evaluation report and that is that the copy of the reevaluation report was disseminated ten school days prior to the IEP team meeting. Now it is requirement that ten days before, ten school days before the IEP team meeting that the parent must have a copy of the reevaluation report in their hands. Now this can be waived if the parents agree, this can be waived, it has to be in writing. But other, if the parents do not agree to waive then the LEA has ten school days prior to this meeting to get that report into the hands of the parent. Way this date is arrived at is the date of the reevaluation report is given to the parents in relation to the date of the IEP team meeting. So when you're putting your reports together that's how you're going to know when, whether or not you're in compliance. The date of the IEP meeting should be ten school days or more after the date that the reevaluation report was given to the parents, okay. Number one error for reevaluations and number one of error for evaluations, the same timeline applies ten school days before the IEP meeting, whether it's an issue or reevaluation. Alright, the second most common error for reevaluation was that the reevaluation was completed within the timelines given. This state is this, this error is judged on the date the report is, is provided to the parents in relation to those reevaluation timelines. Getting a report to the parents must occur within the reevaluation timelines. Now reevaluations are a little different than the initials in that you can either have a, the ticking clock like you do in an initial evaluation where you've got 60 calendar days to, to finish the process or you have the situation where it is the two or three year timeline that is expiring and we need to finish the process prior to that date. In either case be sure the report is in the hands of the parents prior to the end of that timeline. It would be important for a district or a school or, or special ed department to ensure that they, they start the process early enough to meet those timelines and they make sure that they're not running up against the, the deadline there and it's important to, to also to know that if a student has a specific learning disability that it is an option for the parent and the LEA to agree in a written agreement to extend those timelines that if there's a situation where the student has a specific learning disability or is suspected of having that as an additional possibility of, of that disability category being offered that you can extend the timelines. So two ways that we have timelines for reevaluation, one is our two or three year clock is, is expiring or two, a reevaluation has been requested and that, that 60, that 60 calendar day minus summer breaks deadline is expiring. Okay. We know that the timelines in reevaluation are two years for any student in Pennsylvania who has been identified as having mental retardation and three years for any student who has any of the other disability categories. If the student has been identified having mental retardation, you automatically have a two year clock as opposed to a three year clock. Alright, continuing on in the initial information on the student, student identification information are fourth most common error, is the date that the IEP team reviewed the existing evaluation data. The evaluation, the reevaluation process starts with the review of data. The entire team needs to review the existing data. We'll get into this in a little bit, but the date

that all the team members finish this and remember the team includes the parents, the date that all of this, this review has been done is the date that you put on there as the, the date the IEP team reviewed existing data. How this happens, how the data is reviewed is a local decision. You all want to sit down and do it once, you want to make the information available and people could come in one at a time, just make sure they complete that requirement, whatever the case, whatever works for your individual situations, there's no guidance on how this must be, be completed, but you do need to write down the date that all of this is taken place that, that part has, that that has occurred and has been finished. Fourth most common error is that that date is either not, not present or that the date is out of timelines. Okay, so let's look at the report, let's look at the report as, as a whole. There are four sections to the report. We're going to go through these again. We'll go through these one at a time. First, summarizing the information that's reviewed, determination of need of additional data or not, what do you do if you need data versus not needing additional data. The signature section of the evaluation team participation that what you document that, exactly how do you go through that. And then we'll talk about the section that is specifically for students with specific learning disability. Alright, very first section. Again, the real evaluation process begins with the review of data. The idea is we have a student who has an IEP who has been identified as having a disability, has been identified as having meetings, needing specially designed instruction, our timeline has either come up, the two or three year timeline has come up or there's been a request for reevaluation. The very first process is we need to take a look at the information we already have on the student to determine if we need more information or not. Ultimately, what we are doing in a reevaluation process is again visiting that to prong question, does the student have a disability and does the student needs specially designed instruction. Because you were identified as one or both from those because you're identified at both of those to get, initially get into special education does not mean that those will be true for, for all time. That's why these are visited, that's the purpose of the reevaluation. So, the first thing we do is look at the information we currently have on the student and ask can