

INITIAL ASSESSMENT, REASSESSMENT AND INDEPENDENT EDUCATIONAL EVALUATION

LOS ANGELES UNIFIED SCHOOL DISTRICT

CONDUCTING AN INITIAL ASSESSMENT

Conducting a complete initial special education assessment of a student, consistent with their assessment plan, is an essential part of the special education process. The assessment should be directed to the following purposes:

- To provide the IEP team with the information it will need to determine whether the child has a disability and requires special education and related services.
- To provide the IEP team with information regarding the child's present levels of educational performance.
- To provide the IEP team with information that will inform its decisions regarding the instructional and other needs of the child and the accommodations, modifications, and services that may be required.

To conduct special education assessments that comply with Federal and State policies, the following must be adhered to:

- Assessment instruments are selected and administered so that they are not racially, sexually, or culturally discriminatory. Note: The use of intelligence tests for African-American students is prohibited in California. Not only may they not be administered by school districts, but findings from intelligence tests administered elsewhere may not be considered or contained in the records of African-American students.
- Assessments must be conducted in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally and functionally unless the assessment plan indicates why it is not feasible to provide or administer.

Note: If the assessor cannot communicate in the student's primary language or mode of communication an interpreter may be used.

- For students with Limited English Proficiency the assessment instruments are selected and administered in a manner that ensures that the assessment measures what is intended rather than the student's English language skills.
- For students with sensory, motor, or speaking impairments the assessment instruments are selected and administered in a manner that ensures that the assessment measures what is intended rather than the student's sensory, motor, or speaking skills.

- **Assessment tools and strategies are selected to provide information on the student's specific areas of educational need.**
- **Assessment instruments have been validated for the purposes for which they are going to be used.**
- **Assessments are only conducted by qualified professionals as specified in the instructions provided by the producers of the assessment.**
- **No single measure or assessment is used as the sole criterion for determining whether a student has a disability and for determining an appropriate educational program for the student.**
- **The assessment covers all areas related to the student's suspected disability including if appropriate:**
 - **Health and development, including vision and hearing**

Note: Findings from vision and hearing screenings must be from screenings conducted *within the previous 12 months.*

- **General ability**
- **Academic performance**
- **Language function**
- **Motor abilities**
- **Social and emotional status**
- **Self-help, including orientation and mobility**
- **Career and vocational abilities and interests**

Note: If an initial Individual Transition Plan (ITP) is being developed the student's post school interests and preferences must be assessed.

- **The assessment is sufficiently comprehensive to identify all of the student's special education and related services needs whether or not they are commonly linked to the disability category in which the student may be identified.**
- **A variety of assessment tools and strategies are utilized to gather relevant developmental, academic and functional information about the student, including information provided by the parent.**
- **The assessment includes obtaining information related to enabling the student to be involved in and progress in the general curriculum or for a preschool child to participate in appropriate activities.**
- **A student cannot be determined to be a student with a disability if the determining factor is a lack of appropriate instruction in reading, including the essential components of reading instruction, lack of instruction in math, or limited English proficiency. Essential components of reading instruction means explicit and systemic instruction in:**

- **Phonemic awareness**
- **Phonics**
- **Vocabulary development**
- **Reading fluency, including oral reading skills**
- **Reading comprehension strategies**
- **For a student suspected of having a learning disability, the assessment includes observing the academic performance of the student in a general education setting by an IEP team member other than the student's regular teacher.**
- **For a student suspected of having a learning disability the assessment must provide information for the IEP team to determine:**
 - **If a severe discrepancy exists between achievement and intellectual ability in one or more of the following areas:**
 - **Oral expression**
 - **Listening comprehension**
 - **Written expression**
 - **Basic reading skill**
 - **Reading fluency skill**
 - **Reading comprehension**
 - **Mathematics calculation**
 - **Mathematics reasoning**
 - **If the discrepancy is due to a disorder in one or more of the basic psychological processes including:**
 - **Attention**
 - **Auditory processing**
 - **Visual processing**
 - **Sensory motor skill**
 - **Cognitive abilities including: association; conceptualization; and expression**
 - **That the severe discrepancy is not primarily the result of:**
 - **A visual, hearing, or motor impairment**
 - **Intellectual disability**
 - **Emotional disturbance**
 - **Environmental, cultural, or economic disadvantage**

- Limited English proficiency
- Lack of appropriate instruction in reading or math

For a child who is visually impaired, the assessment must also provide information for the IEP team on the most appropriate medium or media, including Braille, for reading. Note: For a student who is functionally blind, an assessment of Braille skills is required.

For a student age fourteen and older, an assessment of their transition services needs, including their preferences and interests, must be conducted.

