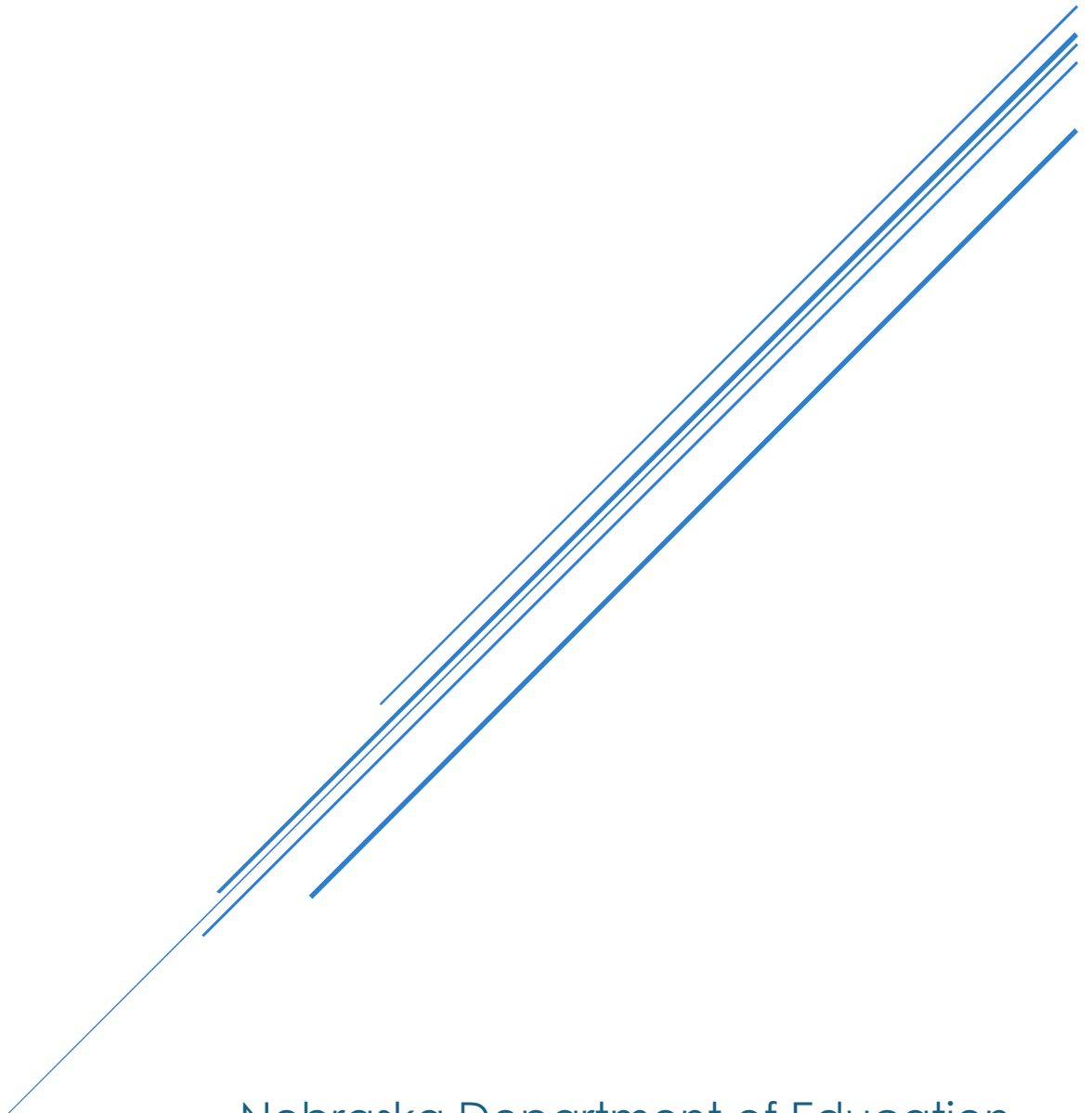


FOCUSED MONITORING FILE REVIEW

2025-26 School Year



Nebraska Department of Education
Office of Special Education

Contents

| | |
|--|----|
| Multidisciplinary Evaluation Team Report (006) | 3 |
| MDT Regulations reviewed | 3 |
| MDT File Review Questions..... | 4 |
| MDT for SLD Identification (006.03F) | 6 |
| MDT for SLD Regulations Reviewed | 6 |
| MDT for SLD File Review Questions | 8 |
| RTI process | 10 |
| Review of Existing Data (006.06) | 10 |
| Existing Data Regulations Reviewed | 10 |
| Existing Data File Review Questions | 11 |
| Reevaluations (006.05) | 13 |
| Reevaluations Regulations Reviewed | 13 |
| Review of Reevaluations File Review Questions | 14 |
| No Additional Information Needed (006.06D) | 15 |
| No Additional Information Needed Regulations Reviewed..... | 15 |
| No Additional Information Needed File Review Questions | 15 |
| Consent for Services (009.08B) | 16 |
| Consent for Services Regulations Reviewed | 16 |
| Consent for Services File Review Questions | 17 |
| IEP – Timeline & Access (007.09C) | 17 |
| Timeline and Accessibility Regulations Reviewed | 17 |
| IEP Timeline & Access File Review Questions | 18 |
| IEP Attendees (007.03A) | 18 |
| IEP Attendees Regulations Reviewed..... | 18 |
| IEP Attendees File Review Questions | 19 |
| Excusal from the IEP (007.04A) | 21 |
| Excusal Regulations Reviewed | 21 |
| Excusal File Review Questions..... | 22 |
| Special Considerations (007.07B & C)..... | 23 |
| Special Considerations Regulations Reviewed..... | 23 |
| Special Considerations File Review Questions | 23 |
| PLAAFP (007.07A & B)..... | 25 |
| PLAAFP Regulations Reviewed..... | 25 |

| | |
|--|----|
| PLAAFP File Review Questions | 25 |
| Goals (007.07A2) | 27 |
| Goals Regulations Reviewed..... | 27 |
| Goals File Review Questions | 28 |
| LRE (008) [School Age]..... | 29 |
| LRE Regulations Reviewed | 29 |
| LRE File Review Questions..... | 30 |
| LRE (008) [Early Childhood] | 31 |
| LRE Regulations Reviewed | 31 |
| LRE File Review Questions..... | 31 |
| Services (007.07A) | 32 |
| Services Regulations Reviewed..... | 32 |
| Services File Review Questions | 33 |
| Preschool Transportation (014.01C) | 38 |
| Preschool Transportation Regulations Reviewed | 38 |
| Preschool Transportation File Review Questions | 39 |
| Assessment Accommodations (007.07A7) | 39 |
| Assessment Accommodations Regulations Reviewed | 39 |
| Assessment Accommodations File Review Questions..... | 40 |
| Extended School Year Services (007.07C5) | 41 |
| ESYS Regulations Reviewed | 41 |
| ESYS File Review Questions..... | 42 |
| Prior Written Notice (009.05) | 42 |
| Prior Written Notice Regulations Reviewed | 42 |
| Prior Written Notice File Review Questions | 43 |

