

# **INITIAL ASSESSMENTS**

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# ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

To: Special Education Vice-Principals  
District Psychologists  
District Program Specialists  
Teachers on Special Assignment

From: Eric Beam, Coordinator of Psychological Services

CC: Barbara Willibrand, Assistant Superintendent of Student Services  
Bridget Cook, General Counsel

SUBJECT: Updated procedures for the "Inquiry for Initial Assessment"

Date: June 30, 2006

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Attached is a copy of the form that we will use when a parent requests, either verbally or in writing, an assessment plan be developed. This is to be used for **initial requests only for possible initial placement into Special Education** and not for development of assessments for students currently in special education. This has been the subject of some complaints and mediations.

1. If a parent/guardian requests an assessment for Special Education, the parent/guardian should be referred to either any administrator or school site psychologist for further disposition.
2. The parent/guardian should fill out, or receive assistance in filling out, the attached form. Request that the parent/guardian signs the form. If a signature is not procured after a good-faith attempt, substitute with a staff witness. Deadlines should be tracked from moment of notice of our child-find obligations, regardless of nature of contact.
3. If the parent/guardian has already submitted their request in another form, have the person fill out only the personal information at the top and sign and date at the bottom of the form. In the "Reason for Request" section, write in "See attached note from the parent/guardian."
4. Copies of the request should be given to school psychologist and the administrator overseeing Student Study Teams.
5. Within 15 Days, the school must send the parent/guardian a copy of their procedural rights and safeguards, and either:
  - a. An Assessment Plan for initial assessment. Or,
  - b. A written explanation from the school psychologist with specific rationale and data as to why a full assessment is not warranted. This rationale must be based, at minimum, from either a properly convened Student Study Team Screening review or any Response-To-Intervention Procedures not enacted as of this date. Rationale for refusal needs to have an extremely high threshold of documented validity.

## **Excerpts from Relevant Education Code as of June 30, 2006**

56043. The primary timelines affecting special education programs are as follows:

(a) A proposed assessment plan shall be developed within 15 calendar days of referral for assessment, not counting calendar days between the pupil's regular school sessions or terms or calendar days of school vacation in excess of five schooldays from the date of receipt of the referral, unless the parent or guardian agrees, in writing, to an extension, pursuant to subdivision (a) of Section 56321.

(b) A parent or guardian shall have at least 15 calendar days from the receipt of the proposed assessment plan to arrive at a decision, pursuant to subdivision (c) of Section 56321.

(c) Once a child has been referred for an initial assessment to determine whether the child is an individual with exceptional needs and to determine the educational needs of the child, these determinations shall be made, and an individualized education program team meeting shall occur, within 60 days of receiving parental consent for the assessment, pursuant to subdivision (a) of Section 56302.1, except as specified in subdivision (b) of that section and pursuant to Section 56344.

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56302. Each district, special education local plan area, or county office shall provide for the identification and assessment of an individual's exceptional needs, and the planning of an instructional program to meet the assessed needs. Identification procedures shall include systematic methods of utilizing referrals of pupils from teachers, parents, agencies, appropriate professional persons, and from other members of the public. Identification procedures shall be coordinated with school site procedures for referral of pupils with needs that cannot be met with modification of the regular instructional program.

56302.1. (a) Once a child has been referred for an initial assessment to determine whether the child is an individual with exceptional needs as defined in Section 56026 and to determine the educational needs of the child, these determinations shall be made, and an individualized education program meeting shall occur, within 60 days of receiving parental consent for the assessment in accordance with subparagraph (C) of paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code.

(b) The 60-day time period does not apply to a local educational agency if either of the following occurs:

(1) A child enrolls in a school served by the local educational agency after the relevant time period has commenced but prior to a determination by his or her previous local educational agency of whether the child is an individual with exceptional needs. The exemption of this paragraph applies only if the subsequent local educational agency is making sufficient progress to ensure a prompt completion of the assessment, and the parent and subsequent local educational agency agree to a specific date by which the assessment shall be completed.

(2) The parent of a child repeatedly fails or refuses to produce the child for the assessment.

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56303. A pupil shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized.

