Procedures for Review of Existing Evaluation Data (REED) and Development of an Evaluation Plan

April 2009
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This document is part of a Procedural and Guidance Manual being developed by the Michigan Department of Education (MDE), Office of Special Education and Early Intervention Services (OSE-EIS).

The manual is to provide technical assistance, guidance and best practices, where appropriate. Because the information is relevant and timely to districts providing special education programs and services throughout the state, the OSE-EIS staff decided to release chapters as they were finalized rather than waiting for the entire manual to be completed.

The information contained in this document can be used:
- As a basis for monitoring and complaint activities.
- By the OSE-EIS staff when responding to questions generated by the field.
- As a resource for districts to understand federal and state rules and regulations, and how the MDE interprets them.
- By a district or intermediate school district (ISD) to supplement existing policies, procedures, or forms.
- To clarify areas of confusion within the field.

The manual is an ongoing project and information will be reviewed and updated as needed.

Resource documents include:

**Federal Regulations:**
- The IDEA regulations, 34 CFR 300 (2004) are indicated by §300 with the following numbers indicating the subsection.

**State Statutes and Regulation:**
- Michigan Revised Administrative Rules for Special Education (July 1, 2002), are indicated by R340 with the following digits indicating the rule.
I. Introduction

§300.305
There are two times when an Individualized Educational Program (IEP) team must undertake a review of existing evaluation data to determine if the student is a student with a disability:
- At a reevaluation.
- Upon termination of eligibility.

In addition, the IEP team may undertake a review of existing evaluation data (REED) at an initial evaluation, if appropriate.

A. Initial Evaluation

§§300.305 (a)(1), 300.305(a)(2)(i)(A)
1. When a student is referred for an initial evaluation, the IEP team shall, if appropriate, review existing evaluation data to determine what if any additional assessments are necessary to determine if the student is a student with a disability.

1. Examples of situations which may indicate a REED is appropriate for an initial evaluation would be:
   - The LEA is given outside evaluation(s) by an agency or private practitioner that the parent obtained at their expense. The IEP team conducts a REED and reviews the outside evaluation(s) to determine if additional evaluation by LEA personnel is necessary.
   - A preschool student is referred by an outside agency with minimal information available. The REED would assist the evaluators in determining what additional information is needed.
   - A student who presents with multiple behaviors is referred by the student study team. A REED might help evaluators determine the direction and the type of assessments necessary to gather the information to assist in determining eligibility.
   - The additional documentation requirements for specific learning disabilities (SLDs) eligibility lend themselves to using the REED process to determine what data the IEP team already has and what additional data the IEP team needs.

While the REED process is not required for an initial evaluation, and it is up to the LEA to determine when it is “appropriate” for an initial evaluation, it is best practice to collect and review all existing evaluation data on a student before beginning an initial evaluation. The use of the REED for initial evaluations is encouraged.
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>2. Evaluation as defined in the IDEA, and for the purposes of this document, means procedures described in the regulations, to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. §300.15</td>
<td>3. The activities which make up the evaluation, including collecting of existing data, and any additional data, including the administration of standardized test, interviews, behavioral assessments, rating scales, intellectual, and academic scales are considered assessments.</td>
</tr>
<tr>
<td>3. In the conduct of an evaluation, the team will use a variety of assessment tools to gather relevant functional, developmental, and academic information about the child, including information provided by the parent. §300.304(b)(1)</td>
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<tr>
<td>B. Reevaluation §300.303 1. A reevaluation is required every three years unless the parent and the LEA agree that a reevaluation is not necessary.</td>
<td>1. If an IEP team changes an existing eligibility or adds an additional eligibility, the 36 month clock starts at the most recent IEP. The IEP team must consider the existing eligibility, the new or additional eligibility, and document their conclusion. NOTE: EACH ELIGIBILITY OR INELIGIBILITY DECISION MUST BE DOCUMENTED IN THE MET REPORT OR MULTIDISCIPLINARY EVALUATION TEAM (MET) SUMMARY FORM.</td>
</tr>
<tr>
<td>a. The REED must be completed prior to the IEP team meeting that determines eligibility as a first step to the evaluation process.</td>
<td>a. The REED may be conducted anytime during the 36-month period, but the evaluation must be completed by the date identified and documented by the IEP team and in no case later than 12 months of the REED. It is permissible to conduct a REED at the second annual IEP review. For many students, however, the data obtained at the second annual IEP team meeting will not be current when eligibility is determined at the next IEP team meeting. This will result in present level of educational need data, which is inaccurate. While permissible, it is recommended that REEDs be held at a time when present level data will result in current information for the IEP team meeting, which determines eligibility. If parental consent is required, (See II,E) it may be obtained at the time of the REED process. If concerns arise or new information emerges within the 12 month timeframe, a new REED should be conducted, and new parental consent obtained.</td>
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| If an IEP team meeting is held prior to the 36-month anniversary of the IEP that determined eligibility (third annual IEP review), an IEP team may determine eligibility at that time. If the IEP
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<td><strong>team chooses not to determine eligibility at that IEP team meeting, they must reconvene an IEP Team meeting within 36 months of the last determination of eligibility.</strong></td>
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2. A reevaluation may occur not more than once per year, unless the school and parent agree otherwise.  