Multidisciplinary Evaluation Team Report (006)

MDT Regulations reviewed

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| 006.02C5 | School districts and approved cooperatives must ensure a variety of assessment tools and strategies are used to gather relevant functional, developmental and academic information about the child, including information provided by the parent, and information related to enabling the child to be involve in and progress in the general education curriculum (for a preschool child, to participate in appropriate activities,), that may assist in determining; |
| 006.02C7 | School districts and approved cooperative must ensure tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient. |
| 006.02C9 | School districts and approved cooperative must ensure in evaluating each child with a disability under Section 006, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified. |
| 006.02C10 | School districts and approved cooperative must ensure the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. |
| 006.02C11 | School districts and approved cooperative must ensure in evaluating each child with a disability under Section 006, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified. |
| 006.03E | Multidisciplinary Evaluation Team (MDT) Report (for all suspected disabilities) |
| 006.03E2a | Whether the child qualifies as a child with a disability based on the criteria and definition contained within 92 NAC 51-006.04 |
| 006.03E2b | The child's educational needs |
| 006.03E2c | The basis for making the determination; |
| 006.03F | Multidisciplinary Evaluation Team (MDT) Report for a Child with a Suspected Learning Disability |
| 006.03F2a | Whether the child has a specific learning disability based on the criteria and definition contained in 92 NAC 51-006.02C14 |
| 006.03F2b | The child's educational needs |
| 006.03F2c | The basis for making the determination; |

- 300.304(c)(6) In evaluating each child with a disability under Secs. 300.304 through 300.306, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.
- 300.306(c)(1) In interpreting evaluation data for the purposed of determining if a child is a child with a disability under Sec. 300.8, and the educational needs of the child, each public agency must –
- (i) Draw upon information from a variety of sources, including aptitude and achievement tests, parent impute, and teacher recommendations, as well as information about the child's physical condition, social or cultural background and adaptive behavior; and
 - (ii) Ensure that information obtained from all of these sources is documented and carefully considered.
- 300.306(c)(2) If a determination is made that a child has a disability and needs special education and related services, an IEP must be developed for the child in accordance with Secs. 300.320 through 300.324.

MDT File Review Questions

1. The MDT report shall include a statement of whether the child qualifies as a child with a disability based on the criteria and the definition contained in 92 NAC 51-006.04 [006.03E2a & 006.03F2a]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The report indicates whether the child is a child with a disability based on the criteria contained in 92 NAC 51-006.04. (Rule 51) |
| No | | The report does not indicate whether the child is a child with a disability based on the criteria contained in 92 NAC 51-006.04 |
| No | | The report states the child is a child with a disability based on Verification Guidelines rather than Rule. |

Rationale for response:

2. The child's educational needs: [006.03E2b; 006.03F2b; 300 CFR 300.304(c)(6)]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | The MDT includes a statement of the child's educational needs that can be used for the student's educational programming. |
| No | | The MDT does not include a statement of the child's educational needs. |
| No | | The MDT includes a statement of supports, recommendations, and/or "next steps" but not needs. Statement of general need (needs help in math and reading) with no specifics. |

Rationale for response:

3. The basis for making the determination; [006.03D2c; 006.03F2c; 300.306(c)(1)-(2)]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The MDT includes the basis for making the determination. |
| Yes | | The MDT includes a summarization of the evaluation results. |
| Yes | | The MDT shows how the data support or do not support the presence of a disability. |
| Yes | | The MDT explains how the disability affects educational performance. |
| Yes | | The MDT documents that specially designed instruction is (or is not) required. |
| No | | The MDT does not include the basis for making the determination. (One of the above is not marked "yes".) |

Rationale for response:

4. Ensure a variety of assessment tools and strategies are used. [006.02C5; 006.02C9]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | More than one tool or strategy is used (Tools/Strategies may include: Curriculum Based Measures, Standardized tests, Classroom observations, Parent/Student Interviews, Medical Report, Work Sample, Parent Input). |
| No | | Only one tool or strategy is used (Tools/Strategies may include: Curriculum Based Measures, Standardized tests, Classroom observations, Parent/Student Interviews, Medical Report, Work Sample, Parent Input) |

Rationale for response:

5. Ensure tests and other evaluation materials include those tailored to assess specific areas of educational need. [006.02C7]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Evaluation materials include those tailored to assess specific areas of educational need (concern) and show evidence of thoughtful, individual student consideration. (May be marked "yes" even if educational needs were not specified within the report.) |
| No | | Evaluation materials do not include those tailored to assess specific areas of educational need (concern) and do not show evidence of thoughtful, individual student consideration. Parent/staff concerns noted, but the area was not assessed. |
| No | | Evaluation materials include an assessment for one area (i.e. articulation, behavior, social emotional functioning) but not another related area (i.e. language, academic performance). |

Rationale for response:

6. School districts and approved cooperatives must ensure the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. [006.02C10]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | The student was assessed in all areas related to the suspected disability. Verify that results of assessments were interpreted and summarized, not just administered. |
| No | | Evaluation materials do not include those tailored to assess specific areas of educational need and does not show evidence of thoughtful, individual student consideration. |
| No | | The district checked the rule out factors, but did not address within the MDT how those areas were ruled out. |

Rationale for response:

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7. Evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs. [006.02C11]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Previous MDT questions marked as "yes". |
| No | | One or more MDT questions marked as "no". |

Rationale for response (Summarize any concerns/praise noted during the review of the MDT):

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MDT for SLD Identification (006.03F)

MDT for SLD Regulations Reviewed

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|-----------|---|
| 006.03F2d | The relevant behavior if any, noted during the observation of the child and the relationship of that behavior to the child's academic functioning |
| 006.03F2e | The educationally relevant medical findings, if any |
| 006.03F2f | Whether the child does not achieve adequately for the child's age or to meet state-approved grade level standards consistent with 92 NAC 51-006.04K3a; and the child does not make sufficient progress to meet age or state approved grade level standards consistent with 92 NAC 51-006.K3b; or whether the child exhibits a patterns of strengths and weaknesses in performance, achievement, or both, relative to age, state approved grade level standards or intellectual development consistent with 92 NAC 51-006.04K3b(1) |
| 006.03F2g | The determination of the team concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic |

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| | disadvantage; or limited English proficiency on the child's achievement level |
| 006.03F2h | If the child has participated in a process that assesses the child's response to scientific, research-based intervention, then the instructional strategies used and the student-centered data collected; and the documentation that the child's parents were notified about: |
| 006.03F2h(1) | The school district's or approved cooperative's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided |
| 006.03F2h(2) | Strategies for increasing the child's rate of learning; and |
| 006.03F2h(3) | The parent's right to request an evaluation. |
| 006.04K3a | The child does not achieve adequately for the child's age or to meet State approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or State-approved grade-level standards: oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematical calculation, mathematical problem solving. |
| 006.04K3b | The child does not make sufficient progress to meet age or State approved grade-level standards in one or more of the areas identified in 92 NAC 51-006.04K3a when using a process based on the child's response to scientific, research-based intervention |
| 006.04K3b(1) | The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, development, that is determined by the team to be relevant, to the identification of a specific learning disability, using appropriate assessments consistency with 92 NAC 51-006.02. |

§ 300.310 Observation

- (a) The public agency must ensure that the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty.
- (b) The group described in Sec. 300.306(a)(1), in determining whether a child has a specific learning disability must decide to –
 - (1) Use information from an observation in routine classroom instruction and monitoring of the child's performance that was done before the child was referred for an evaluation; or
 - (2) Have at least one member of the group described in Sec. 300.306(a)(1) conduct an observation of the child's academic performance in the regular classroom after the child

has been referred for an evaluation and parental consent, consistent with Sec. 300.300(a), is obtained.

- (c) In the case of a child of less than school age or out of school, a group member must observe the child in an environment appropriate for a child of that age.

§ 300.311 Specific documentation for the eligibility determination.

- (a) For a child suspected of having a specific learning disability, the documentation of the determination of eligibility, as required in Sec. 300.306(a)(2), must contain a statement of –
(3) The relevant behavior, if any, noted during the observation of the child and the relationship of that behavior to the child's academic functioning;

MDT for SLD File Review Questions

8. The relevant behavior, if any, noted during the observation of the child; and the relationship of that behavior to the child's academic functioning [006.03F2d; 300.310 and 300.311(a)(3)]

| Compliant | ✓ | Response Criteria: |
|------------------|----------|--|
| Yes | | MDT report contains information on the behavior, and its impact on the child's academic functioning, or there is written documentation that no relevant behavior was observed. |
| No | | MDT report has no documentation on relevant behavior, and its impact on the child's academic functioning, nor is there written documentation that no relevant behavior was observed. |

Rationale for response:

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9. The educationally relevant medical findings, if any; [006.03F2e]

| Compliant | ✓ | Response Criteria: |
|------------------|----------|--|
| Yes | | MDT report contains information on the behavior, and its impact on the child's academic functioning, or there is written documentation that no relevant behavior was observed. |
| No | | MDT report has no documentation on relevant behavior, and its impact on the child's academic functioning, nor is there written documentation that no relevant behavior was observed. |

Rationale for response:

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10. Whether the child does not achieve adequately for the child's age or to meet state-approved grade level standards consistent with 92 NAC 51-006.04K3; [006.03F2f; 006.04K3a; 006.04K3b; 006.04K3b(i)]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | The MDT includes information on whether the child does not achieve adequately for the child's age or to meet state-approved grade level standards and does not make sufficient progress to meet age or state-approved grade level standards in one or more areas based on RTI. |
| Yes | | The MDT includes information on whether the child does not achieve adequately for the child's age or to meet state-approved grade level standards and the child does not achieve adequately for the child's age or to meet state-approved grade level standards and does not make sufficient progress to meet age or state-approved grade level standards in one or more areas based on a pattern of strengths and weaknesses. |
| No | | One of the boxes above is not checked "yes". |

Rationale for response:

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11. The determination of the team concerning the effects of a visual, hearing, or motor disability; AND intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level [006.03F2g]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Check box indicates vision was considered and the MDT contains a description of the effects. <ul style="list-style-type: none"> • Checked box should align with the content of the MDT (description of the documented effects are clear) |
| Yes | | Check box indicates hearing was considered and the MDT contains a description of the effects. |
| Yes | | Check box indicates motor disability was considered and the MDT contains a description of the effects. |
| Yes | | Check box indicates mental handicap was considered and the MDT contains a description of the effects. |
| Yes | | Check box indicates behavior disorder was considered and the MDT contains a description of the effects. |
| Yes | | Check box indicates cultural factors were considered and the MDT contains a description of the effects. |
| Yes | | Check box indicates environmental or economic factors were considered and the MDT contains a description of the effects. |
| Yes | | Check box indicates limited English proficiency was considered and the MDT contains a description of the effects. |
| No | | MDT does NOT include a statement including the above information. (One or more of the boxes above is not checked "yes".) |

Rationale for response:

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RTI process

This section applies only to students who were identified as a as student with SLD using the RTI process.

12. The documentation that the parents were notified about: The amount and nature of student performance data that would be collected and the general education services that would be provided. [006.03F2h(1)]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | If using RtI, documentation of the SAT process is on file. |
| No | | If using RtI, documentation is not on file. |

Rationale for response:

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13. The documentation that the parents were notified about: Strategies for increasing the child's rate of learning [006.03F2h(2)]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | If using RtI, documentation is on file. |
| No | | If using RtI, documentation is not on file. |

Rationale for response:

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14. The documentation that the parents were notified about: The parent's right to request an evaluation [006.03F2h(3)]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | If using RtI, documentation is on file. |
| No | | If using RtI, documentation is not on file. |

Rationale for response:

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Review of Existing Data (006.06)

Existing Data Regulations Reviewed

- 006.06A As a part of an initial evaluation (if appropriate) and as part of any reevaluation, the IEP team and other qualified professionals as appropriate, shall:
- 006.06A1 Review existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based local or State assessments and classroom-based observations by teachers and related service providers; and
- 006.06A2 On the basis of that review, and input from the child's parents, identify what additional data, if any are needed to determine:
- 006.06A2b The present levels of academic achievement and related developmental needs of the child;

- 006.02A2c Whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services
- 006.06A2d Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the individualized education program of the child and to participate, as appropriate, in the general education curriculum.

