



New York State Education Department
Office of Special Education
Educational Partnership





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Committee on Preschool Special Education (CPSE) and Committee on Special Education (CSE) Training

Module 8: Reevaluation

Produced by the Technical Assistance Partnership for Transition at Cornell University in conjunction with the Technical Assistance Partnerships for Academics and Behavior at University at Albany and the Technical Assistance Partnership for Equity at Bank Street College of Education.

Last updated on November 1, 2023



Disclaimer

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Today's Facilitators

Meeting Norms

- Take care of your needs (water, food, restroom, etc.).
- Speak your truth; use “I” statements.
- Ask what you need to understand and contribute.
- Listen with respect.
- Push your growing edge.
- Participate and struggle together.
- Expect a lack of closure.
- Respect each others’ needs.

Blueprint for Improved Results for Students with Disabilities



Self-Advocacy

Students engage in self-advocacy and are involved in determining their own educational goals and plan.



Family Partnership

Parents, and other family members, are engaged as meaningful partners in the special education process and the education of their child.



Specially-Designed Instruction

Teachers design, provide, and assess the effectiveness of specially-designed instruction to provide students with disabilities with access to participate and progress in the general education curriculum.



Research-Based Instruction

Teachers provide research-based instructional teaching and learning strategies and supports for students with disabilities.



Multi-tiered Support

Schools provide multi-tiered systems of behavioral and academic support.



Inclusive Activities

Schools provide high-quality inclusive programs and activities.



Transition Support

Schools provide appropriate instruction for students with disabilities in career development and opportunities to participate in work-based learning.

Agenda

- Introduction to Module 8
- Regulatory Content
- Wrap up

Overview of Series

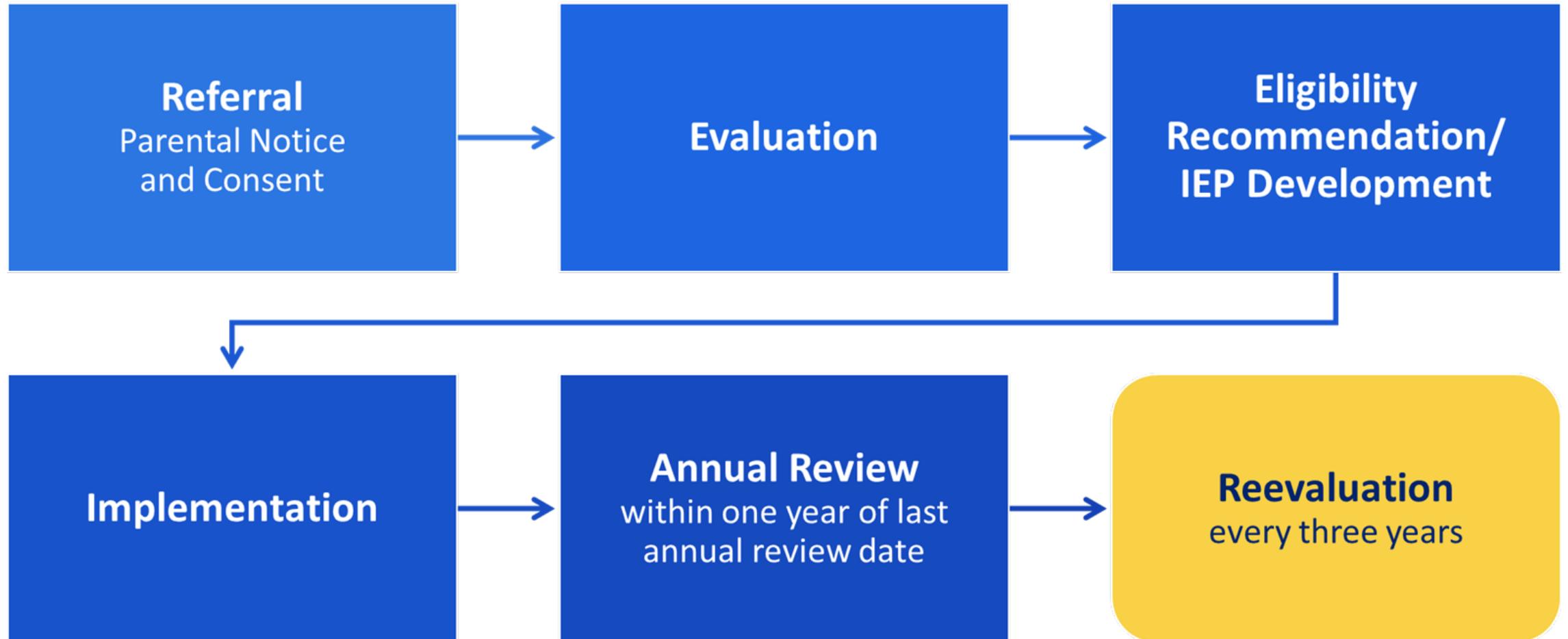
- Module 1: The Foundations
- Module 2: Referral
- Module 3: Evaluation
- Module 4: Eligibility
- Module 5: Recommendations/Individualized Education Program (IEP) Development
- Module 6: Implementing and Amending the IEP
- Module 7: Annual Review
-  **Module 8: Reevaluation**
- Module 9: Effective Preschool Special Education (CPSE)/Committee on Special Education (CSE) Meetings
- Module 10: CPSE

