

## ANNUAL REVIEW AND RE-EVALUATION

### *Annual Review*

The Individualized Education Program (IEP) shall be scheduled for review by an IEP team at least once a year (determined by the month/day of the initial or annual IEP).

(20 U.S.C. § 1414(d)(4)(A); 34 C.F.R. § 300.324(b)(1)(i); Ed. Code § 56043(d).)

In addition, parent(s)/guardian(s) may request that an IEP review be conducted at any time. When the District receives such a request (preferably in writing), an IEP meeting shall be scheduled within 30 calendar days.

(Ed. Code § 56043(l).)

It is necessary to hold an IEP meeting if the student is not making sufficient progress towards IEP goals and objectives. The IEP team may:

- Modify the IEP or program, including the provision of related services and other support services.
- Discuss appropriateness of current goals and modify as appropriate based on data and input from members of the IEP team.
- Review and discuss the appropriateness of the current educational program and/or placement.

### *Re-Evaluation (Triennial Reviews)*

A reassessment of the pupil shall be conducted at least every three years or more frequently, if conditions warrant. As part of this re-evaluation, the IEP team shall review existing evaluation data, including evaluations and information provided by the parent(s)/guardian(s) of the student, current classroom-based assessments and observations, and teacher and related service providers' observations.

(34 C.F.R. § 300.303(a); 300.305(a)(1).)

The District is required to obtain consent from parent(s)/guardian(s) before reevaluating a student with a disability. To meet its obligation to secure consent for a reevaluation from parent(s)/guardian(s), a District must make "reasonable efforts" to obtain consent.

(34 C.F.R. § 300.300(c).)

### *Circumstances When Re-Evaluations May Be Necessary*

The following circumstances are examples of conditions warranting more frequent re-evaluation:

- If a substantial change has been observed in the student's academic performance or disabling condition.  
(*Corona-Norco Unified Sch. Dist.* (SEHO 1995) 22 LRP 3205)
- If the IEP team suspects that the student has an additional area of eligibility for special education or needs that have not been previously assessed/accurately assessed.  
(*Phyllene W. v. Huntsville City Bd. of Ed.* (11th Cir. 2015) 66 IDELR 179)
- A request for change in placement may trigger a re-evaluation, particularly when the new placement is more restrictive.
- A significant escalation in the child's behavior.

Re-evaluation is *required* prior to exiting a student from continued special education services. The District may exit the child from special education if, after a comprehensive evaluation, it is determined that the student does not require special education and/or related services to obtain meaningful educational benefit. Related services include speech, occupational therapy, counseling, behavioral supports, adapted P.E, etc.