Existing Data File Review Questions

15. As a part of an initial evaluation (if appropriate) and as part of any reevaluation, the IEP team and other qualified professionals as appropriate, shall: review existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based local or State assessments and classroom-based observations by teachers and related service providers. (Information should be provided within a summary, not just check boxes.) [006.06A; 006.06A1]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Documentation of a review of existing evaluation data on the child, including evaluations and information provided by the parents of the child . Information may be found in the MDT or "No Further Testing Needed" notification to parents. |
| Yes | | Documentation of a review of existing evaluation data on the child, including current classroom-based local or State assessments . Information may be found in the MDT or "No Further Testing Needed" notification to parents. |
| Yes | | Documentation of a review of existing evaluation data on the child, including current classroom-based observations . Information may be found in the MDT or "No Further Testing Needed" notification to parents. |
| Yes | | Documentation of a review of existing evaluation data on the child, including observations by teachers and related services providers . Information may be found in the MDT or "No Further Testing Needed" notification to parents. |
| No | | One or more of the "yes" boxes is not checked. |

Rationale for response:

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16. The present levels of academic achievement and related developmental needs of the child;
[006.06A2; 006.06A2b]

| Compliant | ✓ | Response Criteria: |
|------------------|----------|--|
| Yes | | Documentation exists of the present levels of academic achievement of the child. (May include a statement that the student is performing similarly to peers at that grade/age level.) |
| Yes | | Documentation exists of the related developmental needs (behavior, independent living, motor skills, following classroom expectations similar to that of non-disabled peers) of the child. |
| No | | One of the "yes" boxes is not checked. |

Rationale for response:

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17. Whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services [006.06A2c]

| Compliant | ✓ | Response Criteria: |
|------------------|----------|---|
| Yes | | Documentation exists whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services. |
| No | | No documentation exists if the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services. |

Rationale for response:

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18. Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the individualized education program of the child and to participate, as appropriate, in the general education curriculum [006.06A2d]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Documentation exists whether there is any additional data that needs to be collected to support additions or modifications that are needed to enable the student to meet educational goals. <i>(this may be found in the consent for evaluation or MDT report)</i> |
| Yes | | Documentation exists from the report after completion of the evaluation that there were a) additions added to the special education services; b) additions were added to the related services. <i>(this could be found in the MDT report or the IEP or both.)</i> ****May include (a) additional time for services, (b) changes to location, duration, frequency of services, (c) addition or change to assistive technology needed, (d) interventions or supports needed to show growth or progress, (e) specialized instruction used to support student progress |
| Yes | | Documentation includes a statement that no additional data is needed to determine if a student needs additions or modification. |
| Yes | | Documentation includes a statement that additions and modifications to special education services and related services are not needed. |
| No | | No documentation exists whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum. |

Rationale for response:

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Reevaluations (006.05)

Reevaluations Regulations Reviewed

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|-----------|---|
| 006.03E2a | Whether the child qualifies as a child with a disability based on the criteria and definition contained in 92 NAC 51-006.04 |
| 006.05 | Reevaluations |
| 006.05A | A school district or approved cooperative shall ensure that a reevaluation of each child with a disability is conducted in accordance with the verification procedures in Section 006 of this Chapter |
| 006.05A1 | If the school district or approved cooperative determines that the educational or related services needs, including improved academic achievement |

or functional performance of the child warrant a reevaluation; or

006.05B2 Must occur at least once every three years, unless the parent and the school district or approved cooperative agree that a reevaluation is unnecessary.

006.06D If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs the school district or approved cooperative:

300.305(d) Requirements if additional data are not needed.

- (1) If the IEP Team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability, and to determine the child's educational needs, the public agency must notify the child's parents of –
- (i) That determination and the reasons for the determination; and
- (ii) The right of the parent to request an assessment to determine whether the child continues to be a child with a disability, and to determine the child's educational needs.

Review of Reevaluations File Review Questions

19. Whether the MDT occurred at least once every three years.

| Compliant | ✓ | Response Criteria: |
|------------------|----------|--|
| Yes | | Reevaluation was completed within three years, or the school district or parent determined the educational needs or related services required an evaluation sooner. |
| No | | Reevaluation not completed within three years or there was a request to reevaluate based on the educational needs or related services and a reevaluation was not conducted. |
| N/A | | Evaluation is an initial evaluation |
| N/A | | Notification of No Additional Information Is Needed To Determine Continued Eligibility (next section required to be completed) |

Rationale for response:

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No Additional Information Needed (006.06D)

No Additional Information Needed Regulations Reviewed

All regulations reviewed for MDT apply.

006.05B2 Must occur at least once every three years, unless the parent and the school district or approved cooperative agree that a reevaluation is unnecessary.

006.06D If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs the school district or approved cooperative:

300.305(d) Requirements if additional data are not needed.

- (1) If the IEP Team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability, and to determine the child's educational needs, the public agency must notify the child's parents of –
- (i) That determination and the reasons for the determination; and
 - (ii) The right of the parent to request an assessment to determine whether the child continues to be a child with a disability, and to determine the child's educational needs.

No Additional Information Needed File Review Questions

20. If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs the school district or approved cooperative [006.06B52]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The Determination Notice was completed within three years. |
| No | | The Determination Notice was not completed within three years. |

Rationale for response:

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21. The Determination Notice includes a statement of the child's disability, and that the child continues to be a child with a disability [006.06D]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Notice identifies the child's disability, and that the child continues to be a child with a disability. |
| No | | Notice states the child continues to be a child with a disability, but the disability is not identified. |

Rationale for response:

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22. The Determination Notice includes a verification statement including reference to Rule 51 of the child's disability. [006.06D; 006.03E2a]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Notice indicates whether the child is a child with a disability based on the criteria contained in 92 NAC 51-006.04 (Rule 51). |
| Yes | | Notice identifies the child's disability, and that the child continues to be a child with a disability. |
| No | | One of the "yes" responses is not marked "yes". |

Rationale for response:

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23. The Determination Notice includes a statement of the child's educational needs [006.06D; 006.03E2b]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Notice includes the child's educational needs. |
| No | | Notice does not state the child's educational needs. |

Rationale for response:

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Consent for Services (009.08B)

Consent for Services Regulations Reviewed

009.08B Consent for Services

009.08B1 A school district or approved cooperative that is responsible for making FAPE available to a child with a disability must obtain informed consent from the parent of the child before the initial provision of special education and related services to the child.

003.09 **Consent** means that the parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication; that the parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought; that the consent includes a description of the proposed activity and a list of records (if any) which will be released and to whom they will be released; and the parent understands that the granting of consent is voluntary and may be revoked at any time. If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).

Consent for Services File Review Questions

24. A school district or approved cooperative that is responsible for making FAPE available to a child with a disability must obtain informed consent from the parent of the child before the initial provision of special education and related services to the child. [009.08B1; 003.09]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | The student is a student who transitioned from early intervention or had an initial evaluation and a copy of the Consent for services was found. (If no, skip to next section) |
| Yes | | Parent consent was obtained prior to the provision of special education and related services. |
| Yes | | The parent agreed in writing to the provision of special education and related services (FAPE) (Consent was signed) |
| Yes | | Parents understood that granting consent is voluntary and may be revoked at any time; except that revocation of consent is not retroactive. |
| No | | One or more of the items above is missing. |

Rationale for response:

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IEP – Timeline & Access (007.09C)

Timeline and Accessibility Regulations Reviewed

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| 007.02B | Each school district or approved cooperative shall ensure that an IEP is in effect before special education and related services are provided to a child with a verified disability under this Chapter. |
| 007.09A | A meeting to develop an IEP for a child must be held within thirty (30) calendar days of a determination that the child needs special education and related services. |
| 007.09C | The IEP team shall review the child's IEP periodically, but not less frequently than annually, to determine whether the annual goals for the child are being achieved. |
| 009.04A3 | As soon as possible following development of the IEP, special education and related services must be made available to the child in accordance with the child's IEP. |