2. If a parent requests more than one reevaluation in a year and the LEA does not believe an evaluation is needed, the LEA must provide the parent with the reasons they are refusing to do the evaluation.  

3. Change of Eligibility  
**R 340.1705-340.1716**  
a. The LEA must convene an IEP team to conduct a REED prior to any change of eligibility.  
b. Determination of eligibility requires a comprehensive evaluation according to Michigan rules for eligibility.  

3. Michigan rules specify that a determination of eligibility shall be based upon a comprehensive evaluation by a MET. IEP Teams must conduct a REED for a reevaluation, develop an evaluation plan, and attempt to obtain parental consent. Data for determination of eligibility should be based on current assessment data.  

"Current" assessment data has been interpreted by the MDE to mean "assessments completed within 12 months.”

### C. Termination of Eligibility  
**§300.305(e)**

1. An LEA must evaluate a student with a disability, according to the REED, before determining that the student is no longer a student with a disability or in need of special education programs or services.  

2. An evaluation is not required before the determination of ineligibility due to graduation from secondary school with a regular diploma or exceeding the age of eligibility.  

**§300.305(e)(2)**

3. For a student whose eligibility terminates under circumstances described above (I,C), the LEA must provide the student with:  
a. A summary of the student’s academic achievement and functional performance.  
b. Recommendations on how to assist the student in meeting postsecondary goals.  

**§300.305(e)(3)**

The IEP team must conduct a REED to determine what, if any, additional information is needed to determine that the student is no longer a student with a disability or no longer in need of special education programs or services. It is not required that an LEA/PSA conducts additional assessments in order to terminate a student’s eligibility. If the REED indicates a need for additional assessment, the identified assessments must be completed prior to the IEP meeting where the determination of eligibility will be made. (§304 through §311)
## II. REED Process

**§§300.303, 300.304, 300.305; R 340.1721a**

When an IEP team conducts a REED in any of the three situations, the process must include:

It is not required that the REED be completed in a formal meeting. Members may meet individually or in small groups to review existing data in their area of expertise.

### A. Review of Existing Evaluation Data

**§300.305(a)**

1. Evaluations and information provided by the parent.

2. Current classroom based, local or state assessments, and classroom-based observations.

3. Observations by teachers and related services providers.

### B. Input From The Parent

**§300.305(a)(2)**

Input from the parent requires the opportunity for their meaningful engagement through such means as interviews, phone discussion, participation at a meeting, or questionnaire.

Examples of parent input include: developmental history, parent perception of the student’s possible disability, information about the student’s learning, and parent input on the student’s educational experiences.

Parent attendance does not assume parent input. Best practice is to have written documentation of parent input.

