Guide for IEP Teams
90 Day Reevaluation Revision

Part 1 - Rethinking the Reevaluation Process

The Maryland State Department of Education (MSDE) recently provided clarification regarding the reevaluation planning and determination process timelines. What does this recent change about reevaluation mean to IEP teams?

Before January 7, 2002, the MCPS Department of Special Education suggested the reevaluation planning meeting for most students take place at the year two IEP annual review meeting and the determination meeting occur at year three IEP annual review meeting. As of January 7, 2002, MCPS must now adhere to the MSDE 90 day limit on any assessments, including those discussed at reevaluation planning. There can no longer be one year between reevaluation planning and reevaluation determination.

What does MSDE say about when must reevaluation be done on a student receiving Special Education?

Reevaluation must be done:
1. at least every 3 years (since last evaluation or reevaluation IEP team meeting date)
2. at parent request
3. before considering dismissal from Special Education

Does this automatically mean more IEP team meetings?

NO! This revision may actually be an opportunity to look at our reevaluation process, and make this more meaningful to staff and students WITHOUT having to schedule more unnecessary meetings.

Let’s review - what is evaluation for Special Education students?

To be eligible for Special Education services, students must these two conditions: a confirmed disability, and that disability must have an educational impact on learning. Confirming the presence of a disability often requires formal assessments and for most students is only necessary during initial evaluation. After the IEP team determines there is a confirmed disability and an educational impact, the team must then recommend appropriate services to address the educational impact.

So, what is reevaluation for Special Education students?

During the reevaluation process, there are three essential components that the IEP team must determine:
1. the continued presence of a disability
2. the present level of educational performance and educational needs
   a) meet the IEP goals
   b) participate in the general curriculum
Don’t most IEP team discuss these essential components at every annual review?

YES! Most IEP teams discuss these three essential components of reevaluation in some form at every annual review meeting, so including reevaluation planning and determination in the annual review process should not be a great deal of extra work. While reevaluation does involve careful pre-planning prior to the IEP team meeting, it is not a ‘repeat’ of the initial evaluation process.

What is the wrong message that many MCPS IEP teams are following during reevaluation planning?

Somehow the message has been - addressing these essential components of reevaluation must include formal or standardized assessments.

This is the wrong message - we are making this process more complicated than the law intends.

For the majority of our students, most IEP teams will already have enough information from typical instructional year assessments and observations to determine the essential components mentioned above. There is often no need to add formal or standardized assessments or even add many other informal assessments.

So when are formal assessments required?

There are some situations that will require formal, standardized testing, but this should only be a small percentage of the students who need reevaluation. Formal testing is likely to be needed only in the following circumstances:

1. if a new or different disability is suspected
2. if dismissal is being considered
3. the IEP team has special concerns

Performing additional formal or standardized assessments at reevaluation in other circumstances often gives no new information, so there is no reason to do these assessments.

What happens at the reevaluation planning meeting?

Using the reevaluation planning form, the IEP team decides if it has the information it needs to determine the essential components. If the IEP team feels it needs additional information to address the essential components, then the team decides what additional information is needed (formal or informal) to determine the essential components, and completes the reevaluation planning form. The IEP team has 90 days to gather this information and meet again to review the information.

What type of assessments can be recommended to provide more information?

ANY assessment that gives the IEP team information can be used as information for reevaluation: curriculum based assessments, interviews and surveys, functional behavioral analysis, student work samples, informal reading inventories, ISM reports, portfolio assessments, observations, and written update reports can all provide useful information for IEP teams when considering reevaluation.
What happens at the reevaluation determination meeting?

The IEP team reviews any additional information and/or assessments. Then the IEP team decides if any changes are needed to the Special Education services provided for this student. If no changes are needed, then the current educational program remains the same. If changes are needed, then the IEP team then discusses what changes to the educational program are necessary.

How is reevaluation planning and determination documented?

MCPS Form 336-35, ‘Reevaluation Planning and Reevaluation Determinations’ serves as a guide for both the planning and determinations meetings. One form should be used for both the planning meeting and determination meeting, and documents the entire process.