IEP Timeline & Access File Review Questions

25. The IEP team shall review the child's IEP periodically, but not less frequently than annually, to determine whether the annual goals for the child are being achieved. [007.09C]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The date of the previous IEP meeting and current IEP meeting are not more than 365 days (May 1 to April 30). |
| Yes | | ALL Goals are changed/updated from year to year. (Change may be a more rigorous target or updated objectives.) |
| No | | IEP dates are more than 365 days apart |
| No | | All Goals have not been changed/updated. |
| N/A | | IEP is an initial IEP, and a year has not passed (no previous IEP to compare to) |

Rationale for response:

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26. Each school district or approved cooperative shall ensure that an IEP is in effect before special education and related services are provided to a child with a verified disability under this Chapter and is implemented as soon as possible following the IEP meetings. [007.02B] The district documents that the IEP meeting and development of the IEP occurred prior to the initial provision of special education and related services. [009.04A3]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Special education and related service dates are not prior to the date of the IEP meeting according to the date on page 1, but soon after the meeting. |
| No | | Special education and related service dates on the services page are prior to the date of the IEP meeting according to the date on page 1 of the IEP. |

Rationale for response:

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IEP Attendees (007.03A)

IEP Attendees Regulations Reviewed

- 007.03A The school district or approved cooperative shall ensure and document that the IEP team includes the following:
- 007.03A1 The parents of a child with a disability or documentation of 92 NAC 51-007.06D
- 007.03A2 Not less than one regular education teacher of the child, (if the child is, or may be, participating in the regular education environment);
- 007.03A2a The regular education teacher of the child, as a member of the IEP team, shall, to the extent appropriate, participate in the development, review

and revision of the IEP of the child, including assisting in the determination of appropriate positive behavioral interventions and supports, and other strategies, and the determination of supplementary aids and services, program modifications and support for school personnel consistent with 92 NAC 51-007.07A5.

007.03A5 An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in 92 NAC 51-007.03A2 through 007.03A6.

007.03A6 At the discretion of the parent or the school district or approved cooperative, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; (The determination of the knowledge or special expertise of any individual shall be made by the party who invited the individual to be a member of the IEP team.)

IEP Attendees File Review Questions

27. The school district or approved cooperative shall ensure and document that the IEP team includes the following: The parents of a child with a disability or documentation of 92 NAC 51-007.06D [007.03A; 007.03A1]

| Compliant | ✓ | Response Criteria: |
|------------------|----------|--|
| Yes | | Parents in attendance or documentation of attendance via an alternate means of participation. If the parent was not in attendance, there are multiple, varied attempts to have the parent in attendance. |
| No | | The parent(s) is not in attendance or no documentation of alternate means of participation or multiple and varied attempts to have the parent in attendance not found. |

Rationale for response:

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28. Not less than one regular education teacher of the child, (if the child is, or may be, participating in the regular education environment); ... consistent with 92 NAC 51-007.07A5. [007.03A2; 007.03A2a]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Documentation of regular education teacher, or excusal of the regular education teacher from attendance at the meeting with appropriate written documentation. |
| Yes | | Documentation of regular early childhood teacher, or excusal of the regular early childhood teacher from attendance at the meeting with appropriate written documentation. |
| No | | No documentation of regular education teacher attendance or excused participation from the meeting. |
| No | | No documentation of regular early childhood teacher attendance or excused participation from the meeting. |

Rationale for response:

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29. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in 92 NAC 51-007.03A2 through 007.03A6. [007.03A5]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | The IEP meeting participation page includes the name of the individual who interpreted the instructional implications of the evaluation results, who was in attendance at the meeting. (It could be the same person identified as the regular education teacher, the special education teacher, the district representative, or a person in attendance at the discretion of the parent or school district). |
| No | | No documentation of the individual who interpreted the instructional implications of the evaluation results or excusal of the individual who interpreted the instructional implications from attendance at the meeting, with appropriate written documentation. |

Rationale for response:

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30. At the discretion of the parent or the school district or approved cooperative, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; (The determination of the knowledge or special expertise of any individual shall be made by the party who invited the individual to be a member of the IEP team.) [007.03A6]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The IEP meeting participation page includes the signature or name of the individual who was invited at the discretion of the school district or parents who were in attendance at the meeting. |
| No | | The IEP contains goals or information from an individual who did not attend the IEP (i.e., SLP, OT, etc.). No excusal form provided. |
| N/A | | No additional participants. |

Rationale for response:

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31. Maximum number of required roles filled by a single participant. **AREA OF IMPROVEMENT ONLY, NOT COMPLIANCE**

| Response | ✓ | Response Criteria: |
|----------|---|--|
| Yes | | One role |
| Yes | | Two roles |
| No | | More than two roles |
| No | | Special Education teacher signs as general education teacher |

Rationale for response:

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Excusal from the IEP (007.04A)

Excusal Regulations Reviewed

- 007.04A A member of the IEP team described in 92 NAC 51-007.03A2 through 007.03A5 shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the school district or approved cooperative agree, in writing, that the attendance of such member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.
- 007.04B A member of the IEP team described in 92 NAC 51-007.04A may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if:
- 007.04B1 The parent, in writing, and the school district or approved cooperative consent to the excusal; and
- 007.04B2 The member submits, in writing, to the parent and the IEP team, input into the development of the IEP prior to the meeting.

Excusal File Review Questions

32. The required members of the IEP team were in attendance. [007.03A]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Regular education teacher was in attendance. |
| Yes | | A special education teacher was in attendance. |
| Yes | | A person to interpret results was in attendance. |
| Yes | | A school representative was in attendance. |
| Yes | | Parent(s) were in attendance. |

If any of the attendees above are not marked "yes", respond to the prompts below.

33. A member of the IEP team described in 92 NAC 51-007.03A2 through 007.03A5 shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the school district or approved cooperative agree, in writing, that the attendance of such member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting. [007.04A]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The IEP team, including the parent, has agreed in writing that a team member was not required because their area of curriculum or related service is not needed. |
| No | | A required member of the IEP team was absent, and no written agreement was found. |
| N/A | | All required members are in attendance. |

Rationale for response:

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34. A member of the IEP team described in 92 NAC 51-007.04A may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if: The parent, in writing, and the school district or approved cooperative consent to the excusal; and The member submits, in writing, to the parent and the IEP team, input into the development of the IEP prior to the meeting. [007.04B; 007.04B1; 007.04B2]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | A written agreement between the district and the parent is found OR the IEP contains a statement that the parent agreed to the member's absence. |
| Yes | | There is evidence that a member submitted, in writing, to the parent and IEP team, input into the development of the IEP prior to the meeting. |
| No | | A required member was not in attendance and there is no written statement of agreement for the member's absence and/or there is no statement provided by the absent member for input into the development of the IEP. |

Rationale for response:

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Special Considerations (007.07B & C)

Special Considerations Regulations Reviewed

- 007.07B In developing, reviewing or revising each child's IEP:
- 007.07B3 In the case of a child whose behavior impedes his or her learning or that of others, the IEP team shall consider the use of positive behavioral interventions and supports and other strategies to address that behavior.
- 007.07B7 The IEP team shall consider whether the child needs assistive technology devices and services.
- 007.07C3d On a case by case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP team determines that the child needs access to those devices in order to receive a free appropriate public education.

