

REEVALUATION ISSUES FOR TRANSITION STUDENTS

Requirements

IDEA 2004 and the Nebraska Department of Education's Rule 51, Regulations and Standards for Special Education Programs address the issue of reevaluation for students with disabilities. Specifically, Rule 51 states:

- *A reevaluation conducted under 006.05 must occur at least once every three years, unless the parents and the school district agree that a reevaluation is not necessary. (92 NAC 51-006.05B2)*
- *A school shall evaluate a child with a disability before determining that the child is no longer a child with a disability. (92 NAC 51-006.06E)*
- *The evaluation is not required before the termination of a student's eligibility due to graduation from secondary school with a regular high school diploma, or to exceeding the age eligibility for FAPE. For a child whose eligibility terminates under these circumstances, a school district shall provide the child with a summary of the child's academic achievement and functional performance which shall include recommendations on how to assist the child in meeting the child's postsecondary goals. (92 NAC 51-006.0E1)*

District Decision Points

Based upon the regulations, the district must ask the following questions in determining the need for reevaluation:

1. Is the three year reevaluation of the student due?
2. Is the student exiting school with a regular diploma?
3. Has the student reached the maximum age for special education eligibility (i.e., through the school year in which the student reaches 21 years of age)?
4. Is the district determining that the student is no longer eligible for special education (i.e., completed program, no longer meets verification criteria, etc.)?

Team Decision Points

While a student may not need to be reevaluated based upon the regulations, there may be other reasons to complete a reevaluation. Questions that the IEP team may wish to consider in determining the need for reevaluation include:

- ✓ Will information gained from reevaluation add value to the transition planning process for the student?
- ✓ Does the student intend to participate in post-high school programs or services?
- ✓ What are the requirements for admission to the intended programs or services?
- ✓ Will the student need accommodations in order to complete testing required for admission to a postsecondary institution?
- ✓ If accommodations for testing are needed, what documentation is required by the test publisher?
- ✓ If adult agency services are requested, what documentation is required to determine eligibility for those services?
- ✓ What are the implications if reevaluation indicates that the student no longer meets the verification criteria for special education services while still in high school?

DISCUSSION POINTS: Reevaluation Issues

- 1. *The student plans to graduate in May with a regular diploma. His three year reevaluation is due in March. Must the district conduct a reevaluation?***

Yes, a three year reevaluation must be conducted regardless of when the student is scheduled to graduate. However, in this example, a reevaluation will not need to be conducted again in May when the student graduates with a regular diploma.

- 2. *The student plans to graduate in May with a regular diploma. His last reevaluation was conducted in the previous school year. Must the district reevaluate the student?***

No, an evaluation is not due based upon 92 NAC 51-006.05B2. Since the student is graduating with a regular diploma, no reevaluation is due under 92 NAC 51-006.06E1. However, the district must provide a summary of the student's academic achievement and functional performance (Summary of Performance).

- 3. *The school district is ending special education for the student because he no longer meets eligibility criteria. Must the district reevaluate the student?***

Yes, before determining that the student is no longer a student with a disability, the district must conduct an evaluation as per 92 NAC 51-006.06E.

- 4. *The student is exiting special education and will be awarded a certificate of attendance at age 19. Must the district reevaluate the student?***

Yes, the student is not exiting the program with a regular diploma or aging out, so the district must reevaluate the student.