UPON COMPLETION OF THE INITIAL ASSESSMENT REPORT

When the assessments are completed a report must be written and uploaded into the Welligent IEP system. While there may be more than one assessment report, the content of the reports must include all of the elements listed below. Since the report is designed for the purpose of providing IEP team members with the information they need to make informed decisions concerning the student, it should be written, to the degree professionally appropriate, in a style understandable by the team members.

Reports should be completed well enough in advance of the IEP meeting so that:

- Copies can be made for distribution to team members at the IEP meeting. Parents who have requested to receive a copy of the assessments prior to the IEP meeting must be provided a copy of the report at least four days prior to the meeting.
- They can be translated into the parent's primary language upon written request from the parent.
- They can be reviewed and discussed by staff members to develop an understanding of the student and his/her needs. (This is particularly important if there are multiple reports.)

CONTENT OF THE INITIAL ASSESSMENT REPORT

The report contains student information such as:

- Name
- Student identification number
- Date of birth
- Chronological age
- Primary language or mode of communication
- Race or ethnicity
- Gender
- Covers all of the elements listed above under *Conducting an Initial Assessment*.
- Cites the assessments that were utilized, states that assessment instruments selected and administered were not racially, sexually, or culturally discriminatory, and were

considered valid and reliable for the evaluation, includes dates given and who administered them.

- **Note:** If an assessment was administered under conditions not consistent with those specified in the instructions provided by the producer, it must be so indicated in the report and how it may have compromised the validity of the assessment.
- Indicates when an interpreter was used in administering the assessment(s) and whether that compromised the validity of the assessment(s).
- Includes, when appropriate, the findings from previous assessments including independent educational evaluations provided by the parent(s).
- Indicates whether the assessments were a valid indicator of the student's skills and aptitudes.
- Provides evidence of whether the student has a disability and may require special education and related services.
- Describes the relevant behavior of the student, observed in an appropriate setting, and the relationship of that behavior to the student's academic and social functioning.
- Describes relevant health, developmental, and medical findings.
- Cites the student's performance on State and District wide assessments.
- For a student suspected of having a learning disability, provides evidence regarding whether there is a significant discrepancy between achievement and ability that cannot be corrected without special education and related services.
- A determination concerning the effects of environmental, cultural, or economic disadvantage when appropriate.
- For a student with a low incidence disability, the need for specialized services, materials, and equipment.
- The name, title, and signature of the person who wrote the report and the date the report was completed.

WHEN TO CONDUCT A REASSESSMENT

A reassessment of a student with a disability shall be conducted at least once every three years or more frequently, if appropriate, unless the parent/guardian and the District agree, in writing, that a reassessment is unnecessary.

Once a student has been identified by an IEP team as having a disability and needing special education it is required that the student be reassessed, unless the parent and the District agree that it is unnecessary, at the following times:

- Every three years (triennially)
- At any time at the request of the parent(s) or District staff except it shall not occur more frequently than once a year unless the parent and district agree.

Generally, the purpose of a reassessment is to address one or more of the following concerns:

- That the student may no longer have a disability.
- That the student may have an additional or different disability.
- That the student is not adequately progressing in achieving the goals and objectives set forth in his/her IEP.
- That the student's current special education and related services may no longer be appropriate.
- That the student may no longer need special education and related services.

HOW TO DETERMINE IF A REASSESSMENT IS WARRANTED

As per Los Angeles Unified School District policy, the IEP team must determine at the 2nd Annual Review IEP team meeting whether or not a three-year comprehensive psycho-educational reassessment will be required as part of the upcoming three-year review IEP. The IEP team must document the team's decision on the IEP, in the FAPE Part 1, *Preparation for Three Year Review IEP (At the second Annual Review IEP Meeting, the team must discuss and document the decision to conduct or not conduct a three-year comprehensive reassessment)*.

The decision to conduct or not conduct a three-year comprehensive psycho-educational reassessment must be determined by the IEP team, with parent/guardian input.

The decision must be made based on a review of existing information from:

- Existing evaluation data, including assessments and information provided by the parent/guardian.
- Current class-room based assessments and observations.
- Teacher and related services providers' observations.
- Review of Student Records
 - Cumulative file (e.g. teacher comments related to learning/behavior, attendance, grades, etc.), discipline records, student progress in previously identified academic areas of weakness, District and state testing information, and behavioral concerns
 - Current Classroom-Based Assessment Data: MiSiS, MyData, DIBELS, periodic assessments, state testing, EL data, and grades
 - Previous IEPs: Progress toward goals, behavior intervention plans, related services, and history of changes in eligibility and placement
 - Previous psycho-educational assessments (from any source)
 - Overall cognitive ability and identified strengths and weaknesses, and social-emotional concerns

- Observations by teacher and related services providers

The IEP team should also discuss the following considerations as part of its determination regarding whether a three-year comprehensive psycho- educational reassessment is necessary.

