

PERMISSION TO REEVALUATE - REEVALUATION REQUEST FORM (ANNOTATED)

Child's Name:

PERMISSION TO REEVALUATE - REEVALUATION REQUEST FORM (ANNOTATED) School Age

ANNOTATION:

This is a new form as of July 1, 2008. State regulations require that when a parent makes an ORAL request for reevaluation to any professional school employee or administrator, the parent must receive the *Permission to Reevaluate - Reevaluation Request Form* within 10 calendar days of the oral request. This form provides the means of getting the request in writing. It does not provide informed consent to reevaluate, nor does it require the Local Education Agency (LEA) to reevaluate the child. This form would not be issued if a parent requests a reevaluation in writing. It is recommended that the recipient of this request make a note of the date the oral request was made to avoid any misunderstanding with regard to the 10 calendar day timeline. The cover letter sent to the parent should identify the individual who received the oral request, and it is recommended that the professional employee receive notification that the request form was sent to the parent.

If a parent has asked any professional school employee or administrator for the school district or charter school (Local Education Agency - LEA) to reevaluate his or her child, the parent must be given this *Permission to Reevaluate - Reevaluation Request Form* within 10 calendar days of the date of the oral request.

Child's Name: _____

Date Sent (mm/dd/yy): _____

Name and Address of Parent/Guardian/Surrogate:

For LEA Use Only:
Date of Receipt of Request Form

ANNOTATION:

For LEA Use Only Box: Record the business date the *Permission to Reevaluate-Reevaluation Request Form* is delivered to the LEA. This date will provide documentation that the parent was provided a written request for a reevaluation of the child.

I am requesting a reevaluation of my child. I have these concerns about my child's educational performance and progress:

ANNOTATION:

This section should contain specific information explaining the parent's concerns, for example, "My son is still having trouble with homework in math. He continues to say that he does not understand how to complete the problems."

The reevaluation the parent is requesting begins with the review of the child's existing evaluation data to determine the need for additional data, but if the parent is asking for additional assessments not previously conducted, the parent should indicate the request in this section of the form. This information will provide the LEA with more specific knowledge of the parent's concerns, and will assist the LEA in responding to the parent's request for additional assessment previously not conducted. If the LEA agrees to the request for additional assessments, the LEA will issue to the parents the *Permission to Reevaluate - Consent Form* within a reasonable amount of time. If the LEA refuses to conduct the additional assessments, the LEA will issue to the parents within a reasonable amount of time a *Notice of Recommended Educational Placement/Prior Written Notice (NOREP)* and the *Procedural Safeguards Notice* with the reasons it feels the additional assessments are not necessary.

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Please send me the *Permission to Reevaluate - Consent Form* as soon as possible so that I can provide my written consent for the proposed reevaluation to begin. I understand that the 60 calendar day (excluding summers) timeline will not begin until the LEA receives the *Permission to Reevaluate - Consent Form* with my signature.

Parent/Guardian/Surrogate Signature

Date (mm/dd/yy)

ANNOTATION: Signing this form does NOT give the LEA permission to reevaluate the child. Once signed, this form is a written request for reevaluation. For more information about the reevaluation process, refer to the publications, "Reevaluation Process for Students with Disabilities" and "The Special Education Reevaluation/IEP Process," which can be found under publications on the PaTTAN website at www.pattan.net or by calling PaTTAN at 800-441-3215.

Please return this form to the person listed below or to your child's teacher.

Name: _____

Address: _____

Once the school receives this *Permission to Reevaluate - Reevaluation Request Form*, the school will either:

1. Send you within a reasonable amount of time the *Permission to Reevaluation - Consent Form* that will describe the process and timeline that will be used for the reevaluation, and ask for your consent for the reevaluation to begin,

ANNOTATION:

The LEA has the options of agreeing or disagreeing with a request to reevaluate. If the LEA agrees to conduct the reevaluation

- ◆ The LEA will notify the parent in writing within a reasonable amount of time that a reevaluation will be conducted. The LEA is not required to issue the *Permission to Reevaluate - Consent Form* when the reevaluation is only a review of data. The LEA may notify the parent using a letter/notice developed by the LEA, or, if the team is meeting to review existing evaluation data, the *Invitation to Participate in the IEP Team Meeting or Other Meeting* can be used by checking "Other" and noting that the meeting is to review data as part of a reevaluation. As part of the reevaluation the IEP team, including a certified school psychologist when reevaluating a child for autism, emotional disturbance, mental retardation, multiple disabilities, other health impairments, specific learning disability, or traumatic brain injury, and the parent must review the existing evaluation data and determine whether additional data are needed.
- ◆ If additional data are needed, the LEA will send the parent a *Permission to Reevaluate - Consent Form* within a reasonable amount of time. The *Permission to Reevaluate - Consent Form* will describe the process and timeline that will be used to obtain the additional data, and ask for parental consent to begin that process. Within 60 days of the date the LEA receives parental consent (not including summer days) the parent will receive a copy of the *Reevaluation Report*. Once the parent receives the consent form, the parent should sign and return it as soon as possible, thus giving the LEA permission to proceed with collection of additional information. If, after reasonable attempts to obtain parental consent, the LEA does not obtain consent, the LEA may proceed with the reevaluation. Although "reasonable amount of time" is not defined in the regulations, best practice considers 10 school days a reasonable time for LEAs to respond. However, 10 school days may not be reasonable if, upon receipt of this request form, the LEA does not have enough information about the student to make a decision about conducting the reevaluation, e.g., if a student is new to the LEA. In that situation, upon receipt

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of the *Permission to Reevaluate - Reevaluation Request Form*, the LEA could convene an IEP team meeting to discuss the parent's concerns so the LEA may make an informed decision about what further action should be taken.

- ◆ If additional data are not needed, the *Permission to Reevaluate - Consent Form* will not be issued. If additional data are not needed, the parent will receive the *Reevaluation Report* not later than two years from the date of the child's previous *Evaluation Report* or *Reevaluation Report* if the child is a child with mental retardation, or not later than three years from the date of the child's previous *Evaluation Report* or *Reevaluation Report* if the child is a child with any other disability. The *Reevaluation Report* will summarize the data reviewed during reevaluation and the conclusion about a student's continued eligibility for special education services.

OR

2. Send you a written notice, called a *Notice of Recommended Educational Placement/Prior Written Notice* that explains why the LEA is refusing to reevaluate your child and a *Procedural Safeguards Notice* that explains how you can challenge the LEA's refusal to reevaluate your child.

ANNOTATION:

If the LEA disagrees with the parent request for reevaluation or it disagrees with a parent's request for the collection of additional data as part of the reevaluation process, it will send the parent, within a reasonable amount of time, a *Notice of Recommended Educational Placement/Prior Written Notice (NOREP)* and the *Procedural Safeguards Notice* with the reasons it feels reevaluation or the collection of additional data are not necessary. The parent will need to follow the procedures set forth in the *Procedural Safeguards Notice* to dispute the LEA's decision to refuse to conduct the reevaluation.

Keep a copy of this form for your records.

If you have any questions, if you need the services of an interpreter, or if you believe you have not received a prompt response to this request, please contact me.

Name: _____ Position: _____
Phone: _____ Email: _____

Please read the enclosed *Procedural Safeguards Notice* that 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 *Permission to Reevaluate - Reevaluation Request Form* is available on the PaTTAN website at 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.