we answer that question, those two questions. Is, is there something else that has happened, is there something else that we suspect, is there an issue that's come up that we need to explore further or is this just a, the, a very standard situation where there's, there's that the student is moving along and is making progress and there's nothing, nothing outstanding that, that has caused the team think they need more information. In order to do this review of existing data you do not need permission from the family to do this at this point. We haven't, we're not doing anything new with the student, we're looking at what we already have. When the review of data is done, the team is basically looking at answering those four, those four issues that are listed there. First of all, you, what are the student's educational needs, what are the present levels of, of performance or their related developmental needs, is there any changes to their current special ed program or related services that will allow them to meet their IEP goals or, or participate in general education and do they still need special education and related services. So just in general are you still eligible, are you still, are you making progress anything outstanding that we need to assess further, anything knowing on that we don't currently have the information that we need to make these decisions. And you think about kind of data that you'll be looking at, you have restored the IEP goals, how they're doing in class, kind of work that they're doing, if there's behavioral issue you have attendants in and you have referrals to the office, you have information based on any behavior plans they have. All that kind of information is, is involved in the review of data, right. So, as you review this data, you're going to be completing the, the

summarization section. You're going to summarize the information that you're reviewing, you're going to be looking at these seven issues, right. The first six issues very simply when you're summarizing this data then just literally write down what it is that you know. We looked at everything we have and this is the information that we gleaned out of that. Physical social, physical conditions, social cultural background, adapted behavior, all those kind of issues go in section one. Any kind of information provided by the parent would become part of this summarized, summarization of the, of the data reviewed. Is there any aptitude and achievement test that you have on the student, what kind of data do you have in that area, what's happening the classroom, classroom based assessments and local state assessments, as you can see this is the ninth most common error that they find in compliance monitoring. Either this information is not there or it's not complete, but if you have data first through second grade or, or if you don't have those data assessment, you don't have the PSSA information that's fine but you should have classroom based assessment kind of information, progress monitoring, progress towards IEP goals that kind of information. Just clarify what it is that you do have on the student, don't just leave this, this section blank. You would need observations by the, the teachers related service personnel. Teacher recommendations, the folks that are working with the student what's gone well, what hasn't gone well, what recommendations do you have as the team moves through addressing the two prong question as well as, as building their next IEP, should they still show a need for special education. And finally, we have the determining factors section. The determining factor section is where the team provides evidence and, and, and makes the decision about the student being eligible based on or, or I should say not being eligible because they were found to have had a lack of appropriate instruction in reading that or limited English proficiency. If you remember from our initial evaluation as we went through these factors, you cannot determine that a student has a disability. If the reason they are struggling academically or struggling behaviorally, you cannot find them to have a, be eligible for special education if the reason that is occurring is that they have had a lack of instruction in reading or in math the thought being if the student has not had adequate instruction that we can't be sure that they have the disability and, and that's the reason that they're behind. Now when you think about appropriate instruction of reading or appropriate instruction in math, what they're looking at are things like is the reading program based on the five big ideas of reading, is there enough time, has the student's attendance been strong enough, has the student's participation in education been consistent and, and strong enough. Is the teacher's training in the programs that they're using, is the research, is the programs and materials they're using research based, are there enough minutes per day being spent in reading or math instruction. As you can see discussing the appropriate instruction of math is ten most, tenth most common error in compliance so be sure to elaborate on this. So you have to determine as a team yes this is an issue or no it is not an issue. So you check in the box, yes there is a lack of instruction in reading or no there is not a lack of instruction in reading. If you're saying those, if you're saying yes to one of these either one of, one of these three, reading, math or, or limited English proficiency, you think yes there is a problem here than automatically you're looking at that being the issue that is behind as opposed to being able to make a good decision about whether or not a disability is, is causing the issue or not. So checking yes in the box for either one, two or three means yes there's lack of instruction and that is, or yes there's a lack of, or yes there is a limited English proficiency causing the problems being the cause of the problems for the student or no that instruction in that reading or math or limited English proficiency know there, there, that is not the reason that the student is