Participants will:

- Define reevaluation according to the Commissioner's Regulations, Part 200
- Identify the steps in the reevaluation process and their components
- Know how to determine the needed data for the reevaluation process
- Know the Chairperson's responsibility in the process

Module 8: Learning Objectives

CPSE/CSE Process



Defining Reevaluation





What Is a Reevaluation?

§200.4(b)(4)



A process that is sufficient to determine the student's individual needs, educational progress, and achievement, the student's ability to participate in instructional programs in regular education, and the student's continuing eligibility for special education.

Reevaluation



§200.4(b)(4), §200.4(c)(3)

The CPSE/CSE must arrange for an appropriate reevaluation of each student with a disability:

- If the district determines that the educational or related services needs warrant a reevaluation;
- At least every **three** years (except where the school district and the parent agree in writing that such reevaluation is unnecessary);
- Prior to determining that the student is no longer a student with a disability (declassification); and/or
- If the student's parents or teacher requests a reevaluation

*Exception: when a student graduates with a local/Regents diploma, exiting credential, or exceeds the age of eligibility for a free appropriate public education (FAPE), the district does not need to conduct a reevaluation.

A Reevaluation Must Include:



§200.4(b)

- A **variety** of tests or assessment tools or strategies;
- Information provided by the **parent**;
- Relevant **functional, developmental, and academic information** about the student that may assist in determining **whether the student is a student with a disability**; and
- The **content of the student's IEP**, including information related to enabling the student to **participate and progress in the general curriculum** (or appropriate activities for preschool students).

Prior to Declassification

§200.4(c)(3) & (4)



A school district must:

- Evaluate a student with a disability prior to determining that the student is no longer a student with a disability* (follow the reevaluation process).
- Provide a copy of the report and the documentation of eligibility to the student's parent.
- Provide prior notice before discontinuing special education services.

* Exception: When a student exits school, the district does not need to conduct a reevaluation.

Preparing for the Reevaluation



First Steps in the Reevaluation

- **Every student is reevaluated at least once every three years.**
- **A decision needs to be made:**
 - **What will this reevaluation consist of?**
 - **What current data do we have?**
 - **What information do we need to understand the current needs of the student?**
- **Written parent consent for the reevaluation.**
- **Conduct the reevaluation.**
- **The committee meets to review the reevaluation information in order to inform continuing eligibility and IEP recommendations.**

Determination of Needed Reevaluation Data



§200.4(b)(5)(i) and (ii)

1. Review existing evaluation data on the student.
 - Evaluations and information provided by the parent.
 - Current classroom-based assessments.
 - Local or State assessments.
 - Classroom-based observations.
 - Observations by teachers and related service providers.
2. Based on that review and input from the student's parent, the CSE, and other qualified professionals, as appropriate, determine what additional data, if any, are needed. This input can be obtained without a meeting.

Determination of Needed Reevaluation Data (continued)



§200.4(b)(5)

3. School must administer tests and other evaluation materials as needed.
4. If additional data is not needed, the district must notify the parent of that determination, the reasons why additional data is not needed, and the right of the parent to request an assessment. In this case, the school is not required to conduct an assessment unless requested by the parent.

Notices and Consent Requirements



§200.5(a)(2) and (3), §200.5(b)(1)(i), §200.5(c)

- Consent is required prior to conducting a reevaluation.
 - The district must provide prior written notice (PWN) of the reevaluation to the parent that includes a description of the proposed reevaluation at the same time that it requests consent.
- Exceptions to consent include:
 - Consent is not required before reviewing existing data or administering a test that is given to all students.
 - The district can conduct the reevaluation without parent consent for a reevaluation if it can show that it has made reasonable attempts to obtain consent and the parent(s) have failed to respond.
 - Parents must receive notice at least five days before the CPSE/CSE meeting to discuss the results of the reevaluation.

