

Washington State Association of School Psychologists Professional Practice Guidelines in the Reevaluation of Students with Disabilities

Background

Current WAC regulations do not specifically define what a reevaluation should consist of, with the exception of the establishment of whether or not the student continues to be a special education student. The purpose of this paper is to provide evaluation groups with guidance in the purpose, procedures and decisions to be used in the reevaluation process. In comparison to the initial evaluation, WAC allows for some flexibility in the reevaluation process. The reevaluation is an opportunity to critically examine the current educational environment and evaluate student progress, instructional needs, the least restrictive environment, and long-term goals. The reevaluation process and its focus should go beyond simply reestablishing the disability condition.

WAC Definition and Procedures

The specific evaluation procedures and purposes are defined in WAC 392-172-108 through 188.

WAC 392-172-186 Reevaluation – Procedures. (1) As part of any reevaluation, a group that includes the individuals described in WAC 392-172-153, and other qualified professionals, as appropriate, shall review existing evaluation data on the student, including:

- (a) Evaluations and information provided by the parents of the student;
 - (b) Current classroom-based assessment and observations; and
 - (c) Observations by teachers and related service providers.
- (2) Based on the above review and input from the student’s parents, identify what additional data, if any, are needed to determine:
- (a) Whether the student continues to be a special education student and continues to need special education and any necessary related services;
 - (b) The present levels of performance and educational needs of the student; and
 - (c) If any additions or modifications to the special education and any necessary related services are needed to enable the student to meet the measurable annual goals set out in the student’s individualized education program and to participate, as appropriate, in the general curriculum.
- (3) The group described in subsection (1) of this section may conduct its review without a meeting. If the school district or other public agency conducts a meeting for the purposes under this section, parents must have an opportunity to participate in the meeting consistent with WAC 392-172-105.
- (4) A public agency must evaluate a special education student in accordance with this chapter before determining that the student is no longer a special education student.
- (5) The evaluation described in subsection (4) of this section is not required before the termination of a student’s eligibility under this chapter due to graduation, with a regular high school diploma or exceeding the age eligibility for FAPE under state law. Prior written notice is required, consistent with WAC 392-172-302.

WAC 391-172-188 Reevaluation – Purposes. The group described in WAC 392-172-186 shall determine if additional evaluation procedures are necessary to confirm the decisions to be made in WAC 392-172-186, consistent with WAC 392-172-106 through 392-172-111.

If no additional data are needed to determine whether the student continues to be a special education student, the school district or other public agency shall notify the student’s parents, consistent with WAC 392-172-302.

- (1) Of that determination and the reasons for it; and

- (2) Of the right of the parents to request an assessment to determine, for purposes of services under this chapter, the continuing eligibility of the student.
The school district or other public agency is not required to conduct the assessment unless required to do so by the parents.

WAC 391-172-190 Reevaluation – Notice of Results. Within ten calendar days of the completion of the reevaluation, the district or other public agency superintendent or designee shall notify the parent or adult student, pursuant to WAC 392-172-302, of one or more of the following decisions:

- (1) Whether the student continues to be eligible and in need of special education;
- (2) The present levels of performance and educational needs of the student; and
- (3) Whether any additions or modifications to the special education and any necessary related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general curriculum.

When a determination is made that the individualized education program is no longer appropriate, an individualized education program team meeting shall be convened in accordance with WAC 392-172- 153 through 392-172-166.

Selected Definitions

The “special education student” referred to in 186-(2) (a) means a student with a disability that adversely impacts the student’s educational performance and one who needs special education services.

Recommendations for Best Practices

Included in the reevaluation should be a determination of the current special needs of the student, the relationship of the learning problems to academic functioning within the general education curriculum, the relationship of environment, behavior, attendance, and other factors to academic functioning, as well as whether the general education program, with or without modifications would meet the student’s current needs. It should also consider which interventions have been effective as well as other possible strategies to consider, along with programs and services which would meet the students needs and are also a part of the least restrictive educational environment.