struggling, okay. That moves us on to the determination of, of need. As you summarize everything at this point, we all we've done is reviewed the data, the entire team has reviewed the data. That, if, that review of data has been summarized in, in those seven sections have been filled out. Now the team needs to make the decision, one of two things can happen, the team decides that we do not need additional data to move forward. We can answer the two prompt question, we have no outstanding issues, we have nothing that we feel we need to explore any further through assessment, that's the first possibility. The second possibility is the IEP team could decide you know what that we do need more information. I'm not sure about the two prong question if I can continue to answer it or we're considering the possibility of an additional or change in the disability category or we're not sure that we still need specially designed instruction or if we, we believe we still need special design instruction, we're not sure what that needs to look like, we need more information to do that. So, review your data, summarize it and come to one of those two conclusions as a team, right. If you choose as, if the team, the IEP team chooses number one, we do not need more data then you go on to the reevaluation report and you, after you finish your summary then you fill out either section A or B or C and we'll go through those in a minute. If you do think additional data are needed, then the team issues the permission to reevaluate consent form that sent to the parents. You complete the assessments and gather the data that you feel that you, you have to have to answer these questions. You write up the interpretation of that data, the additional data, you do the SLD component if, if that is appropriate and you complete sections A or B or C, alright. So you can see, you can see in either case we're, we're completing A or B or C and that's where we're saying yes you have specialized, yes you're eligible for special ed or not we'll go, as again we'll go through those in a minute. But no additional data are needed. You can see that you never need to issue the, the consent form and you don't need to go any further with your assessment, okay. So let's go through A or B or C which you're going to be completing in either of those two possibilities. In section A this is where the team determines yes you have ability, yes you have a disability and yes you need specially designed instruction. So I've either determined that through my, my review of existing data or I've got more information and, and done some assessment to determine that. The team checking that off you have to, you have to clarify exactly which disability categories you're talking about, primary or secondary. You have a lot of questions at, at times of which is primary and which is secondary. I think that identifying which one has the most impact makes sense as being the primary disability and secondary or third, there's a third just to, to list those. The next section or you have to talk about your summary of findings. As you can see here this, there's three things that you require to do and all three of them have been identified as being you know three of the top ten compliance errors so we need to pay specific attention to this. When you determine the student has a disability needs specially designed instruction, you have identified the, the primary disability category secondary of that if that applies. Now we need to talk about our findings. Specifically there's a section on students, educational strengths and needs. Based on everything which you've gone through, what can we build on, what's, what strengths can we build on with the student? Can, can we further and, and build on and what are their educational needs. It's okay to do some cutting and pasting from the summary of existing data if that's appropriate, especially if you did not need to go on and do ad, and do additional assessment, it's okay to do some cutting and pasting. But be sure to thoroughly fill out and thoroughly explain the student's educational strengths and needs. The second section that, that you're required to comment on and again a, a, a compliance error is the present levels of academic

achievement and related developmental needs including transition for the students who are of transition age or have transition needs. Talking about the student's present level of academic achievement, obviously this is going to be the building blocks of the, of the IEP. If you have a student who you're saying still needs special, he still needs special education we have to know where they are now so that we can make good determination on where we think they should be in a year, what we think that IEP should look like in order to get us to those, to those one year goals. The third thing that you need to comment on in the summary of findings are recommendations for consideration by the IEP team. All three of these, these areas that are, that have the compliance problems are, are specific to when no additional data was needed. So if you write the summary of existing data and you come to the point where you're saying that the student has specially designed instruction needs and has a disability, even if he did not go further with more that you need to fill these sections out, okay. Again these are bit top, these are three out of the top ten compliance areas that they're fine, finding errors in so it's important to, to pay attention to this. If you have no additional data, if you require no additional data, it's okay to cut and paste out of what you have already or refer folks to sections of the summary of review of data, but don't leave these sections blank. Okay, so A is yes you have a disability and yes you need specially designed instruction. B, is you no longer have a disability and, and don't have the first prong of the two prong questions, so you're