### C. Additional Data Needed

**§300.305(a)(2)**

Based on review and input from the student’s parent, identify what additional data, if any, are needed to determine:

1. Whether the student is, or continues to be, a student with a disability.

2. The educational needs of the student.

Examples of situations during an initial evaluation process, which would not require a comprehensive evaluation:

- A student whose disability is primarily in the medical arena and the LEA has multiple evaluations from medical personnel.
- A report is received from an outside agency where:
  - Staff have reviewed the report and the content...
### Procedures

3. The present levels of academic achievement and related developmental needs of the student.

4. Whether the student needs, or continues to need, special education and related services.

5. Whether any additions or modifications to the special education and related services are needed to enable the student to meet measurable annual goals of the IEP and to participate in the general education curriculum.

### Guidance

- reflects the educational needs as seen by the school.
- Originators of the report meet Michigan requirements as eligible school providers.
- There is sufficient information for staff to write a Present Level of Academic and Functional Performance (PLAAFP) statement.
- A student moves into a LEA from another state, and staff reviews the reports from the previous state, using the criteria above (II, C, 3) to determine if additional information is necessary.

### D. Data Sufficient

§300.305(d)(1)(i-ii)

If the information is sufficient for the IEP team, the LEA must notify the parent in writing: (sample REED form)

1. That no additional information is necessary.

2. The reasons for that decision.

3. The parental right to request an assessment.

### E. Data Not Sufficient

§§300.304(a),300.305(a)

If the information is not sufficient to make the determination of eligibility, or continued eligibility; the present level of educational needs; whether the student needs, or continues to need special education services; or whether modifications are needed, then the LEA must:

1. Notify the parent in writing.

2. Develop an evaluation plan which includes assessment areas and information needed.

3. Document multiple attempts to obtain parental signatures.
   a. LEA may proceed with reevaluations after multiple, reasonable attempts to obtain consent.

An IEP Team may determine that an evaluation is not required every three years, but a REED and an IEP that determines eligibility must be held every three years.

In order to meet federal compliance requirements, it is necessary that IEP teams document what data they reviewed during the REED process. The documentation may be a written report by one or more team members, a checklist format, a form, or other means chosen by the LEA. A sample REED form is included which meets minimum requirements for documentation.

- If the REED determines that a comprehensive evaluation is indicated, the MET members must follow the Michigan rule requirements for each eligibility area, document their conclusions and recommendation of eligibility in a MET report, or on a MET Summary Form if used by the district. (R340.1705-16)
- If the REED determines that eligibility is not a question and a comprehensive evaluation is not required, but only specific information needs to be collected for programming requirements, the summary of the data used to make that determination should be documented in a written report to the IEP team. This written report is not a MET report and should not be documented on a MET Summary Form.
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<td>(some districts and ISDs use a generic Eligibility Determination Form which allows for either MET documentation or data summary documentation). • The report from the MET (and MET Summary Form if used by the district) or the report summarizing the additional information collected, should be attached to the REED documentation, with all then attached to the IEP, which determines eligibility.</td>
<td></td>
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<td>A copy of either report (MET or data summary) must be provided at no cost to the parent. §300.306(a)(2)</td>
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<td>b. If a parent refuses consent in writing for the proposed evaluation, the LEA/PSA should document the attempts to obtain consent and proceed with available data described in the REED to complete the proposed evaluation.</td>
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<tr>
<td>b. If the parent refuses consent for further assessment, such refusal does not release the LEA from the requirement to conduct a reevaluation. LEAs may either take the parent to a hearing (or mediation) or complete the reevaluation based on the data that they have available to them. If the data is not sufficient to determine eligibility, then the LEA may find the student ineligible based on the current data available. The LEA is held harmless if they do not pursue consent through mediation or a hearing.</td>
<td></td>
</tr>
<tr>
<td>4. Parental consent for an evaluation is not required when: a. Reviewing existing data as part of the evaluation or reevaluation, or b. Administering a test or other evaluation administered to all children. §300.300(d)</td>
<td></td>
</tr>
</tbody>
</table>
### III. Other Considerations

#### A. Transfer Students

§§300.301(d)(2), 300.301(e)

1. When a student moves into an LEA and the LEA becomes aware that the student was in the process of an initial evaluation (which has not been completed), the receiving LEA must proceed with the evaluation as expeditiously as possible.

2. The LEA is not bound to the 30-school-day rule. The LEA and the parent must come to an agreement on a timeline to complete the evaluation.

