

AGREEMENT TO WAIVE REEVALUATION (ANNOTATED)

Child's Name:

**AGREEMENT TO WAIVE REEVALUATION (ANNOTATED)**

School Age

**ANNOTATION:**

This is a new form as of July 1, 2008. Previously, this request for agreement to waive reevaluation was included in the *Permission to Reevaluate Form*. This new form proposes waiving the reevaluation of a student, **except for students with mental retardation, for whom a reevaluation must be conducted every two years and the reevaluation cannot be waived.** Waiving the reevaluation occurs prior to the review of data and requires agreement between the Local Education Agency (LEA) and parent.

Child's Name: \_\_\_\_\_

Date Sent (mm/dd/yy): \_\_\_\_\_

Name and Address of Parent/Guardian/Surrogate:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*For LEA Use Only:*  
Date of Receipt of Agreement to Waive Form

**ANNOTATION:**

For LEA Use Only Box: Record the business date this form is delivered to the LEA. This will act as documentation that the parent responded to the *Agreement to Waive Reevaluation*.

Dear \_\_\_\_\_ :

Special education law requires that a reevaluation of every child with a disability be conducted at least once every three years, unless the parent and Local Education Agency (LEA) agree that a reevaluation is unnecessary.

**ANNOTATION:**

Agreement to waive the reevaluation is never an option for students with mental retardation. **Students with mental retardation MUST be reevaluated every two years.**

We have reviewed your child's progress to date on IEP goals. Based on this review, we are recommending that a reevaluation is NOT necessary and be waived for the following reasons:

\_\_\_\_\_

**ANNOTATION:**

Waiving reevaluation is not part of the reevaluation process, i.e., the review of existing evaluation data or collection of new data. Waiving reevaluation is recommended by the LEA, not the IEP team. When the LEA determines that a reevaluation is not necessary, the reasons for this determination must be noted. For example, the LEA may recommend that a reevaluation is not necessary because the child will be graduating soon or the child's ongoing progress monitoring data indicate that the child is making expected progress. However, the parent must be in agreement with the determination to waive the reevaluation. If the parent indicates written agreement below, no review of evaluation data by the IEP team is required and a **Reevaluation Report will NOT be completed.** This Waiver documents that the requirements related to reevaluation have been met. If waived, Reevaluation is not required for another 3 years from the date of the parent signature on the *Agreement to Waive Reevaluation*. However, either party may request reevaluation at any time.

**AGREEMENT TO WAIVE REEVALUATION (ANNOTATED)**

Child's Name: \_\_\_\_\_

Parental agreement to waiving the reevaluation must be in writing. If you have any questions about waiving the reevaluation, or if you need the services of an interpreter, please contact me.

Name: \_\_\_\_\_ Position: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**DIRECTIONS FOR PARENT/GUARDIAN/SURROGATE:** Please check either 1 or 2 and sign below.

- 1.  Yes, I agree that my child does not need to be reevaluated at this time; however I understand that I may request a reevaluation at a later date.
- 2.  No, I do not agree to waive a reevaluation and would like to have my child reevaluated.

**ANNOTATION:**  
 Parent and LEA must agree to waive reevaluation for a period of three (3) years. However, either party may, at any time, request a reevaluation if there are concerns. A reevaluation may not be conducted more than once a year unless the LEA and parent agree otherwise.

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

\_\_\_\_\_  
Date (mm/dd/yy)

\_\_\_\_\_  
Daytime Phone

**PLEASE RETURN THIS ENTIRE FORM TO:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A copy of the *Procedural Safeguards Notice* is available upon request from your child's school. This document explains your rights, and includes state and local advocacy organizations that are available to help you understand your rights and how the special education process works.

For help in understanding this form, an annotated *Agreement to Waive Reevaluation* is available on the PaTTAN website at [www.pattan.net](http://www.pattan.net) Type "Annotated Forms" in the Search feature on the website. If you do not have access to the Internet, you can request the annotated form by calling PaTTAN at 800-441-3215. The annotated forms offer assistance and guidance to parents and educators, and are not intended as an exclusive manner for complying with state and/or federal special education regulations.