not eligible for special education. You can have a student who had other health impaired issues or what, whatever the case may be, emotional disturbance is a lot of, a lot of areas where a student could have had an issue and those, those issue, that issue or issues have resolved and they no longer meet the criteria necessary to, to be identified as having a disability. So they are no longer, they are no longer eligible for special education. And C is the, the reverse of that, that you continue to have a disability, but you don't need specially designed instruction and that makes you no longer eligible for special education. So you review the data, you determine yes we need more, no we don't need more. When that's completed then you make a decision of the two prong question. You have a disability, you need specially designed instruction to be outlined all that in A or go to B based on everything we know you no longer have a disability. More C, you have a disability, but you have no needs that raise to the level of specially designed instruction and in those two cases you're not eligible for special ed, okay. Now, the, the section of the report where you outline evaluation team participation. This is where the team, you list the team numbers for every, for every disability category give this the team numbers. Then you could see that this is the, the common compliance error. So regardless of the students disability you're going to miss the team members. Where it gets, where it, where the, the difference comes in is if the student is looking at or being at evaluated for specific learning disability. Whether or not they were found to have a specific learning disability that's not relevant, what's relevant is we looked at that. So if we are looking at specific learning disability, the team members must physically sign the report. So you physically sign the report. If you have a software program that puts the signatures on there for you or list the names for you it's okay for team members to initial beside that electronically signed report that they need to indicate that, that yes they, they, their signature or initials need to be on that. They also need to indicate whether or not they agree or disagree with the findings of the report, right. Again this is a very common compliance here. You only need to do this with specific learning disabilities. Agree or disagree with the findings of the team. If you disagree with the team, if you have a member that disagrees with the team that's fine, they need to submit a separate stating, a separate statement presenting their side of the, of the, their descent why it

is they disagree with what's going on, alright. So for every single disability category the team members need to be listed. The specific learning disability only it needs to be signed or initialized if it's electronically signed and they need to identify whether they agree or disagree and they need to submit that, that dissenting statement should they disagree with the findings of the team. Okay, in terms of team participation if you have a student who has been either identified as having or was being looked at for these, the disability categories listed in number three, a certified school psychologist is required to be a member of the team. So if you have a student you're looking at, possibility of autism, emotional disturbance, mental retardation, multiple disabilities, other health impaired, specific learning disability or traumatic brain injury. If one of those seven of disability categories is a possibility then a certified school psychologist must be a member of your team, okay. And finally in this section of the report you're required to include contact information that a parent could contact somebody from the district, somebody from the local education agency, a name, an address or phone number, that kind of thing should they have any questions that they can easily get to, that they can easily get somebody and get these questions answered. So that's the main body of the report. Let's talk now about the specific learning disability section. This section of the report in the evaluation report and the reevaluation report are exactly the same. In the law if you look at the regulations, IDEA and chapter 14, there are, there is a separate section set, set aside for specific learning disabilities. So there are some various district things that need to occur in the evaluation of a student who is suspected of having or currently has a specific, identified as having a specific learning disability. Those, those eight separate section, those eight separate issues have turned into this ten, ten question section of the eval and the reeval, that's why it's separate because the law requires various distinct differences and very distinct things that have to occur in an eval or a reeval of a specific learning disability. You have to fill this section out if there is a question of the possibility of a specific learning disability. It doesn't matter, it does not matter if the answer to that question is yes or no, yes the student has a learning disability, no they don't have a learning disability that doesn't matter, what matters is you ask the question. So if you ask the question, this section needs to be filled out, okay. So go through these ten, these ten areas one at a time. The other thing that you, that you need to understand here that is okay again, it is okay to cut and paste information from either your review of data or from your additional data that was collected. In either case, you don't need to reinvent the wheel here if you have this information that they're asking for somewhere else, is okay to cut and paste to put it here or it's okay to say please see section whatever and, and, and that addresses this, this area. Do not leave these questions blank, even if a student is not being looked at for learning disability I think it's wise to put in they're not applicable or something like that. So that it's clear that this was not an issue