- Age and Grade Considerations
 - Student's age at initial assessment
 - Whether student will matriculate to elementary school, middle school, or high school in the upcoming year
- Review/Discuss Other Considerations:
 - Consider whether there have been any significant health or behavior changes since last psycho educational assessment that may be impacting the student's academic performance and progress toward goals.
 - Whether other conditions warrant reassessment, including a lack of anticipated progress.
 - Second language acquisition and language development status/growth.
 - Length of time since the last psycho-educational assessment.
 - Whether the last or current psycho-educational assessment was from another school district

AT THE 2ND ANNUAL REVIEW IEP MEETING

The purpose of the meeting is to report on the student's present levels of performance, modify or update IEP goals, discuss supports, services and placement, and to determine whether a three-year comprehensive psycho- educational reassessment is required at the upcoming three-year review IEP.

With parent/guardian input, IEP teams will utilize the *"Three-Year Psycho-Educational Reassessment Determination Worksheet"* (see Attachment A of LAUSD Policy Bulletin 6639.0) as a guide for discussion and decision-making with regard to the appropriateness of a comprehensive psycho-educational three-year reassessment. This worksheet will be completed by the IEP team, signed by parent/guardian at the IEP meeting, and uploaded to the 2nd Annual Review IEP by the IEP administrator/designee on the Welligent IEP Management screen. The worksheet is also available in the *Downloads* section of the Welligent IEP system.

Note: The IEP team must align "Annual Review to be conducted by" date with "Next Three-Year Review will be conducted by" date, in Section A on page 1 of the Welligent IEP document to ensure that the next Annual Review or the Three-Year Review will not become overdue. This can be accomplished by moving the Annual Review or Three-Year Review forward so that they will occur at the same meeting and neither will be considered overdue.

IMPORTANT CONSIDERATIONS AND REQUIREMENTS

- A three-year review IEP team MEETING must be held, regardless of the IEP team's decision to waive the formal comprehensive psycho-educational reassessment.
- Both health and academic assessment plans are required FOR ALL TRIENNIALS or 3YR REVIEW IEPs regardless of the IEP team's decision to waive a formal comprehensive psycho-educational reassessment.

A comprehensive psycho-educational three-year reassessment is required, and **MAY NOT BE WAIVED** in these instances:

- For all students with an eligibility of Emotional Disturbance (ED);
- For students on the general education curriculum whose previous three-year reassessment had been waived;
- At the first three-year review IEP following an initial psychoeducational assessment;
- When a parent/guardian or other member of the IEP team makes a request;
- When a student is transitioning from early education/preschool programs to elementary programs (kindergarten or first grade, as applicable);
- If a student is being considered for a change of curriculum from general curriculum to alternate curriculum, or vice versa;
- When there is new information to suggest that the current eligibility is not appropriate;
- When there is a significant change in health, behavior, or educational needs such that conditions would warrant a comprehensive reassessment; and
- Prior to determining that a child is no longer a child with a disability.

A comprehensive psycho-educational three-year reassessment **SHOULD BE CONSIDERED**:

- When a student will matriculate to middle school or high school in the upcoming year;
- If the last or current psycho-educational assessment is from another school district;
- If there have been any significant health or behavior changes since the last psycho-educational assessment;
- If the previous assessment was either a preschool initial evaluation or preschool reevaluation;
- If the student has an eligibility of developmentally delayed (DD) on the existing IEP and is a student age 3-6;
- If a significant change of placement may be considered and/or requested by a student's parent/guardian;
- If other extenuating circumstances would warrant a comprehensive reassessment; and

- For any other reason by which the IEP determines additional assessment data would be necessary to provide the student a free appropriate public education.

It ***MAY BE APPROPRIATE TO WAIVE*** a three-year reassessment if:

- The student had a comprehensive reassessment in the last three years and;
- The student's eligibility and unique needs have remained consistent and the student continues to require special education services to work towards grade-level standards;
- The student has demonstrated academic consistency or progress on IEP goals as determined by teacher progress reports, curriculum-based assessments, grades and progress towards meeting grade level standards; or
- If the student is on alternate curriculum and there is no evidence supporting the need to change the curriculum, eligibility, or program supports.

If the team feels additional assessment is needed, an Assessment Plan will be developed to address the areas specified on the three-year psycho-educational reassessment worksheet prior to the Triennial Review date and sent to the parent for consent.

The assessment must be completed and the IEP team meeting conducted within 60 days of receipt of the signed Assessment Plan, not including school breaks in excess of 5 days.