If Parent Refuses to Provide Consent for Reevaluation



§200.5(b)(3)

1. District and parent may agree that the reevaluation is unnecessary.
2. If the district believes the reevaluation is necessary, it may, but is not required to, pursue the reevaluation by using the dispute resolution options of mediation or due process.
3. If the district chooses not to pursue the reevaluation using the consent override procedures and believes, based on existing evaluation data, that the student does not continue to have a disability or does not need special education, the district may determine that it will not continue to provide special education services to the student.
4. Regardless of whether consent has been provided, the district must continue to provide FAPE to the student.

Conducting the Reevaluation



Next Steps in the Reevaluation

- Every student is reevaluated at least once every three years.
- A decision needs to be made:
 - What will this reevaluation consist of?
 - What current data do we have?
 - What information do we need to understand the current needs of the student?
- Written parent consent for the reevaluation.
- **Conduct the reevaluation.**
- The committee meets to review the reevaluation information in order to inform continuing eligibility and IEP recommendations.



Who Conducts the Reevaluation?

§200.4(b)(4)

- A multidisciplinary team or group of persons must conduct the reevaluation.
- The team must include at least one teacher or specialist with knowledge in the area of the student's disability.
- There are special considerations for students who are dually identified as an English Language Learner (ELL) and a student with a disability.



Special Considerations for English Language Learners (ELLs)

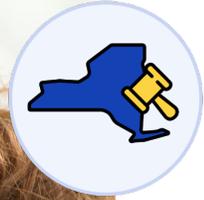
§200.4(b)(6)(I) and Subpart 154-3

- Reevaluations need to include:
 - Assessments administered in the student's home language.
 - Accurate information on what the student knows and can do academically, developmentally, and functionally.
- A member of the student's immediate or extended family cannot be used for evaluations other than initial screening and general information gathering.

Remember, the Reevaluation Shall Be Sufficient to Determine:

§200.4(b)(4)

- Student's individual needs.
- Educational progress and achievement.
- Student's ability to participate in general education programs.
- Student's continuing eligibility for special education.



Reviewing the Findings



Final Steps in the Reevaluation

- Every student is reevaluated at least once every three years.
- A decision needs to be made:
 - What will this reevaluation consist of?
 - What current data do we have?
 - What information do we need to understand the current needs of the student?
- Written parent consent for the reevaluation.
- Conduct the reevaluation.
- **The committee meets to review the reevaluation information in order to inform continuing eligibility and IEP recommendations.**

CPSE/CSE Meeting

§200.4(b)(4)

- After the reevaluation is completed, there must be a CPSE/CSE meeting to discuss the results of the reevaluation.
- While the meeting to discuss the evaluation results must be held in a timely manner, to the extent possible, the school district should consolidate reevaluation meetings and other CSE meetings for the student.





Recommendation Upon Declassification

§200.4(d)(1)



If the student has been determined to be ineligible for special education, the recommendation shall indicate the reasons the student was found ineligible.

PWN

§200.5(a)



Remember:

- PWN is required:
 - Prior to conducting a reevaluation of a student.
 - Following the meeting to discuss the results of the reevaluation.
 - Prior to discontinuing special education services when a student has been declassified.

