



**State of New Jersey**

DEPARTMENT OF EDUCATION  
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March 17, 2003

TO: Chief School Administrator  
Director of Special Education  
Administrator of a State Facility  
Administrator of a Charter School  
Administrator of an Approved Private School  
for the Disabled  
Administrator of a College-Operated Program

FROM: Barbara Gantwerk, Director   
Office of Special Education Programs

SUBJECT: Code Clarification – Conducting Assessments

Clarification has been requested regarding the appropriate procedures for considering, granting and conducting additional assessments after an evaluation plan meeting has occurred for an initial evaluation or reevaluation, or when a parent requests an assessment that is not part of a triennial reevaluation. The following are the questions and answers along with the relevant code citations.

**Question**

What procedures must be followed when a child study team member or related services provider participating in an initial evaluation determines that an additional assessment or assessments are necessary after an evaluation plan meeting was held and consent to evaluate was obtained? Is another IEP team meeting necessary?

**Code Citation**

**N.J.A.C. 6A:14-3.4 Evaluation**

(a) The child study team, the parent and the regular education teacher of the student who has knowledge of the student's educational performance or if there is no teacher of the student, a teacher who is knowledgeable about the district's programs shall:

1. Review existing evaluation data on the student...
2. On the basis of the review in (a)1 above identify what additional data, if any are needed...

3. Determine which child study team members and/or specialists shall conduct the evaluation.

(b) Prior to conducting any assessment as part of an initial evaluation, the district shall request and obtain consent to evaluate according to N.J.A.C. 6A:14-3.3(e).

### **Clarification**

If, after consent has been obtained, a child study team member or related services provider in consultation with the other (evaluation) team members, determines that an additional assessment or assessments are necessary to complete the initial evaluation of student, the case manager should send the parent a letter of written notice according to N.J.A.C. 6A:14-2.3(e) with a request for consent for the additional assessment. An additional IEP team meeting is not required.

### **Question**

What procedures must be followed when a child study team member or related services provider participating in a reevaluation determines during the evaluation process that an additional assessment or assessments are necessary after an evaluation planning meeting was held and consent to evaluate was obtained? Is another IEP team meeting necessary?

### **Code Citation**

**N.J.A.C. 6A:14-3.8**

(b) As part of any reevaluation, the IEP team shall determine the nature and scope of the reevaluation according to the following:

1. The IEP team shall review existing evaluation data on the student...
2. On the basis of that review, and input from the student's parents, the IEP team shall identify what additional data, if any are needed...
4. If additional data are needed, the IEP team shall determine which child study team members and/or specialists shall administer tests and other assessment procedures to make the required determinations in (b)2i through iv above.

(c) Prior to conducting any assessment as part of a reevaluation of a student with a disability, the district board of education shall obtain consent from the parent according to N.J.A.C. 6A:14-2.3(a)3.

### **Clarification**

If, after consent has been obtained, a child study team member or related services provider in consultation with the other (evaluation) team members, determines that an additional assessment or assessments are necessary to complete the reevaluation of student, the case manager sends the parent a letter of written notice according to

N.J.A.C. 6A:14-2.3(e) with a request for consent for the additional assessment. An additional IEP team meeting is not required.

### **Question**

What procedures must be followed when a parent requests an additional assessment after an evaluation or reevaluation planning meeting was held and consent was obtained, but the evaluation process has not been completed?

### **Code Citation**

**N.J.A.C. 6A:14-2.3(f)5**

Upon receipt of any written parental request to initiate or change the referral, identification, classification, evaluation, educational placement or the provision of a free, appropriate public education, a response that meets the requirements of written notice in (e) above shall be provided to the parent within 20 calendar days, excluding school holidays but not summer vacation.

i. When a meeting is required to make the determination and respond to the parental request, the meeting shall be conducted and a determination made within 20 calendar days, excluding school holidays but not summer vacation. Written notice of the determination shall be provided within 15 calendar days of the meeting.

### **Clarification**

If a parent submits a written request for an assessment that was not part of the original evaluation plan, the district must review the request, decide whether to provide the assessment and provide the parent with written notice of the decision within 20 calendar days of receipt of the written request. An IEP team meeting is not required to make the decision. If the district decides to provide the assessment, the case manager will send the parent written notice with a request for consent to conduct the requested assessment.

### **Question**

What procedures must be followed when a parent of a student with disabilities submits a written request for an assessment that is not part of an initial evaluation or triennial reevaluation? Is an IEP team meeting required? Is the date of the triennial reevaluation affected?

### **Code Citation**

**N.J.A.C. 6A:14-2.3(f)5**

Upon receipt of any written parental request to initiate or change the referral, identification, classification, evaluation, educational placement or the provision of a free, appropriate public education, a response that meets the requirements of written notice in (e) above shall be provided to the parent within 20 calendar days, excluding school holidays but not summer vacation.

i. When a meeting is required to make the determination and respond to the parental request, the meeting shall be conducted and a determination made within 20 calendar days, excluding school holidays but not summer vacation. Written notice of the determination shall be provided within 15 calendar days of the meeting.

### **Clarification**

If a parent submits a written request for an assessment, such as a speech-language assessment, an occupational therapy assessment or an assistive technology assessment to obtain programmatic information, the district must review the request, decide whether to provide the assessment and provide the parent with written notice of the decision within 20 calendar days of receipt of the written request. An IEP team meeting is not required to make the decision. If the district decides to provide the assessment, the case manager will send the parent written notice with a request for consent to conduct the requested assessment. Additionally, as the purpose of the assessment was to obtain programmatic information and not to determine whether the student continues to be a student with a disability, the due date for the triennial reevaluation is not affected.

### **BG/CK**

c: Members, State Board of Education

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