



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## POLICY BULLETIN

**TITLE:** Review and Consideration of Request for Special Education Evaluation

**NUMBER:** BUL-4140.1

**ISSUER:** Sharyn Howell, Executive Director  
Division of Special Education

**DATE:** September 29, 2010

**ROUTING**  
 All Locations  
 Local District Superintendents  
 Administrators of Instruction  
 Principal Leaders (Directors)  
 Support Unit Administrators  
 Psychological Services  
 Coordinators  
 School Site Administrators  
 Teachers  
 School Psychologists

**POLICY:** Federal regulations, CFR 300.503, permit local education agencies to review and consider the appropriateness of requests for special education evaluation. This Bulletin provides guidance and procedures to schools reviewing such requests for evaluation.

**MAJOR CHANGES:** This Bulletin replaces BUL-4140: *Review and Consideration of Request for Special Education Evaluation*, issued March 3, 2008.

**GUIDELINES/ PROCEDURES:** The following guidelines apply:

**Procedure:**

Within 15 days of receipt of a written request for special education evaluation, parents must receive an assessment plan for their consent or a written notice that the request for assessment is not appropriate at the present time. To determine if a referral for special education evaluation is appropriate, the school administrator/designee and Individualized Education Program (IEP) evaluation team members (as appropriate) must review the following:

1. Student records and academic history;
2. Prior assessments including curriculum based, standardized tests and alternative measures/procedures;
3. Progress in current program (including English Language Development);
4. Progress in meeting content standards;
5. Progress in meeting literacy and mathematical standards;
6. Results of state and district assessments;
7. Results of proficiency examinations;
8. Results of portfolio assessments/student work samples;
9. Types and results of academic and/or behavioral intervention provided;
10. Teacher information/concerns;
11. Parent information/concerns.



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### **GUIDELINES/ PROCEDURES (cont.):**

In the event that the school determines that a request for evaluation is inappropriate, the school administrator/designee will provide a written notice (ATTACHMENT A or B [Spanish]) containing all of the following information:

1. A description of the action refused by the school;
2. A description of each evaluation procedure, assessment, record, or report used as a basis for the decision;
3. An explanation of why the action was refused;
4. A description of any other factors relevant to the decision;
5. A description of any other options considered and the reason those options were rejected;
6. A statement that the parents of a child with a suspected or confirmed disability are protected by procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
7. Sources for the parent to contact to for assistance with questions or further explanation.

### **Notification of Procedural Safeguards to Parents:**

Each school must ensure that parents are properly informed of protections under the procedural safeguards of the Individuals with Disabilities Education Act. The written notice to the parent must include a copy of the District's "A Parent's Guide to Special Education Services (Including Procedural Rights and Safeguards)."

### **Distribution of Documents:**

The school administrator/designee is responsible for providing written notice to the parent. One copy of the notice must be kept in the student's cumulative folder. If the student is currently a student with an IEP, (a) a copy of the notice should be placed in the (green) special education folder, (b) an entry should be made on the Welligent IEP in the "Case Notes" section that indicates that the parent was mailed or received the written notice, the date of the entry, and (c) a scanned copy of the notice should be attached to the student's IEP in the Welligent system.

**AUTHORITY:** This is a policy of the Superintendent of Schools. This policy is authorized by federal regulation, CFR 300.503.

**FORMS:** Schools are to use the sample letters (Attachments A or B [Spanish]) to communicate to parents after careful review and consideration of the request for special education evaluation indicate that a special education evaluation is not appropriate.

**ASSISTANCE:** For assistance or further information, please contact your Psychological Services Coordinator, Support Unit Coordinator, or Alnita Dunn, Director, Psychological Services, Division of Special Education, at (213) 241-8303.



## Los Angeles Unified School District

Dear Parent/Guardian of \_\_\_\_\_ Date of Birth \_\_/\_\_/\_\_

This is to inform you that we have reviewed your request for special education evaluation. After a review of existing information, it has been determined that the request is not appropriate at this time.

This notice includes a list of the documentation used to make the decision and an explanation of the reason(s) for the District's decision, as well as a description of additional factors relevant (intervention, modifications, supporting data, etc) to the decision. It also includes a description of other options that may have been considered and the reasons why they were rejected.