Summary and Review



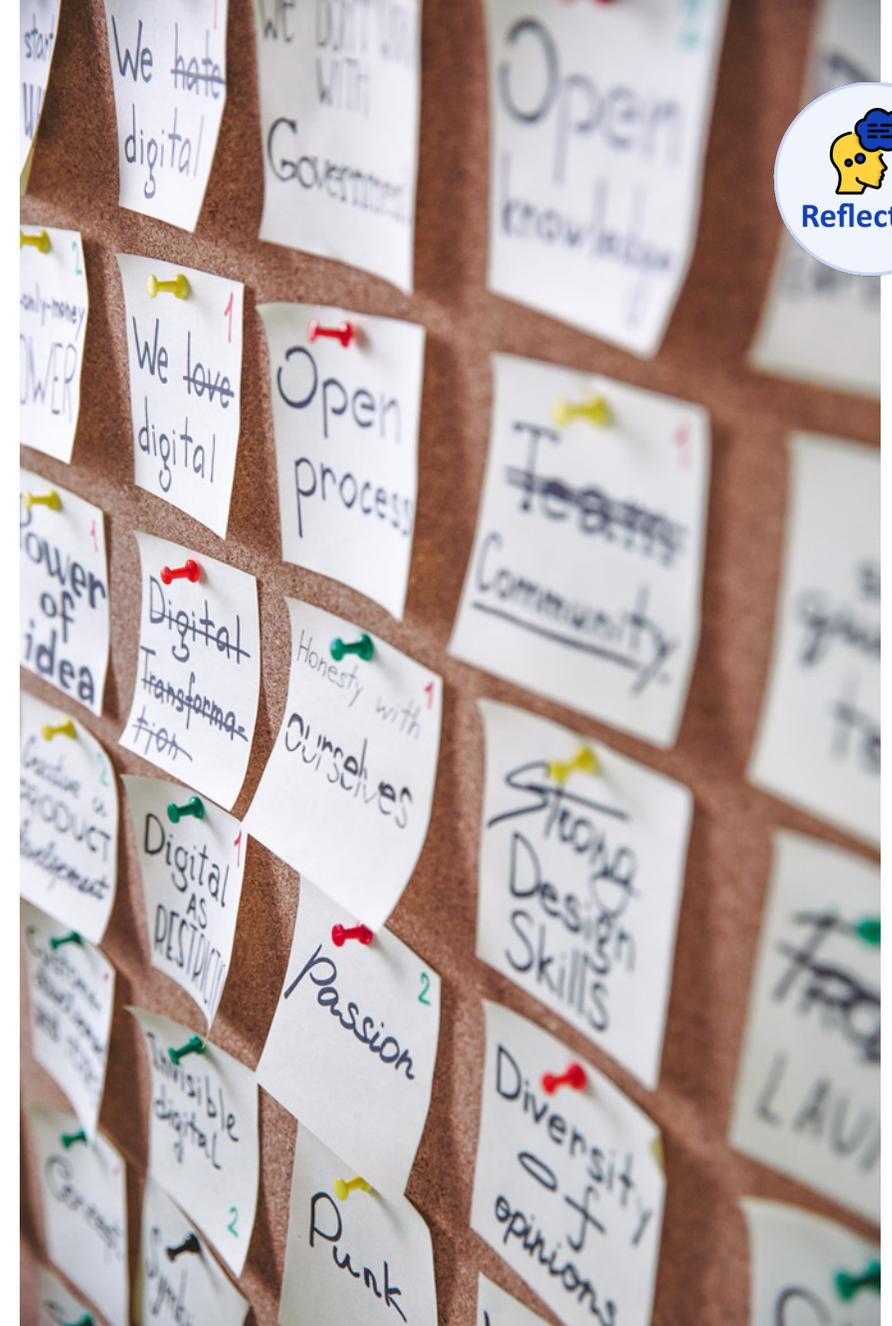
Quality Indicators for Reevaluation



- The district has a procedure that documents the attempts to obtain parent consent for reevaluation.
- The reevaluation process reviews multiple sources of information that describe the student's current functioning.
- Evaluation information provided by the parent is given meaningful consideration.
- The reevaluation considers:
 1. Individual needs.
 2. Educational progress.
 3. Student's ability to participate in general education program.
 4. The student's continuing eligibility.
- The student's current program and services are each reviewed to determine the difference in the current needs.
- The district has a procedure to complete a reevaluation before declassification.

What's Going on Your "To-Do" List?

- "I" time—reflect on the regulatory foundation topics we covered.
- Note any specific "to-dos" on your follow-up plan.



Questions and Answers



Exit Ticket



What is one takeaway from Module 8?

Resources

- [New York State Regulations of the Commissioner of Education, Part 200: Students with Disabilities](#)
- [Meeting Notice Relating to Special Education](#)
- [PWN Recommendations](#)

References

- Krownapple, J. (2017). *Guiding teams to excellence with equity: Culturally proficient facilitation*. Thousand Oaks, CA: Corwin, a SAGE Publishing Company.
- New York State Regulations of the Commissioner of Education, Part 200: Students with Disabilities, (2016).
- Singleton, G., & Hays, C. (2008). Beginning courageous conversations about race. In M. Pollock, *Everyday Antiracism: Getting Real about Race in School*. New York: New Press.
- Singleton, G. E. (2015). *Courageous Conversations About Race: A Field Guide for Achieving Equity in Schools*. Thousand Oaks, CA, CA: Corwin.
- Suriano, C. (2021, January). Decision from the second circuit court of appeals D. S. v. Trumbull board of education [Special Education Field Advisory]. New York State Education Department. Retrieved from: <https://www.nysed.gov/memo/special-education/decision-second-circuit-court-appeals-ds-v-trumbull-board-education>

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Technical Assistance Partnership
for Transition

This training was provided by the Technical Assistance Partnership for Transition at Cornell University. The OSE Educational Partnership is funded by the New York State Education Department Office of Special Education.