#### B. Move-In From Out of State


When a student who had an IEP in effect in another state moves into a Michigan LEA, the receiving LEA must:

1. Consider the evaluation an initial, not a reevaluation, and obtain consent.

2. Conduct an evaluation if it is determined to be necessary.

3. Develop, adopt, and implement a new IEP, if appropriate, based on new assessment information.

#### C. Add or Remove Service

1. An IEP team may determine what programs and services a student requires without an evaluation (except C,3 below).

2. If the parent or teacher requests a service and/or the IEP team agrees that an evaluation is necessary to determine the need for an additional service, a REED is optional, but the LEA must attempt to obtain consent to do the evaluation.

3. Adding or dropping speech services requires a diagnostic report provided by a speech provider, and therefore requires the LEA to convene an IEP team to complete a REED. **R340.1745**

#### Guidance

LEAs should have procedures in place for transfer student registration to identify students with existing IEPs as well as those who are in the process of being evaluated. Staff should work with the parent to obtain records from the previous school, as well as asking parent to provide whatever information they have, such as current and past IEPs, reports, report cards, progress reports, etc. If LEAs cannot obtain previous records, they should begin the process of collecting data from the current school placement. Delays in completing the evaluation should not be based upon availability of staff or administrative convenience.

LEAs can follow the REED process and determine whether there is enough data to determine eligibility according to Michigan rules, or if additional data, or a comprehensive evaluation, is needed.

An IEP or addendum must be held within a reasonable amount of time after the request and consent to evaluate for the additional special education service received. A reasonable amount of time has been interpreted by the Michigan Department of Education (MDE) to mean 30 school days.

The 36-month clock for holding an IEP team meeting to determine continued eligibility is not reset based on an IEP to add or remove a service.

The IEP team must consider the whole student when making a determination to add a service. The IEP team should look at the service requested in light of:
- The other programs and services the student is currently receiving.
- The proximity to the most recent evaluation of the student.
### Procedures

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>• The length of time the behavior in question has been exhibited by the student, and the context of that behavior. Such factors may suggest that a more comprehensive evaluation is necessary, requiring a REED, rather than an evaluation for a specific service, which would only require parental consent.</td>
</tr>
</tbody>
</table>

### D. Physician’s Signature

**§300.305**

1. A physician’s signature or documentation is only required if determination of eligibility is questioned during the REED for a reevaluation.

2. The REED process should address all other data requirements.

### E. Request for Reevaluation


The LEA must conduct an assessment if the student’s parent or teacher requests that a reevaluation take place to determine whether the student continues to be a student with a disability, and to determine the student’s educational needs.

The regulations do not specify if the assessment the LEA undertakes in response to a parent or teacher request must be a comprehensive evaluation. The IEP team must conduct a REED, and obtain parent input, to determine what evaluations are necessary, and then notify the parent of the proposed assessments. If the parent or teacher is requesting a change or addition of an eligibility area, under Michigan rules, the MET must conduct a comprehensive evaluation.

There is no requirement that a reason be given for the reevaluation request by the parent or teacher.
REVIEW OF EXISTING EVALUATION DATA (REED) AND EVALUATION PLAN

DIRECTIONS FOR COMPLETING

LOCAL SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT NAME

For information related to the requirements for use of the REED, please refer to the Michigan Department of Education Procedure and Guidance Manual.

☐ Initial Evaluation  ☐ Re-evaluation  ☐ Termination of Eligibility

GUIDANCE: Check the box ☐ to indicate the purpose of the REED. Refer to REED Manual for instances when REED is used.

Date of Review:

<table>
<thead>
<tr>
<th>Student’s Name</th>
<th>First:</th>
<th>Middle Initial:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student ID #:</td>
<td>Date of Birth:</td>
<td>Grade:</td>
</tr>
<tr>
<td>Parent/Guardian:</td>
<td></td>
<td>Phone:</td>
</tr>
<tr>
<td>Address:</td>
<td>City, State, ZIP:</td>
<td></td>
</tr>
</tbody>
</table>

Participants: Check the box ☐ indicating the member who can interpret the instructional implications of evaluation results. Also check the box ☐ under each member’s name to indicate how the member participated.