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56321. (a) If an assessment for the development or revision of the individualized education program is to be conducted, the parent or guardian of the pupil shall be given, in writing, a proposed assessment plan within 15 days of the referral for assessment not counting days between the pupil's regular school sessions or terms or days of school vacation in excess of five schooldays from the date of receipt of the referral, unless the parent or guardian agrees, in writing, to an extension. However, in any event, the assessment plan shall be developed within 10 days after the commencement of the subsequent regular school year or the pupil's regular school term as determined by each district's school calendar for each pupil for whom a referral has been made 10 days or less prior to the end of the regular school year. In the case of pupil school vacations, the 15-day time shall recommence on the date that the pupil's regular schooldays reconvene. A copy of the notice of a parent's or guardian's rights shall be attached to the assessment plan.

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(b) The proposed assessment plan given to parents or guardians shall meet all the following requirements:

(1) Be in language easily understood by the general public.

(2) Be provided in the native language of the parent or guardian or other mode of communication used by the parent or guardian, unless to do so is clearly not feasible.

(3) Explain the types of assessments to be conducted.

(4) State that no individualized education program will result from the assessment without the consent of the parent.

(c) The local educational agency proposing to conduct an initial assessment to determine if the child qualifies as an individual with exceptional needs shall obtain informed consent from the parent of the child before conducting the assessment, in accordance with subparagraph (D) of paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code. If the parent of the child does not provide consent for an initial assessment, or the parent fails to respond to a request to provide the consent, the local educational agency may pursue the initial assessment utilizing the procedures described in Section 1415 of Title 20 of the United States Code and in accordance with paragraph (3) of subdivision (a) of Section 56501 and subdivision (e) of Section 56506. The parent or guardian shall have at least 15 days from the receipt of the proposed assessment plan to arrive at a decision. The assessment may begin immediately upon receipt of the consent.

(d) The local educational agency shall not be required to obtain informed consent from the parent of a child for an initial assessment to determine whether the child is an individual with exceptional needs under any of the following circumstances listed in subclause (II) of clause (iii) of subparagraph (D) of paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code:

(1) Despite reasonable efforts to do so, the local educational agency cannot discover the whereabouts of the parent of the child.

(2) The rights of the parent of the child have been terminated in accordance with state law.

(3) The rights of the parent to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial assessment has been given by an individual appointed by the judge to represent the child.

(e) Consent for initial assessment may not be construed as consent for initial placement or initial provision of special education and related services to an individual with exceptional needs, pursuant to subclause (I) of clause (i) of subparagraph (D) of paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code.

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56344. (a) An individualized education program required as a result of an assessment of a pupil shall be developed within a total time not to exceed 60 days, not counting days between the pupil's regular school sessions, terms, or days of school vacation in excess of five schooldays, from the date of receipt of the parent's written consent for assessment, unless the parent agrees, in writing, to an extension. However, an individualized education program required as a result of an assessment of a pupil shall be developed within 30 days after the commencement of the subsequent regular school year as determined by each district's school calendar for each pupil for whom a referral has been made 20 days or less prior to the end of the regular school year. In the case of pupil school vacations, the 60-day time shall recommence on the date that pupil schooldays reconvene. A meeting to develop an initial individualized education program for the pupil shall be conducted within 30 days of a determination that the pupil needs special education and related services pursuant to paragraph (2) of subsection (b) of Section 300.343 of Title 34 of the Code of Federal Regulations.

# Antelope Valley Union High School District

Student Services  
548 West Lancaster Blvd.  
Lancaster, CA 93534  
(661) 729-2321

## Inquiry for Initial Assessment

Date: \_\_\_\_\_ Time: \_\_\_\_\_ AM/PM

Current School: AVHS \_\_\_\_\_ DWHS \_\_\_\_\_ EHS \_\_\_\_\_ HHS \_\_\_\_\_ LNHS \_\_\_\_\_

RPHS \_\_\_\_\_ KHS \_\_\_\_\_ LHS \_\_\_\_\_ PXHS \_\_\_\_\_ PHS \_\_\_\_\_ QHHS \_\_\_\_\_

Other \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_

Student's Name: \_\_\_\_\_ Grade: \_\_\_\_\_ Birthdate: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone numbers:

Home: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_

Reason for Request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

Request given to: \_\_\_\_\_

School Employee

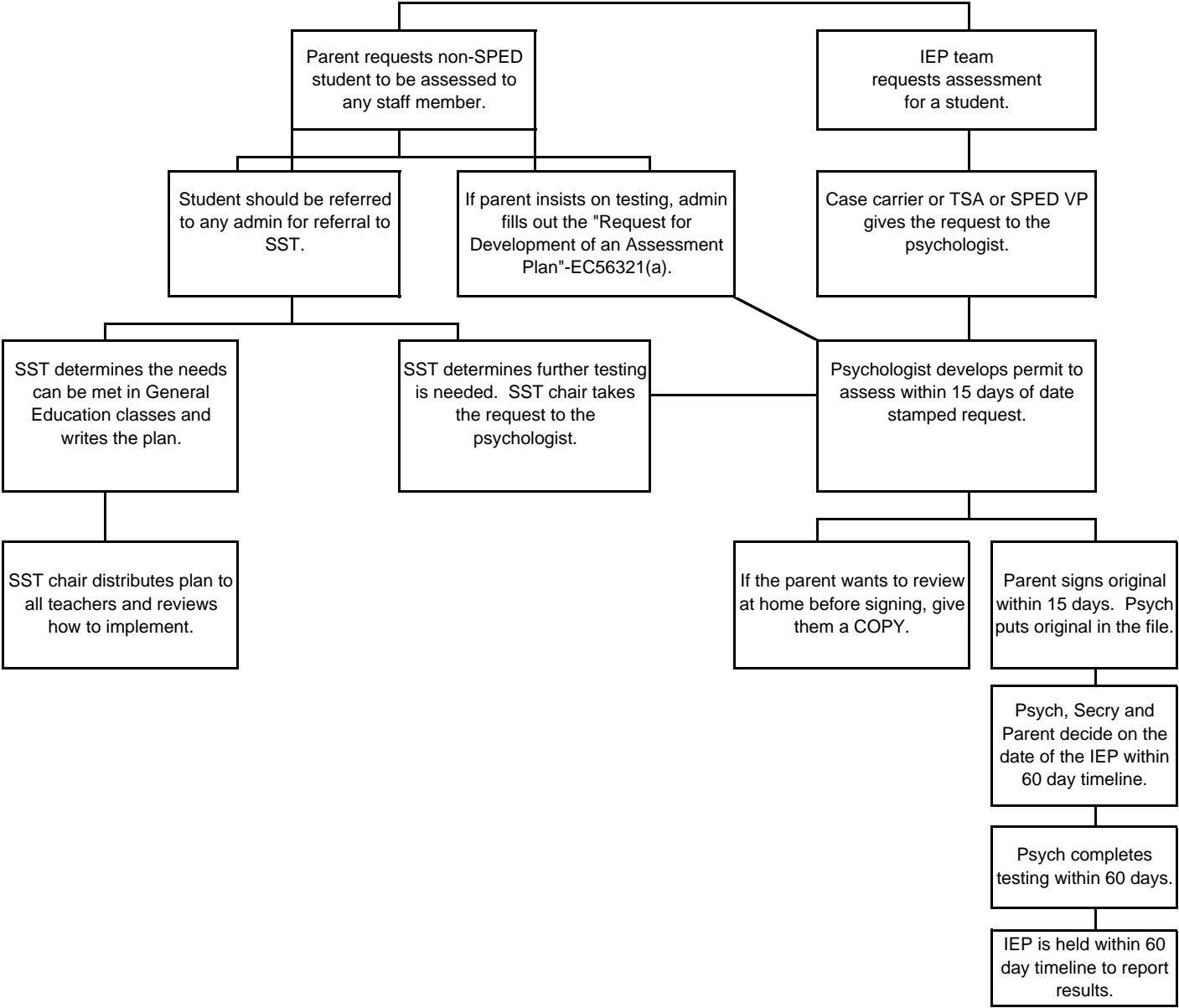
Position

Date

CC: School Psychologist  
Administrator for Student Study Teams

6/6 (eab)

# 60 Day Assessment Plan



## A. ASSESSMENTS/EVALUATIONS

### 1. Initials - Assessment plans (SELP A Forms 202)

- Created through the SST process to assess area(s) of suspected disability
- Assessment determines whether
  - An educational disability exists
  - The student's needs cannot be met in the general education setting
  - The student's needs require a specialized educational program to achieve academic progress

All three conditions must be met to support placement in Special Education.