Special Considerations File Review Questions

35. If the child is a child whose behavior impedes his or her learning, the IEP documents the team's consideration for using positive behavioral interventions or indicates that this is not a concern for the child. [007.07B; 007.07B3]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The child was identified as having behavioral concerns and the team documents positive behavior interventions and supports. |
| No | | The child was identified as having behavioral concerns, but the team did not consider positive behavior interventions or supports. |
| N/A | | The child is not a child whose behavior impedes his or her learning. |

Rationale for response:

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36. The IEP indicates whether the child needs assistive devices and services, and if yes, the child's IEP includes a statement of the device and/or service needed. [007.07B; 007.07B7]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Documentation the team considered the child's assistive technology needs AND assistive technology devices and services are listed on the services page OR state assistive technology devices and services are not needed. |
| No | | No documentation that the team considered the child's assistive technology needs. |
| No | | Special considerations section states no assistive technology needed, but services and devices are listed on the services page or described in the present levels of academic achievement and functional development. |
| No | | Assistive technology is needed, but IEP states it will be provided by the parent and no alternate technology is documented for when the device is not sent. |

Rationale for response:

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37. The IEP addresses the child's needs for assistive devices and services in the home or other settings as a provision of FAPE. [007.07C3d]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | There is a statement in the IEP documenting the team considered the need for the use of school-purchased assistive technology in the home OR in other settings to receive FAPE and determined AT was necessary. |
| Yes | | There is a statement in the IEP documenting the team considered the need for the use of school-purchased assistive technology in the home OR in other settings to receive FAPE and determined AT was not necessary. |
| No | | There is no documentation indicating the team considered the need for the use of school-purchased assistive technology in the home OR in other settings to receive FAPE. |

Rationale for response:

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PLAAFP (007.07A & B)

School-Age (not preschool) Present Levels of Academic Achievement and Functional Performance

PLAAFP Regulations Reviewed

007.07A The IEP shall include:

007.07A1 A statement of the child's present levels of academic achievement and functional performance, including:

007.07A1a How the child's disability affects the child's involvement in and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or

007.07A1b For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.

007.07B2 The IEP shall consider the results of the initial evaluation or most recent evaluation of the child, and the academic, developmental, and functional needs of the child.

PLAAFP File Review Questions

38. The IEP shall include: Statements of the child's present levels of academic achievement including: The child's present levels of academic achievement and functional performance as reported within the child's IEP is documented through information from the MDT report, And the academic, developmental, and functional needs of the child (through the measured status of the previous IEP goals, and through written results of objectives, projective and/or subjective formal and informal diagnostic information gathered by the student's teacher(s)). [007.07A; 007.07A1; 007.07B2]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | IEP includes appropriate levels of academic achievement . |
| Yes | | IEP includes the measured status of the previous IEP goals and if appropriate, objectives. (Does not apply to initial IEP) |
| Yes | | IEP includes grade/age-appropriate projective and/or subjective formal and informal diagnostic information (assessments). |
| No | | IEP does not include one or more pieces of information described above. |

Rationale for response:

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39. Statements of the child's present levels of functional performance, including: The child's present levels functional performance as reported within the child's IEP is documented through information from the MDT report, through the measured status of the previous IEP goals, and through written results of objective, projective and/or subjective formal and informal diagnostic information gathered by the student's teacher(s). 007.07 [007.07A; 007.07A1; 007.07B2]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | IEP includes appropriate levels of functional performance statements. |
| Yes | | IEP includes the measured status of the previous IEP goals and if appropriate, objectives. (Does not apply to initial IEP) |
| Yes | | IEP includes grade/age-appropriate projective and/or subjective formal and informal diagnostic information (assessments). |
| No | | IEP does not include one or more pieces of information described above. |

Rationale for response:

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Preschool Only (not K-21)

40. Statements of the preschool child's present levels of academic achievement including: For preschool children, as appropriate, the child's present levels of academic achievement as reported within the child's IEP includes a statement or information on how the child's participation in appropriate activities. Appropriate activities are based on age-appropriate developmental activities for preschool children [007.07A; 007.07A1; 007.07B2]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | IEP includes appropriate levels of academic achievement (educational performance) statements. |
| Yes | | IEP includes the measured status of the previous IEP/IFSP goals and if appropriate objectives, if not an initial IEP. |
| Yes | | IEP includes a statement and/or information on how the child will/is participating in age-appropriate activities. |
| No | | IEP does not include one or more pieces of information described above. |

Rationale for response:

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41. Statements of the preschool child's present levels of functional performance including: For preschool children, as appropriate, the child's functional performance as reported within the child's IEP includes a statement or information on how the child's participation in appropriate activities. Appropriate activities are based on age-appropriate developmental activities for preschool children [007.07A; 007.07A1; 007.07B2]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | IEP includes appropriate levels of functional performance statements. |
| Yes | | IEP includes the measured status of the previous IEP/IFSP goals and, if appropriate, objectives. (Does not apply to initial IEP) |
| Yes | | IEP includes a statement and/or information on how the child will/is participating in age-appropriate activities. |
| No | | IEP does not include one or more pieces of information described above. |

Rationale for response:

42. How the child's disability affects the child's involvement in and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities. [007.07A1a; 007.07A1b]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Statements of how the child's disability affects their involvement in the general curriculum (or age-appropriate activities for preschool) are documented in the present levels. |
| No | | Missing statements of how the child's disability affects their involvement in the general curriculum (or age-appropriate activities for preschool). |

Rationale for response:

Goals (007.07A2)

Goals Regulations Reviewed

- 007.07A2 A statement of measurable annual goals, including academic and functional goals, designed to:
- 007.07A2a Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; or for preschool children, as appropriate, to participate in appropriate activities, and
 - 007.07A2b Meet each of the child's educational needs that result from the child's disability

007.07A3 For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;

