



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of Special Education

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Untimely Assessments and Due Diligence Guidelines

Pending official promulgation of policy

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Purpose

The purpose of these Guidelines is to provide guidance when assessments are not conducted in a timely manner due to the student's absence, truancy, or refusal to participate or attend, lack of or withdrawal of parental consent for evaluation/reevaluation, or incomplete assessment.

Guidelines for Untimely Assessments and Due Diligence

Untimely Assessment Scenarios

Parent/Guardian Consent is Granted but the Student is Frequently Absent, Truant, and/or Refuses to Participate or Attend

When 2-3 attempts to assess are unsuccessful because the student is absent, truant and/or refuses to participate or attend:

- The Related Service Provider (RSP) assigned to complete the assessment must:
 - Contact the teacher, attendance monitor, and parent/guardian to determine the reason for the student's absence for each failed attempt;
 - Document contacts, attempted contacts, and outcomes in the SEDS communication log;
 - Call the parent/guardian to reschedule the assessment and document in the SEDS communication log; and
 - Inform the Special Education Coordinator (SEC) via email that the student was absent or refused to participate and that the information has been documented.
- The SEC must:
 - Contact the parent/guardian at least three times using multiple modalities (e.g., written, phone, email, visit). One contact must be written correspondence sent by certified mail with a return receipt;
 - Notify the related service provider via email when the attempts to contact the parent are made; and
 - Document contacts with parent/guardian, attempted contacts, and outcomes in the SEDS communication log.
- The IEP Team must convene within 15 school days of the second failed attempt to assess. The Team will:
 - Review the student's attendance history since consent was obtained;
 - Consider the reason(s) for the student's absence, truancy, and/or refusal to participate or attend; and
 - Determine if an alternate assessment or schedule for the assessment may be warranted.

The parent/guardian and DCPS can agree in writing that the attendance of certain IEP Team members is not necessary for this meeting depending on the member's area of curriculum or related services; allowing a partial team to meet to address this particular situation. **However, the related service provider assigned to that assessment MUST be in attendance.** If the parent/guardian cannot physically attend the IEP meeting an alternative means of participation may be used (e.g., individual or conference telephone calls).

The SEC will send a letter by certified mail with a return receipt to the parent/guardian within five business days of the IEP meeting if the parent/guardian does not want to attend the IEP meeting or fails to respond to the *IEP Meeting Invitation/Notice*.

No Parent/Guardian Consent for Initial Evaluation

If the parent/guardian refuses to consent to an initial evaluation or fails to respond to the *Parent/Guardian Consent to Initial Evaluation/Reevaluation* within 15 school days the SEC must:

- Contact the parent/guardian at least three times using multiple modalities (e.g., written, phone, email, visit). One contact must be written correspondence sent by certified mail with a return receipt;
- Document contacts, attempted contacts, and outcomes in the SEDS communication log;
- Send a Prior Written Notice (PWN) by certified mail with a return receipt to the parent/guardian indicating that the special education process has stopped. At this point, DCPS is no longer obligated to pursue consent or conduct assessments; and
- Contact the cluster supervisor via email if he/she feels it is necessary to pursue the consent to evaluate. DCPS may elect to proceed to mediation and/or a due process hearing in order to override the lack of consent for assessment.

No Parent/Guardian Consent for Reevaluation

If the parent/guardian refuses to consent to a reevaluation or fails to respond to the *Parent/Guardian Consent to Initial Evaluation/Reevaluation* within 15 school days the SEC must:

- Contact the parent/guardian at least three times using multiple modalities (e.g., written, phone, email, visit). One contact must be written correspondence sent by certified mail with a return receipt;
- Document contacts, attempted contacts, and outcomes in the SEDS communication log;
- Send a PWN by certified mail with a return receipt to the parent/guardian indicating that the special education process has stopped. At this point, DCPS is no longer obligated to pursue consent or conduct assessments; and
- Contact the cluster supervisor via email if he/she feels it is necessary to pursue the consent to reevaluate. DCPS may elect to proceed to mediation and/or a due process hearing in order to override the lack of consent for assessment.

Parent/Guardian Consent Provided but Assessment Not Completed in Timely Manner (Exception: student absent, truant, and/or refuses to participate or attend)

If the parent/guardian has provided consent to evaluate/reevaluate but the assessment may not be completed within the required timeline the SEC must:

- Contact the program manager of the specific discipline via email immediately (e.g., if the SEC suspects the speech/language evaluation will not be completed within the required timeline); and
- Mail written correspondence to the parent/guardian identifying the incomplete assessment(s) and requesting agreement on a new timeline for completion. This correspondence should be sent by certified mail with a return receipt on the same day as the program manager is contacted.

Parent/Guardian Withdraws Consent to Evaluate/Reevaluate

If the parent/guardian verbally withdraws consent to evaluate/reevaluate the case manager must:

- Document the conversation in the SEDS communication log; and
- Send a PWN by certified mail with a return receipt to the parent/guardian documenting that the consent to evaluate/reevaluate has been withdrawn.