#### 1.1 Regular Initial - student has never been placed in special education in lifetime

1.1.1 Student is eligible for Special Education - placement follows

1.1.2 Student is not eligible for Special Education - refer back to SST (Level 1 or 2)

1.2 Diagnostic Placement - considered with assistance from School Psychologist.

1.3 Re-evaluation of student previously assessed but not found eligible.

### 2. Special/Program Changes -Some level of evaluation/assessment (e.g., review records, discussion of current functioning levels with all current or previous service providers and/or formal testing as appropriate) by the IEP Team is required in the following cases:

2.1 Re-evaluation of a special education student who previously attended private school and is coming back to public school

2.2 Re-evaluation of a student who has been dismissed from special education. 2.3 30-day review - Consider label, placement, DIS services, Para educator/Special

Circumstance Assistant for a student transferring from out of the SELP A and others as needed.

2.4 Parent requests assessment. The District has 15 days for the development of an assessment plan (SELP A FORM 202) unless parent agrees otherwise.

2.5 Program/Placement/Classroom/School change with assistance from School Psychologist/Program Specialist.

2.6 Need evaluation for consideration of Special Circumstance Assistant

2.6.1 Special Circumstance Assistance Rubric should be completed by the IEP Team. When the rubric scores are significant, further formal assessment is indicated.

2.6.2 Assessment plan (SELP A FORM 202) and report are required with assistance from the School Psychologist. Data collection is mandatory

2.7 Additional services are being considered.

2.8 Eligibility Criteria/Label change is being considered

2.9 Pre-expulsion Evaluation - with assistance from the School Psychologist. Formal assessment is no longer required.

2.10 Social/emotional/behavioral concerns re noted.

### 3. Annuals - Review of process towards goals and objectives to assist in creating a new relevant annual goals is the primary purpose of annual IEPs. The reestablishment of

special education eligibility is not a goal of an annual IEP. IEP meetings must be held for all annuals, both formal and informal.

3.1 **Formal-** An assessment plan (SELPA Form 202) and a short written report (see appendix A-I for example) are required when using standardized instruments. Examples: WIAT, KTEA, Standardized Brigance, Woodcock Johnson III.

3.2 **Informal-** No assessment plan is required. Parents must agree in writing to forego standardized testing. The following are considered informal measurements:

3.2.1 Review of records

3.2.2 Observations

3.2.3 Class work samples and criterion-referenced assessment measures (e.g. San Diego Quick, Accelerated Reading, Reading Results, non-standardized Brigance, etc.).

4. Triennials - Re-establishing eligibility is the primary goal of a triennial IEP reevaluation. Evaluation of the student's progress towards goals and the creation of new goals are also required. IEP meetings must be held for all triennials - both formal and informal. The determination of which assessment is appropriate is made primarily by the Case Carrier, the psychologist, and other service providers prior to the due date of the triennial.

4.1 **Formal-** An assessment plan (SELPA Form 202) and a comprehensive assessment report are required

4.1.1 Parent requests assessment - will need to be honored.

4.1.2 Complete records are not available and/or are unattainable

4.1.3 Needs, disability, and/or eligibility require clarification

4.1.4 Prior assessments contain conflicting results - especially regarding student's potential

4.1.5 No formal assessments have been completed

4.1.6 New social/emotional/behavioral/medical concerns have arisen.

4.2 **Informal-** In the following situations informal triennials may be adequate:

4.2.1 At least two assessments corroborate student's ability level

4.2.2 The student has a permanent, severe, handicapping condition (e.g., Mental Retardation).

4.2.3 Student's eligibility and/or potential are not questioned by the IEP Team members.

4.2.4 Parent requested no assessment (in writing) or assessment plan was not signed despite numerous attempts

5. Dismissals - A full-formal or informal evaluation must be completed prior to the dismissal of any student from special education. The team should consider student's opportunities for success in general education.

5.1 Evaluation must have been completed within the past year.

5.2 Support for dismissal must be well documented.

5.3 Parent must be informed and an integral part of the evaluation process for dismissal to occur

- 5.4 Team must be informed and an integral part of the evaluation process for dismissal to occur .
- 5.5 Psychologist must be part of the dismissal evaluation process with the exception of students classified as Speech and Language Impaired, Adaptive PE, or Counseling and receiving only these DIS services.
- 5.6 Use all of the available information including State and District testing results.
- 5.7 Consider Section 504 or SST support as appropriate.