DOCUMENTATION USED TO MAKE THE DECISION (mark all that apply):

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Review of Student Records | <input type="checkbox"/> Disciplinary Records | <input type="checkbox"/> Attendance Records                     |
| <input type="checkbox"/> Student Success Team Logs | <input type="checkbox"/> Teacher Reports      | <input type="checkbox"/> State and District Assessments         |
| <input type="checkbox"/> Health/Medical Records    | <input type="checkbox"/> Progress Reports     | <input type="checkbox"/> Independent/Agency Reports, dates ____ |
| <input type="checkbox"/> Attendance Records        | <input type="checkbox"/> Grades               | <input type="checkbox"/> Psycho-Educational Reports, dates ____ |
| <input type="checkbox"/> Other__                   |   | <input type="checkbox"/> Observations _____                     |

REASON(S) FOR DISTRICT'S DECISION (insert a rationale for decision):

DESCRIPTION OF ADDITIONAL FACTORS RELEVANT TO DECISION; (insert additional factors):

OTHER OPTIONS CONSIDERED; AND REASONS WHY REJECTED (insert options and reasons):

As the parent of a child with a suspected or confirmed disability, you have protections under the procedural safeguards of the Individuals with Disabilities Education Act (IDEA) and California Education Code §56000, et.seq. A copy of "A Parent's Guide to Special Education Services (Including Procedural Rights and Safeguards)," is included for your reference.

If you have any questions or need further explanation of your rights, you may contact:

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Name/Title (Print)

School/Office

Telephone



## Distrito Escolar Unificado de Los Ángeles

Estimado(a) padre, madre o tutor de \_\_\_\_\_ Fecha de nacimiento \_\_\_\_/\_\_\_\_/\_\_\_\_

La presente es para informarle que hemos estudiado su solicitud de evaluación para la educación especial. Después de analizar toda la información existente, se ha determinado que dicha solicitud no es apropiada por el momento.

Esta notificación incluye una lista de la documentación empleada para tomar la decisión y una explicación de la razón por la decisión tomada por el distrito, incluyendo otras opciones que han sido consideradas. Dicha notificación también incluye una descripción de la información usada como base para la decisión y cualquier otro factor pertinente (intervenciones, modificaciones, información de respaldo, etc.). También, incluye una descripción de otras opciones que se pueden haber considerado y los motivos por los cuales se rechazaron.

### DOCUMENTACIÓN USADA PARA EFECTUAR LA DECISIÓN (marque todo lo que corresponda)

- |  |  |
|--|--|
| <input type="checkbox"/> Estudio de expediente académico                 | <input type="checkbox"/> Observaciones                                 |
| <input type="checkbox"/> Historial de asistencia                         | <input type="checkbox"/> Historial de disciplina                       |
| <input type="checkbox"/> Informes del maestro                            | <input type="checkbox"/> Registros del Comité de evaluación pedagógica |
| <input type="checkbox"/> Historial medico                                | <input type="checkbox"/> Evaluaciones del estado y del distrito        |
| <input type="checkbox"/> Informes de agencias particulares, fechas _____ | <input type="checkbox"/> Informes de progreso académico                |
| <input type="checkbox"/> Informes psicoeducativos, fechas _____          | <input type="checkbox"/> Calificaciones                                |
| <input type="checkbox"/> Otro _____                                      |  |

MOTIVO DE LA DECISIÓN DEL DISTRITO (¿en qué se basa la decisión?)

DESCRIPCIÓN DE FACTORES ADICIONALES PERTINENTES A LA DECISIÓN, SI APLICAN (¿cuáles fueron los factores adicionales considerados, si aplican?)

OTRAS OPCIONES CONSIDERADAS Y RAZONES POR LAS CUALES SE RECHAZARON (¿cuáles fueron las opciones y los motivos?)

Como padre de familia de un menor que sufre de una discapacidad confirmada o supuesta, usted está amparado por las garantías de procedimiento de la Ley de la Educación para Personas Discapacitadas (IDEA, por sus siglas en inglés) y el artículo 56000 del Código de Educación del Estado de California, y demás. Para su información, se incluye una copia de la "Guía para Padres sobre los Servicios de Educación Especial (que incluye los derechos y las garantías de procedimiento.)

Si tiene alguna pregunta o si necesita alguna explicación adicional de sus derechos, por favor comuníquese con:

\_\_\_\_\_  
Nombre/Título

\_\_\_\_\_  
Escuela/Oficina

\_\_\_\_\_  
Teléfono