and not just a fluke, forgot to fill it out. So we look at these one at a time. First of all they're asking for academic achievement. They're looking specifically at the, the areas that you can be identified as having a learning disability and you all know you are not learning disabled in social studies, you are learning disabled in reading fluency and that causes you problems in social studies. So they are looking at specifically where are you achieving in relation to the state grade level standards and specifically where are you in the eight areas of possible learning disabilities, oral expression, listening comprehension, written expression and so on, okay. They want you take a look at these areas and tell us where the student is achieving in these, in these areas. In relation to the standard everything comes back to the standards. The second issue is where you're identifying what model did you use to determine if the student had a learning disability or not. Did you use RTI

response to scientifically research based intervention? Or did you use the discrepancy model? It's important to know that in Pennsylvania you may not use response instruction and intervention, you may not use that model until the Bureau of Special Education has given you permission to do that. Every three years the LEA and LEA will, will write a special education plan that gets approved by the Bureau and use of, of RTI becomes part of that plan. There's an application process and the application is filled out and, and, and district's plan is looked at. The issue is we want to be sure that, the model that you're using the RTI model that you're using is technically adequate enough to give you the right answer and a defensible decision should you determine the student is, is learning disabled. So only the districts and only the buildings and only the grades that have been identified as or given the permission to use RTI as an eligibility model can check RTI here, everybody else in the state, just the overwhelming amount of people and, and districts are so using the discrepancy model. Okay, so at that point and, number two you're just identifying which model you used. The third question looks at instructional strategies that we used in, in, in data that was collected specifically what, what did you use in the classroom or in terms of materials, instructional strategies, instructional materials, interventions, what did you use for trying to, to change the course of the, the student's rate of improvement. What information do you have from before the evaluation began and during the evaluation and prior to the evaluation you use this, this kind of material for this amount of time, during the evaluation you did these sorts of interventions and that, that sort of thing. So they're looking at you to clarify what instructional strategies and student data that you have. The fourth question is looking directly at medical issues. We, we know that through our, one of the issues is ruling out a specific learning disability, you, you can't be identified as having a learning disability if the sole reason you are academically struggling is for example that you have a, a visual impairment or hearing impairment. This is one that rule out for, for specific learning disability. So in section, in question four they're looking specifically discussed any, any relevant medical findings. Is there any reason that the student might have an issue that medically has impacted their ability to achieve academically. Is there anything from the, these typical screenings that take place in the schools or is there anything, any information that the family has provided to you or that, that has caused you to suspect that's the issue the student is struggling academically rather than a possible learning disability. Number five is another rule out. What are the effects of the student's environment culture or economic background? Again we, we can't determine that you have a learning disability if the, if the primary reason you're struggling is that one of these issues is, is having such an impact on your ability to achieve academically. So they're looking for you to describe is there any aspect or lack of any aspect that would, would be causing those kinds of problems. The sixth question they're looking specifically at information around the idea that the student is an English language learner, is English their second language and is there any information about the instruction that was delivered by the general ed environment that is causing problems for the student to achieve academically. Did they receive general education, it was delivered by a highly qualified person, high qualified instructor that includes their English is second language instruction, what was the staff adequately trained and interventions was a adequately trained in the, the reading or math program's curriculum, is there anything about the delivery of instruction in general education that might have caused a problem for the student achieving academically. Right, the seventh question is looking at what do we know from the student's repeated assessments or progress monitoring. The repeated assessments or achievement at reasonable intervals, really that's progress monitoring. So what do you have of the student that tells you what was happening over time? Do you