☐ Student  ☐ Personal Communication  ☐ In Person

☐ Parent  ☐ Personal Communication  ☐ In Person

☐ Other  ☐ Personal Communication  ☐ In Person

☐ District Representative  ☐ Personal Communication  ☐ In Person

☐ General Education Teacher  ☐ Personal Communication  ☐ In Person

☐ Special Education Provider  ☐ Personal Communication  ☐ In Person

☐ Other  ☐ Personal Communication  ☐ In Person

GUIDANCE: The REED is conducted by the Individualized Education Program (IEP) Team and other qualified professionals, which includes the student (if appropriate), the parent, at least one general education teacher, at least one special education teacher or provider of services, a representative of the local educational agency, and an individual who can interpret the instructional implication of evaluation results.

The form must document the participation of the required members. Since it is not required that the REED be held in a meeting, the person responsible for the REED form should document on the lines above the name of the person, and how the person participated, either through their signature or by indicating the method, i.e. by phone, personal communication.
## REVIEW OF EXISTING EVALUATION DATA (REED) AND EVALUATION PLAN

### DIRECTIONS FOR COMPLETING

#### REVIEW OF EXISTING EVALUATION DATA

*Review, describe, and identify the data source for the following information:*

<table>
<thead>
<tr>
<th>Information</th>
<th>Data Source</th>
<th>Description of Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of existing evaluations including current classroom-based, local, or state assessments; and classroom-based observations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Review teacher and related service provider(s) observations.</td>
<td></td>
<td></td>
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<tr>
<td>Review evaluations and information provided by parents.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
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</tbody>
</table>

**GUIDANCE:** This table documents the data and information reviewed by the team.

**The first column** lists the required areas for review.

**The second column** should list the specific data sources used.

Examples of information gathered to review include: Michigan Educational Assessment Program (MEAP) results, universal screening or progress monitoring data using a Response to Intervention (RtI) model, record review, discipline reports, attendance, report cards, medical/health records, developmental assessments for young children.

Examples of written information gathered from the parent(s) include: outside evaluations, medical reports, medical condition fact sheet, attention-deficit/hyperactivity disorder (ADHD) protocol.

**The third column** should detail the data found in the information gathered in the second column. It could include grade levels, test scores, grade level content expectations mastered, information obtained during observations of instruction, etc.

#### REVIEW OF INPUT FROM PARENT:

**GUIDANCE:** Input from the parent requires the opportunity for meaningful engagement through such means as interviews, phone discussions, participation at meetings, or questionnaires.

Examples of parent input include: developmental history, parent perception of the student’s possible disability, information about the student’s learning, parent input on the student’s educational experiences. If no input was provided by the parent, the district must document its efforts to obtain parent input. This documentation may be indicated on the lines provided for parent input.
On the basis of the above review, the educational needs of the child, and input from the student’s parents, identify the additional data needed to determine the following:

- Whether the student has or continues to have a disability.
- The student’s present level of academic performance and related developmental needs.
- Whether the student needs or continues to need special education and related services.
- Whether any additions or modifications to special education and related services are needed to meet IEP goals and participate in general education.

<table>
<thead>
<tr>
<th>ASSESSMENT AREA</th>
<th>DATA AND ASSESSMENTS NEEDED (Note observations if required)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Achievement</td>
<td></td>
</tr>
<tr>
<td>Adaptive Skills</td>
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<tr>
<td>Cognitive Ability</td>
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<td>Speech and Language</td>
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<tr>
<td>Other</td>
<td></td>
</tr>
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<td></td>
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**GUIDANCE:** The team must consider all of the bulleted statements in the box and determine if any additional data is needed. Based on that review, the team should indicate the assessment area in the first column that requires additional data, and indicate in the second column what that data is and how it will be obtained. The second column constitutes the evaluation plan for this student.

**NOTICE OF SUFFICIENT DATA**

- Based on the review of the data and input from the parent, it was determined that no additional data is needed to determine whether the student is or continues to be a student with a disability who has any special educational and program needs. **State reason (required):**

If you, the parent, do not agree with this plan, you may request an evaluation. Contact (District contact).