If the student being reevaluated has a documented learning disability, then MCPS Form 336-41a, ‘Specific Learning Disability Evaluation Form’ must also be used to confirm the IEP team’s decision about the continued presence of that learning disability. It is important to note that, even though IEP teams must complete this form which has spaces for formal assessment reporting, there is not an automatic need to perform NEW formal assessments. The IEP team decides what new data is needed, if any, to confirm the presence of a learning disability. If the team decides the formal assessment reports that may be older than 3 years are still relevant, IEP teams can enter that data on this form.

Does this process involve lots of extra work?

NO! The real ‘work’ comes in doing effective and efficient pre-planning with the IEP team and your school psychologist. Too often, IEP teams just say ‘let’s do another psychological or other standardized test and be done with this’, which may not provide more information about the educational program and actually add more unnecessary meetings. Go back to the essential components - can the IEP team answer these questions:

1. does the student still have a disability?
2. what are the present levels of performance and needs?
3. do the current services address those needs?

The majority of our IEP teams can answer these questions with no additional formal testing and a limited amount (if any) of additional informal assessments, and therefore have already completed the gathering of information for the reevaluation process.

What would be a checklist for reevaluation preparation?

___ 1. Identify special education students needing reevaluation
___ 2. Consult with staff and psychologist about essential components that must be considered
___ 3. Consult with staff on which meeting scenario is most appropriate (see below)
___ 4. Determine necessary team members who need to be present at the reevaluation meeting
___ 5. Keep parent informed of reevaluation process
___ 6. Document reevaluation discussion on MCPS form 336-35 (and 335-41a, if appropriate)
Part 2 – What are the options for scheduling reevaluation meetings?

Listed below are several scenarios on how reevaluation may be scheduled for special education students. Each IEP team will need to look at these scenarios and match the advantages and disadvantage of each with each student due for reevaluation.

Scenario 1 – Reevaluation due to suspicion of a new or different disability

This reevaluation planning meeting should be held as soon as possible, and certainly no later than the planned annual review. After the IEP team determines the appropriate questions and assessments, the reevaluation determinations meeting must be completed within 90 days. (*see note)

Scenario 2 – Reevaluation planning in a year two annual review:

Possible Outcome A – Planning and Determination at the same annual review meeting
For many students, their disabilities may not substantially change over time, and the IEP team agrees the current special education program is appropriate. When there is general agreement that the current assessment information is sufficient or that no additional assessments will be needed, then the reevaluation planning and determination can occur at the same meeting provided the parents received prior notice in the invitation letter that this dual meeting will be taking place. During the pre-planning, staff should discuss the possibility of this option, and if appropriate, send the invitation letter indicating this dual purpose meeting may occur. For this option, the entire reevaluation form would be completed at the year two annual review meeting, and student would be on a two year reevaluation cycle.

Remember, even if staff anticipate that planning and determination will occur at the same meeting, the IEP team may decide at the meeting that additional information is needed to answer new questions regarding the essential components. The IEP team would then identify additional assessments needed (formal and/or informal). They must be completed within 90 days and reviewed at a reevaluation determination meeting. (*see note)

Possible Outcome B – Planning at annual review, determination 90 days later
At the annual review for year two, the IEP team is ready to discuss planning but not address determination at the same meeting, then reevaluation planning occurs. The IEP team would then identify additional assessments needed (formal and/or informal). They must be completed within 90 days and reviewed at a reevaluation determination meeting. (*see note)

Scenario 3 – Reevaluation planning prior to year three annual review:

During year one and two, no reevaluation planning occurs. Approximately 90 days before the annual review in the third year, a periodic review meeting is held for the purpose of reevaluation planning. If the planning meeting suggests additional assessments, they must be completed and ready to be considered at the annual review meeting, where the reevaluation determination takes place.

(*note - if current student IEP is changed as a result of reevaluation determination, it would need to be implemented immediately. This student’s IEP would mostly likely become a rolling IEP, based on the date of the new IEP.)