do universal screenings? Do you do progress monitoring and, and if you have a tiered delivery system of instruction? What has happened over time with the student? Are the issues that are being experienced? Are they new, are they unusuals compared to prior history of the student? The student was achieving and perfectly typical kind of scenario for the first three years of school and in the fourth year suddenly everything has changed drastically. So let's take a look at over time what has, what's, what's been the, what's been the situation with the student. And also you need to talk about how the, the information was given to the parents, okay. Number eight talks about an observation. You have to do an observation for every student when you do an evaluation of a student. But the observations for students who are suspected of having a specific learning disability, have some slightly different requirements attached to them. Specifically they are required to have a observation of a student in a learning environment, specifically in the setting where the academic difficulties are occurring. So we have a student who's struggling with reading, we're not going to do our observation of that student during, during recess or during gym class or during math class necessarily. We want to have that, that student's observation tape place where the academic difficulties occur, right. They also have the requirement to comment on the interactions between the teachers and their, the student's peers. Is there anything about that that might be causing the student to struggle academically? And they also want to have the information about the student's behavior and academic functioning. Is behavior impacting their ability to achieve academically or is there ability to achieve academically impairing their behavior and, and to make that part of the observation process and to, to comment on that, on that relationship. The ninth question is an opportunity to add any additional data that may have been collected that, that has been yet to be addressed. This would be where if the family provided information from an outside source this would be the section where you would add it if you had something that we haven't addressed yet, like OT evaluation, PT evaluation, they might be placed here. Psychiatric evaluation, this is sort of an area to make sure that everything that we know about the student all of the data that we have on the student is represented in the what, that, this section is where that information could be placed. In the tenth question looks directly at the rule outs that I, that I referenced earlier. You may not identify student as having a learning disability if the primary reason they are struggling academically is one of these six issues. Now that's not to say that a student who is visually impaired cannot have a learning disability, of course that's not true. The student who has a hearing disability cannot have a, a learning disability of course that's not true. What you need to do as a team is to tease out through the evaluation process or through looking at the data that you already have about the student, teasing out what is the primary reason that the student is struggling academically. Yes they are, yes they have a, a motor disability, but the team has determined through assessment and, and through their knowledge of the student that that motor disability is not the reason that the student is struggling to learn to read. Document that, clarify why that's, why the team believes that that's the case and you satisfy the, the requirements here. Student may not be identified as having a, a learning disability if they have been identified as having mental retardation. You, you cannot be identified as having a learning disability if the primary reason you are struggling academically is that you have some sort of emotional disturbance whether it's an acute or chronic situation. If that's the reason that you are not learning to read or learning to do math or any of the other areas then we cannot call you as have, we cannot say that you have a learning disability, not at this time. So these are the rule out statements, you are going to rule in or rule out any one of these six, these six topics and, and move forward from there. The, those are the ten specific

questions that need to be answered if you suspect or if you already know and are simply reevaluating a student with a learning disability, has to be answered, have to be addressed. It's okay to cut and paste, its okay to refer them to other sections of the report. It is not okay to leave these blank. Doesn't matter if you say yes they have a learning disability or no they have a learning disability, no they do not have a learning disability, you still must address these ten questions if there was a suspicion. Okay, I have six links listed here to different... they're all different areas of the PatTAn website. If you go to our website pattan.net, on the home page there is a, a, a link for the legal issues. Click on that and it will take you to chapter 14 regulations, IDEA regulations. We have all of the special ed forms listed there, we have annotated forms listed there where we break each form apart and give you specific information about each section. We have special ed forms there in different languages, you can download if that's something that you need. We have publications on special ed issues that are available. Two that I'd like to point out one that I, I like very much is the evaluation IEP process flowchart. We have one for the evaluation process, we have one for the reevaluation process as well. It's, it's a flowchart, if yes go here, if no go there, takes you through the entire process so that you won't miss a step, won't miss a, a, a need to send the form or need to, to get permission or you'll know exactly what, what to do next. And the other is a short, a short publication called the, the reevaluation process that very nice succinct document that takes you through the reevaluation process again step by step, okay. Finally, I want to point out that we have one webinar a month this school year, all of the topic, all of the topics are related to either evaluation or reevaluation process. It's started in October with reevaluation process. In November we had the evaluation report, December we have the reevaluation report. All of these are free, they're on PatTAn website, you can register for the future ones. The, the past ones, those will be all of these actually will be archived on the PatTAn website. And you can listen to them at your convenience if you are not able to join us at the time and date that they are being offered. Finally, we're going