It is recommended that the Assessment plan be provided to the parent at least *75 days prior* to the Triennial Review date to ensure timely completion of the assessments, scheduling and conducting the IEP meeting.

If the IEP team, with parent/guardian input, concludes that no additional assessment is warranted, the parent/guardian must be informed of their right to request an assessment.

Note: Even if the three-year reassessment is determined to be unnecessary, a reassessment may be conducted if either the student's parent/guardian or a staff member requests that it be done.

DOCUMENTATION OF IEP TEAM DECISION FOR REASSESSMENT AS PART OF 3YR REVIEW

After thorough discussion and consideration of relevant student data and parent/guardian input, the IEP team's decision regarding the three-year comprehensive reassessment shall be documented on the 2nd Annual Review IEP on the FAPE Part 1, *Preparation for Three Year Review IEP (At the second Annual Review IEP Meeting, the team must discuss and document the decision to conduct or not conduct a three-year comprehensive reassessment)*. This section requires the IEP team to document:

- If Parent and District (local education agency) agree that a reassessment is unnecessary;
- If the parent does not agree, the area(s) to be reassessed.

Refer to District Bulletin 6639.0: *Three-Year Review Individualized Education Program (IEP) Psycho-Educational Reassessment Requirements* for more information.

CONTENT OF THE REASSESSMENT REPORT

The reassessment report must include:

- A review of existing data about the student;
- A summary of the student's current classroom-based assessments;
- A summary of observations from the general and special education teacher(s) and related services providers;
- A summary of the present levels of performance and educational needs of the student;
- Results of any State or District-wide assessments that the student has participated in, including a description of accommodations or modifications for the student in test administration;
- A summary of the results of additional assessments conducted to produce information that would assist in reviewing the current IEP; and
- A review of progress toward previous goals.

INDEPENDENT EDUCATIONAL EVALUATION (IEE)

Federal law specifies that the parents/guardians of a child with a disability have the right to obtain an *Independent Educational Evaluation* of their child at *public expense*, subject to certain provisions.

- "Independent Educational Evaluation (IEE)" means an evaluation conducted by a qualified evaluator who is not employed by the District.
- "Public expense" means that the District either pays for the full cost of the IEE within the established guidelines set out in District or Special Education Local Plan Area (SELPA) policy or ensures that the IEE is provided at no cost to the parent/guardian.

NOTICE TO THE DISTRICT

A parent/guardian must notify the District in writing that they disagree with a District evaluation and that they are requesting an IEE at public expense. If a parent/guardian makes an oral request for an IEE, the District shall offer to assist the parent/guardian in putting the request in writing.

A parent/guardian desiring an IEE at public expense must submit their written notice within two (2) years from the date of the District assessment to which they disagree.

DISTRICT RESPONSE TO THE PARENT REQUEST

Following receipt of a request for an IEE at public expense from a parent/guardian, the District shall, without unnecessary delay:

- Ensure that the evaluation is provided at public expense; or

- Request a due process hearing for a determination as to whether the District's evaluation is appropriate.
 - If the District initiates a due process hearing and the final decision is that the District's evaluation is appropriate, the parent/guardian is not entitled to an IEE at public expense; however, the parent/guardian still has the right to obtain an IEE at private expense.

The District may ask a parent/guardian why he or she disagrees with the District's evaluation, but may not require the parent/guardian to provide an explanation and may not unreasonably delay either providing the IEE at public expense or filing a request for due process to request a hearing to defend the District's evaluation.

INFORMATION PROVIDED TO A PARENT/GUARDIAN UPON RECEIPT OF A WRITTEN REQUEST FOR AN IEE

The school (District) will provide the parent/guardian with information regarding where to obtain an IEE and the District criteria applicable to IEEs.

SEE LAUSD POLICY BULLETIN 6642.0 *Independent Educational Evaluations (IEE)* for more information.

CONSIDERING THE IEE AT AN IEP MEETING

IEEs are designed to determine the educational needs of a student with a disability or a suspected disability. The IEP team is responsible for determining services and placement. While the District will consider IEEs, the District is not obligated to adopt the recommendations set out in any IEE. If a parent/guardian obtains an IEE at public expense, or shares an evaluation obtained at private expense with the District, the results of the evaluation:

- Must be considered by the District in any decision made with respect to the provision of a free appropriate public education (FAPE) to the student if the evaluation meets District criteria; and
- May be presented by any party as evidence at a due process hearing regarding the student.

To facilitate careful consideration by the IEP team, parents should be encouraged to provide the report in advance of the meeting so it can be reviewed by District personnel qualified in the area of the evaluation.