**GUIDANCE:** If the team determines that no additional data is needed, check the box above and provide a rationale.
REVIEW OF EXISTING EVALUATION DATA (REED) 
AND EVALUATION PLAN

DIRECTIONS FOR COMPLETING

CONSENT FOR ADDITIONAL ASSESSMENT

I, as parent/guardian,
1. Have received a copy of the Special Education Procedural Safeguards.
2. Understand the contents of this plan, and: (Choose one)
   ☐ I consent to the proposed evaluation plan.
   ☐ I do not consent to the proposed evaluation plan. (Explain concerns):

Parent/Guardian Signature ______________________________________________________________
Date of Consent _____________________

The results of the evaluation identified in this plan will be reviewed at an IEP team meeting to be held on or before:

GUIDANCE: If the team determines that additional data is needed through an evaluation, the district shall obtain informed parental consent prior to conducting the assessments. If the district is not able to obtain parental consent, they may proceed with the evaluation if they can demonstrate reasonable measures were taken to obtain the consent, and the student’s parent failed to respond.

The team must indicate on the form the proposed the date of the IEP team meeting where the results of the evaluation will be reviewed with the parent. The date can be no longer than 12 months from the date of consent.
REVIEW OF EXISTING EVALUATION DATA (REED) AND EVALUATION PLAN

LOCAL SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT NAME

☐ Initial Evaluation  ☐ Re-evaluation  ☐ Termination of Eligibility

Date of Review:

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Parent/Guardian:  Phone:

Address:  City, State, ZIP:

Participants: Check the box ☐ next to the member who can interpret the instructional implications of evaluation results. Also check the box ☐ under each member’s name to indicate how the member participated.

| Student | ☐ Phone  ☐ Personal Communication  ☐ In Person |
|---------|---------|---------------------------------|

| Parent | ☐ Phone  ☐ Personal Communication  ☐ In Person |
|--------|---------|---------------------------------|

| Parent | ☐ Phone  ☐ Personal Communication  ☐ In Person |
|--------|---------|---------------------------------|

| Other | ☐ Phone  ☐ Personal Communication  ☐ In Person |
|-------|---------|---------------------------------|

| ☐ District Representative | ☐ Phone  ☐ Personal Communication  ☐ In Person |
|----------------------------|---------|---------------------------------|

| ☐ General Education Teacher | ☐ Phone  ☐ Personal Communication  ☐ In Person |
|-----------------------------|---------|---------------------------------|

| ☐ Special Education Provider | ☐ Phone  ☐ Personal Communication  ☐ In Person |
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REVIEW OF INPUT FROM PARENT:

Michigan Department of Education, Office of Special Education Services and Early Intervention Services
ADDITIONAL DATA NEEDED AND EVALUATION PLAN

On the basis of the above review, the educational needs of the child, and input from the student’s parents, identify the additional data needed to determine the following:

- Whether the student has or continues to have a disability.
- The student’s present level of academic performance and related developmental needs.
- Whether the student needs or continues to need special education and related services.
- Whether any additions or modifications to special education and related services are needed to meet IEP goals and participate in general education.

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NOTICE OF SUFFICIENT DATA

☐ Based on the review of the data and input from the parent, it was determined that no additional data is needed to determine whether the student is or continues to be a student with a disability who has any special educational and program needs. **State reason (required):**

____________________________________________________________________________________

If you, the parent, do not agree with this plan, you may request an evaluation. Contact (District contact).

CONSENT FOR ADDITIONAL ASSESSMENT

I, as parent/guardian,

1. Have received a copy of the Special Education Procedural Safeguards.
2. Understand the contents of this plan, and: (Choose one)
   - ☐ I consent to the proposed evaluation plan.
   - ☐ I do not consent to the proposed evaluation plan. (Explain concerns):

____________________________________________________________________________________

Parent/Guardian Signature ______________________________________________________________

Date of Consent __________________

The results of the evaluation identified in this plan will be reviewed at an IEP team meeting to be held on or before:

Michigan Department of Education, Office of Special Education Services and Early Intervention Services