to, I'm going to take a look at some of the questions that have come in, but I also want to point out my contact information there, but don't get to your question in the next seven minutes or so. We will, I'll try to answer them as they come in over the next several days or several weeks. Diane is going to send me some of the questions that's been coming in. And if you give me a minute to take a look at these that would be great. Okay. [Pause] Amy Smith: Okay. First question, how does one answer the questions regarding if the student has received appropriate instruction in reading and math, if the student has not historically attended the school district in which the reevaluation is completed. This is a great question, it's not a, at all an uncommon question. If you have a student that moves in and needs a reevaluation, their timeline is, is such that, the, that the timeline is running out, you need to do the reevaluation. There're two or three year timeline and you do need to address whether or not they perceived appropriate instruction in reading or math. The best that you can do is to attempt to call, to contact the, the previous schools, that's the school or schools that the student has attended and write up whatever information they can give you. If you can't do that or if the student has come from an area where they didn't attend school, if they come from a, you know, student from another country or something like that, that's not feasible, then you simply write that up the best as you can and, and be, be clear on the information that you have. If you don't have the information, you don't have the information. That's I've, I was asked the question in the evaluation report webinar why they might, why they might extend the timeline for a learning disability, we'll mention that you can go beyond the, the timeline for a learning disability if both the parent and the LEA are in agreement. This might be one of

those reasons that you do that, needs to try to see over slight, slightly more time whether or not the student reacts to, to appropriate instruction and, and that you can make a change to quickly to the student. Try to get the information. If you cannot get the information, document your, your, your attempts and document that what you don't have and document what has happened with the students since they have been with you, that's the best that you can do. And, and that, that would be understandable should, should you go to, to a process hearing or when you need to talk to, to these issues in compliance monitoring. Okay, let me take a look at another one here. If the, if the parent requests reevaluation and testing such as ability testing would you automatically start with the testing when completing the reevaluation and indicate that additional data was needed since you're doing new testing? Anybody can request a reevaluation at any point in time and that's from the LEA side or the parent side, you can request a reevaluation. If the parent is requesting a reevaluation, and is saying I think that we need to take a look at ability. I think we need to take a look at ability in order to answer the two prong question then that would be an indication that the team has decided that additional data was needed and you can go right ahead, ahead and do that since the member of the team is saying that we think the students, something that we need to answer that two prong question. If you are really in disagreement with that, I guess you can have a conversation with the parent and, and talk to them about that, but when a team member is saying we need more data to answer this question or these questions then I think it, it makes sense to go ahead and, and do that testing. Let's see what else we have. Can a school psychologist and the IEP team determine that an early intervention student who is transitioning to kindergarten has a specific learning disability? Can it be that they did not respond to the instruction or services provided through the early intervention? Remember, that this is a team decision, it's always a team decision, it's not the school psychologist determining this, it's, it's the, it's a team decision, can a team determine that a student has, a young student has a learning disability? They could, they could. You are not looking at response instruction at all unless your district has permission to do that. There very few districts at this point in time who have a very few buildings, who have permission to do that. So I suspect that you would still need to be doing the discrepancy model. I think that, there's a difference between what you're allowed to do and what best practice is and looking at a kindergarten student is having a learning disability that, that seems to be young, that doesn't mean that you can't, it just seems to be young and that would be something that I think the, the team would, would need to be thinking about and, and taking a hard look at. But yes you could determine at kindergarten that they have a specific learning disability, there's nothing that says you cannot, but in terms of the second part of the question, can it be that they did not respond to the instruction. Yes, but I, I suspect you're not using response instruction and intervention very few districts are. Okay, what else do we have Diane? Alright, one more question before our time is up. How does one answer the questions regarding if the student has received appropriate instruction that we've already answered that one that they have not, that's the same as that other question. Okay, those are the questions that I have. Again if, if you have questions in the future, feel free to, to email them to me, anything that comes in that we just have not received yet, will, will find this way to me and I will, will be answering those over the next few days. I hope you enjoyed this afternoon's webinar. Look forward to January's webinar in our series on evaluation and reevaluation and thank you for joining us and I hope you have a good rest of the day.