**Frequently Asked Questions**

**October 7, 2021 Compliance Team Zoom meeting**

**RED Questions**

1. **When completing the RED, what is the preferred way to document parent input (or lack thereof) when a parent does not respond after multiple attempts?**

If the parent did not provide information, include a statement in the RED that the parent was provided an opportunity to participate and provide input but no information was received. Include any recent information provided by parents at parent teacher conferences or during other times when staff talked to the parents. It should also be noted that it is appropriate to document that parents agree with statements made by other team members during the RED when that is the case.

1. **If the name of an assessment is written out in one section with the abbreviation in parentheses, can the same assessment be abbreviated in other sections?**

Yes, after the name of the assessment is written with the abbreviation in parentheses, it is acceptable to use the abbreviation when that assessment is referenced in other sections of the RED.

1. **Is checking the *conferred* box on page one of the RED sufficient to indicate the RED meeting was conducted by conferring, or is additional documentation required on the participants section of the Team Conclusions & Decisions page.**

Checking the *conferred* box on page one of the RED is sufficient.

1. **If the team determines a RED without assessment is sufficient for the reevaluation, does the most recent evaluation section in present level of academic achievement and functional performance (PLAAFP) need to be updated with the goal progress updates, teacher/parent input, as well as the testing results from the previous assessments?**

Yes, the PLAAFP should be updated with the most recent information. CFR § 300.324 (b)(1)(ii)(B) explains that each public agency must revise the IEP, as appropriate, to address the results of any reevaluation conducted.

1. **Do transition assessments have to be completed as part of a formal evaluation or can transition assessments be completed for all students with an IEP at a certain age as part of coursework required for a class?**

Transition assessments can be completed with all students who have an IEP as a part of a class. Information from *Missouri Connections* planning tools completed by students in general education classes, often under the direction of a school counselor, can also be used as transition assessments for postsecondary transition planning for the IEP.

1. **When conducting a 3 year reevaluation without assessment, is it sufficient to document in the RED that the student continues to have the same disability, or does an evaluation report need to be completed after the RED?**

If there is no change in eligibility (not changing categorical disability, not finding a child ineligible), then there is no requirement to write a new evaluation report. If there is a change in eligibility, then a new evaluation report must be written. See slide 37 in the Compliance Team October 7, 2021 Review of Existing Data PowerPoint.

1. **If, after completing a RED, the team determines there is enough information to continue the eligibility, do you need to rewrite the evaluation report?**

No, the RED functions as the reevaluation, and it is not necessary to rewrite the evaluation report.

1. **Parents of children in early childhood special education (ECSE) sometimes agree to assessments in an area or two, but not in all of the areas where concerns are documented. What is the best way to proceed when we have documented concerns, but the parent does not agree that further assessment is needed in specific areas? Of course, we go on to work on building rapport and hopefully reevaluating later if possible.**

The team conducting the RED decides what areas require additional information, conduct assessments, and make an eligibility decision. That decision really comes down to what is appropriate on a case by case basis. In rare cases when there is disagreement, members of the team should reach out to their local RPDC Compliance Consultant or a DESE Compliance Supervisor for a thoughtful discussion of the details pertaining to the situation and the options available.

1. **Is an original signature page required, or can the signature page be an uploaded copy?**

Parent signatures are necessary for consent for an initial evaluation, a revaluation with assessment, and consent for initial services. If a parent signs a Prior Written Notice (PWN) giving consent, a copy of the PWN with the parent signature can be uploaded into the district’s IEP program. If an electronic signature is provided then upload documentation that shows consent was provided by electronic signature.

**Dismissal from Special Education Services**

1. **Can a student with specific learning disabilities in multiple areas be dismissed from one area? Would a RED be required?**

The IEP team must reevaluate and determine if a student is no longer eligible in one area of SLD. You would start this process with a RED. A RED may provide sufficient information on which to determine that the student no longer shows evidence of the learning disability in a specific area and does not continue to need special education in that SLD area.

1. **If a student is speech only, can a RED without testing be used to dismiss the student from speech?**

A reevaluation must be completed before changing eligibility to end services. This process begins with a RED. If more information is needed, the team requests consent for assessments, completes the assessment, and writes an evaluation report after determining eligibility. See slide 35 in the Compliance Team October 7, 2021 Review of Existing Data PowerPoint.

1. **Is it necessary to update the evaluation report if a category of SLD, such as reading fluency is dropped, but the other categories are unchanged?**

If dropping a category of a specific learning disability means the teams believes the child is no longer eligible in one of the SLD areas, a RED must be conducted. If more information is needed, the team requests consent for assessments, completes the assessments, and writes an evaluation report after determining eligibility. See slide 35 in the Compliance Team October 7, 2021 Review of Existing Data PowerPoint.

**Triennial Waiver**

1. **Can an LEA and parent determine that a triennial reevaluation is not necessary, and document their decision in the triennial waiver form instead of conducting a RED?**

A waiver may be used when a parent and LEA agree in writing that a reevaluation is unnecessary. Documentation of the agreement can be noted on the waiver form. Waivers should be reserved for rare situations. Contact your RPDC Compliance Consultant with questions about appropriate use of waivers.

1. **Are triennial waivers acceptable to use for students attending Missouri Schools for the Severely Disabled?**

Waivers should be reserved for rare situations. Students with severe and profound disabilities still have changes in functioning and may require reevaluations when additional information is needed to write an appropriate IEP.

1. **Can a triennial waiver be used for seniors who are graduating and will be exited from services?**

Graduation with a regular diploma ends a child’s right to FAPE. If a triennial reevaluation is due for a senior, the IEP team should consider whether a RED is necessary.

**IEP**

1. **If an annual IEP review is not due, but the 3 year reevaluation has recently been completed, would it be best to amend the IEP to add information from the reevaluation or write a new annual IEP.**

The team should determine what makes the most sense for each individual situation.

1. **Do you need to have an IEP meeting anytime a RED with no assessment is completed, even if making no changes to eligibility?**

CFR § 300.324 (b)(1)(ii)(B) explains that each public agency must revise the IEP, as appropriate, to address the results of any reevaluation conducted. The team could, with parent agreement, opt to amend the IEP or hold an annual IEP meeting to add information gained through the RED.