Evaluation for pupil progress should not only happen every three years, but should be a continuous process to evaluate the effectiveness of interventions in relation to desired student outcomes. Important decisions affecting the lives of pupils are based upon these evaluations, so they must be done accurately, effectively and equitably.

Challenges for the evaluation group are to collect accurate and useful data, communicate information so that it is understood and make specific data-based recommendations that are appropriate for educational planning. Evaluation is more than just testing. The process requires that information be gathered from many sources, synthesized and shared with all intended users.

Standardized norm and criterion-referenced tests, especially selected for each student play an important, but not singular role in the evaluation process. There should be no predetermined battery appropriate for all students. Strengths and weaknesses of both the pupil and the learning environment must be identified to develop an effective educational plan. Other important sources of information include school records, rating scales, work samples, observations, evaluations and information provided by parents, student, staff, and teacher interviews, curriculum-based measurements and previous evaluations. Factors to consider in

determining the evaluation plan include age, program needs, years in special education, number and/or validity of previous evaluations, services currently provided, and progress during the past three years.

The first reevaluation may be the most important one to support or to question the initial conclusions and recommendations. Subsequent reevaluations may allow increased modifications in procedures, but standards of validity, reliability and relevancy must still be met. Another critical consideration for the evaluation may relate to transitions from preschool to elementary, elementary to middle school or junior high and middle/junior high school to high school.

The overall objective of the three-year reevaluation should be to address the following issues: (a) to determine whether the student continues to be a special education student (continues to have a disability which adversely impacts his/her educational performance and is in need of special education program services); (b) to determine how much progress the student has made in the last three years; (c) to determine whether the student's program is appropriate; and (d) to determine what changes, if any, need to be recommended. The results of the evaluation need to be tied to the student's progress or lack thereof in the general curriculum.

The approach to reevaluation should be flexible. However, this flexibility is not license to only review records. Some type of achievement measure (individually administered and standardized, criterion-referenced or curriculum/performance based) is essential to look at progress. If previous cognitive evaluation(s) are determined to be an accurate and valid indicator of cognitive functioning, the school psychologist may recommend to the evaluation group that a replication in this area is not necessary. Although often not required by law, intellectual reevaluations may be appropriate for students with suspected neurological changes or those who have made minimal progress. School psychologists need to be aware that for younger children, cognitive performance tends to be less stable. Thus for younger children, additional evaluation(s) maybe necessary for a valid assessment. For those students with two consistent intellectual evaluations, the school psychologist may elect to spend time reviewing intervention effectiveness through behavioral and formal or informal academic measures, reviewing records, interviewing students, staff, parents and teachers as well as examining student work samples (portfolios).

Replication of intellectual assessment with secondary students may be necessary if circumstances such as the following exist: the physical or psychological status of the pupil has changed, progress has not been consistent with realistic expectations, or it is required for DVR eligibility. Evaluations for high school students may examine transition planning, with consideration of DDD/DVR, vocational preparation or life skill development as appropriate. As a part of the reevaluation, a functional vocational evaluation is critical for high school students as a part of transition planning.

The evaluation team should always seriously consider exit criteria during the reevaluation. The concern is to determine how much the performance of the disabled student differs from accepted levels for his/her peers. It is required that this be examined directly through comparison of the performance of the special education student in the general education curriculum. In doing this, the performance of the average general education student may represent a level far greater than needed by the disabled student to be successful in general education. A more appropriate comparison may be the lowest performing general education student who is maintaining successful level of performance within that classroom setting.

A reevaluation should not be simply a cursory look at a student and a rubber stamp for continuing their eligibility and services. It is an individualized group effort to thoroughly examine the student's continuing eligibility, their progress over the last three years, their current needs, their program, and the changes to that program that are necessary to ensure progress toward their IEP goals and objectives.

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