34 CFR 300.320(a)(2) A statement of measurable annual goals, including academic and functional goals, designed to:

Goals File Review Questions

43. A statement of measurable annual goals [007.07A2; 300.320(a)(2)]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Each goal includes the skill or behavior being measured . [The goal should identify a specific, observable skill (e.g., "solve two-step word problems using all four operations," not "improve in math").] |
| Yes | | Each goal includes the conditions . [The context or support is described (e.g., "given a grade-level reading passage and graphic organizer," or "during structured social group time").] |
| Yes | | Each goal includes criteria for mastery . [Includes accuracy, frequency, duration, or another clear performance level (e.g., "with 80% accuracy in 4 of 5 trials," or "for 15 consecutive minutes").] |
| Yes | | Each goal includes how progress will be measured . [The method of measurement is clear — teacher-collected data, work samples, curriculum-based measures, rubrics, etc.] |
| Yes | | Each goal includes when the goal should be mastered. [A timeframe is specified (usually "by the end of the IEP year").] |
| No | | One or more of the above is not checked "yes". |

Rationale for response:

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44. A statement of measurable annual goals, including academic and functional goals, designed to: Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum [007.07A2b; 300.320(a)(2)]

| Compliant | ✓ | Response Criteria: If the list for "measurable" is "no", the criteria has not been met. |
|-----------|---|---|
| Yes | | Goals are aligned to grade-level (age-level) standards/alternate achievement standards . |
| No | | Goals are not aligned to grade-level (age-level) standards/alternate achievement standards. |

Rationale for response:

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45. Goals designed to meet each of the child's educational needs that result from the child's disability (Goals are aligned to educational needs identified in the Present Levels of Academic Achievement and Functional Performance.) [007.07A2b; 300.320(a)(2)]

| | | |
|------------------|---|--|
| Compliant | ✓ | Response Criteria: If the list for "measurable" is "no", the criteria has not been met. |
| Yes | | Goals are aligned to the educational needs identified in the PLAAFP . (Educational needs may be met through supplementary aids/services and related services but not have a specific goal.) |
| No | | One or more goals written do not relate to an educational need identified in the PLAAFP. Educational needs identified but no goal (or supplementary aid/service or related service) found. |

Rationale for response:

46. Objectives, if included, are measurable [007.07A2; 007.07A3; 300.320(a)(2)]

| | | |
|------------------|---|--|
| Compliant | ✓ | Response Criteria: If the list for "measurable" is "no", the criteria has not been met. |
| Yes | | Measurement of objectives are included and align to the goal and are steppingstones to achieve the goal. |
| No | | Objectives are not measurable. |
| No | | Objectives are a list of tasks and are not measurable. |

Rationale for response:

LRE (008) [School Age]

LRE Regulations Reviewed

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| 008.01C1 | The placement decision is made by a group of persons, including the parents and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and |
| 008.01C2 | The placement decision is made in conformity with the least restrictive environment requirements in 92 NAC 51-008.01 and based on the child's unique needs and not on the child's disability. |
| 008.01E2 | Is based on his or her individualized education program (IEP) |
| 008.01H | In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the child or on the quality of services which he or she needs |

LRE File Review Questions

47. "The placement decision is made by a group of persons, including the parents and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and [008.01C1]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The placement decision is made by a group of persons, including the parents |
| Yes | | The placement decision is made by a group of persons, including other persons knowledgeable about the child |
| Yes | | The placement decision is made by a group of persons, including other persons knowledgeable about the placement options |
| Yes | | "The placement decision is made by a group of persons, including other persons knowledgeable about the meaning of the evaluation data" |
| No | | One or more of the boxes above is not checked. |

Rationale for response:

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48. The placement decision is made in conformity with the least restrictive environment requirements in 92 NAC 51-008.01 and based on the child's unique needs and not on the child's disability. Educational placement is based on his or her individualized education program (IEP). PLAAFP and educational services and placement are aligned. The student receives special education services for areas in which a deficit is noted. Student attendance is for a full school day. If on a shortened day, placement on ADVISER matches what is on the student's IEP. [008.01C2; 008.01E2]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | PLAAFP, educational services, and placement are aligned. The student receives special education services for which a deficit is noted. |
| No | | PLAAFP does not support the designated educational placement. The student receives special education services for classes in which no educational need is noted, or student is not receiving special education services for areas in which an educational need is noted. |

Rationale for response:

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49. In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the child or on the quality of services which he or she needs [008.01H]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Multiple placement options listed with consideration and rule out of placement and discussion of possible harmful effects with placement chosen. (services page, summary on services page, etc.) |
| Yes | | Placement and harmful effects identified. |
| No | | No discussion of harmful effects found. |

Rationale for response:

LRE (008) [Early Childhood]

LRE Regulations Reviewed

- 008.01D Each school district or approved cooperative must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.
- 008.01D1 The continuum must:
- 008.01D1a Include instruction in regular (preschool/pre-kindergarten) classes, special classes, special schools, home instruction and instruction in hospitals and institutions; and

LRE File Review Questions

50. Each school district or approved cooperative must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. [008.01D; 008.01D1; 008.01D1a]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The district has ensured a continuum of alternative placements, documentation shows that the placement options began with the regular preschool/pre-kindergarten classroom and the continuum of alternative placements includes all options. |
| No | | No. The district did not ensure a continuum of alternative placements and did not provide documentation showing that the placement options began with the regular preschool/pre-kindergarten classroom and worked its way through the continuum. |

Rationale for response:

Services (007.07A)

Services Regulations Reviewed

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| 007.07A5 | A statement of the special education and related services and supplementary aids and services based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child |
| 007.07A8 | The projected date for the beginning of the services and modifications described in 92 NAC 51-007.07A5 and the anticipated frequency, location, and duration of those services and modifications. |
| 007.07C4 | The school district or approved cooperative shall take steps including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP team to provide nonacademic and extracurricular services and activities in the manner necessary to afford each school age child (includes preschoolers) with a verified disability an equal opportunity for participation in those services and activities. |
| 014.01 | The board of education shall furnish one of the following types of services to children with disabilities who are residents of the school district: |
| 014.01A | Provide transportation for any child with a disability who is forced to leave the school district temporarily because of lack of educational services |
| 014.01B | Provide transportation within the school district for any child with a disability who is enrolled in a special education program of the district when either |
| 014.01B1 | The child is required to attend a facility other than what would be the normal school of attendance of the child to receive appropriate special education services; or |
| 014.01B2 | The nature of the child's disability is such that special education transportation is required. |

Services File Review Questions

51. Projected beginning dates for each of the **special education and related services** indicates the beginning of services. The beginning dates include the day, month and year. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The projected beginning dates for each of the special education and related services includes the day, month, and year. |
| No | | The projected beginning dates for each of the special education and related services do not include the day, month, or year. |
| No | | The projected beginning dates for each of the special education and related services are not included. |

Rationale for response:

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52. Projected beginning dates for each of the **support for school personnel** indicates the beginning of services. The beginning dates include the day, month and year. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | The projected beginning dates for each of the support for school personnel includes the day, month, and year. |
| No | | The projected beginning dates for each of the support for school personnel does not include the day, month, and year. |
| No | | The projected beginning dates for each of the special education and related services are not included. |

Rationale for response:

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53. Projected beginning dates for each of the support for **supplementary aids and services** indicates the beginning of services. The beginning dates include the day, month, and year. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | The projected beginning dates for each of supplementary aids and services includes the day, month, and year. |
| No | | The projected beginning dates for each of the supplementary aids and services do not include the day, month, or year. |
| No | | The projected beginning dates for each of the supplementary aids and services are not included. |

Rationale for response:

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54. Projected beginning dates for each of the **program modifications and accommodations** indicates the beginning of services. The beginning dates include the day, month and year. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The projected beginning dates for each of the program modifications and accommodations includes the day, month, and year. |
| No | | The projected beginning dates for each of the program modifications and accommodations do not include the day, month, or year. |
| No | | The projected beginning dates for each of the program modifications and accommodations are not included. |

Rationale for response:

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55. The anticipated **frequency** for each of the **special education and related services**. The frequency may include, but are not limited to times per week, times per month, or times per year. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Frequency is included. |
| No | | Frequency is not included. |
| No | | Frequency is listed as "as needed" |
| No | | Frequency is listed at the "discretion of student or teacher," etc. |

Rationale for response:

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56. The anticipated **frequency** for each of the **supports for school personnel**. The frequency may include, but are not limited to times per week, times per month, or times per year. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Frequency is included. |
| No | | Frequency is not included. |
| No | | Frequency is listed as "as needed" |
| No | | Frequency is listed at the "discretion of student or teacher," etc. |

Rationale for response:

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57. The anticipated **frequency** for each of the **supplementary aids and services**. The frequency may include, but are not limited to times per week, times per month, or times per year. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Frequency is included. |
| No | | Frequency is not included. |
| No | | Frequency is listed as "as needed" |
| No | | Frequency is listed at the "discretion of student or teacher," etc. |

Rationale for response:

58. The anticipated **frequency** for each of the **program modifications and accommodations**. The frequency may include, but are not limited to: times per week, times per month, or times per year. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Frequency is included. |
| No | | Frequency is not included. |
| No | | Frequency is listed as "as needed" |
| No | | Frequency is listed at the "discretion of student or teacher," etc. |

Rationale for response:

59. The anticipated **duration** of each of the **special education and related services**. Duration may include, but are not limited to: minutes, class period, or activity. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Duration is included. |
| No | | Duration is not included. |
| No | | Duration states "all day", "all year", or "duration of the IEP". |

Rationale for response:

60. The anticipated **duration** of each of the **supports for school personnel**. Duration may include, but are not limited to: minutes, class period, or activity. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Duration is included. |
| No | | Duration is not included. |
| No | | Duration states "all day", "all year", or "duration of the IEP". |

Rationale for response:

61. The anticipated **duration** of each of the **supplementary aids and services**. Duration may include, but are not limited to minutes, class period, or activity. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Duration is included. |
| No | | Duration is not included. |
| No | | Duration states "all day", "all year", or "duration of the IEP". |

Rationale for response:

62. The anticipated **duration** of each of the **program modifications and accommodations**. Duration may include, but are not limited to minutes, class period, or activity. [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Duration is included. |
| No | | Duration is not included. |
| No | | Duration states "all day", "all year", or "duration of the IEP". |

Rationale for response:

63. The **location** of each of the **special education and related services** (separate classroom, regular classroom (Math, English, Science, etc.), P.E. class, etc.). [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Location is included and specific to the class or circumstance for when provision is required. |
| No | | Location states "public school" |
| No | | Location state generic "classroom", no specificity included. |

Rationale for response:

64. The **location** of each of the **supports for school personnel** (separate classroom, regular classroom (Math, English, Science, etc.), P.E. class, etc.). [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Location is included and specific to the class or circumstance for when provision is required. |
| No | | Location states "public school" |
| No | | Location state generic "classroom", no specificity included. |

Rationale for response:

65. The **location** of each of the **supplementary aids and services** (separate classroom, regular classroom (Math, English, Science, etc.), P.E. class, etc.). [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Location is included and specific to the class or circumstance for when provision is required. |
| No | | Location states "public school" |
| No | | Location state generic "classroom", no specificity included. |

Rationale for response:

66. The **location** of each of the **program modifications and accommodations** (separate classroom, regular classroom (Math, English, Science, etc.), P.E. class, etc.). [007.07A5; 007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Location is included and specific to the class or circumstance for when provision is required. |
| No | | Location states "public school" |
| No | | Location state generic "classroom", no specificity included. |

Rationale for response:

67. The IEP contains supplementary aids and services for nonacademic and extracurricular activities. (Examples of non-academic and extracurricular services and activities are field trips, assemblies, concerts, field day, intramural activities, after school clubs, etc.) [007.07C4]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Supplementary aids and services are listed for non-academic and extracurricular services and activities. |
| No | | Supplementary aids and services are not listed for non-academic and extracurricular services and activities. |
| No | | Box is selected to confirm that the student's needs in the area of physical education have been addressed but no other statement is included. (Please check to confirm that you have addressed the student's needs in the area of Physical Education.) |

Rationale for response:

68. Is transportation a required service (only one yes is required)? [014.01]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Transportation is required because the student must leave the district temporarily due to a lack of educational services. |
| Yes | | Transportation is required because the child attends a facility other than what would be the normal school of attendance of the child to receive appropriate special education services. |
| Yes | | Transportation is provided because the nature of the child's disability is such that special education transportation is required. |
| No | | No needs are identified based on requirements, but transportation is identified as a need. |
| N/A | | Transportation is not a needed service. |

Rationale for response:

69. Transportation services include the projected date for the beginning of the services described in 92 NAC 51-007.07A5 and the anticipated frequency, location, and duration of those services. (All yeses required) [007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Transportation is identified as a needed service and is documented on the services chart. |
| Yes | | Transportation includes the projected beginning date of services. |
| Yes | | Transportation includes the frequency. |
| Yes | | Transportation includes location. |
| Yes | | Transportation includes duration. |
| No | | One or more of the above boxes are not checked. |
| N/A | | Transportation is not a needed service. |

Rationale for response:

Preschool Transportation (014.01C)

Preschool Transportation Regulations Reviewed

014.01C The board of education shall provide transportation for all children with disabilities birth to age five including children birth to age five who are wards of the court.

007.07A8 The projected date for the beginning of the services and modifications described in 92 NAC 51-007.07A5 and the anticipated frequency, location, and duration of those services and modifications.

Preschool Transportation File Review Questions

70. The board of education shall provide transportation for all children with disabilities birth to age five including children birth to age five who are wards of the court. [014.01C]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | Documented evidence that transportation was addressed and being provided. |
| No | | Evidence of a transportation plan but does not include all required information to support IEP information. (e.g., the district provides transportation to all students, booster seat, harness, parent plan, etc.) |
| No | | No evidence that transportation was addressed. |
| No | | Transportation documented as not needed. |
| N/A | | Student is above the age of 5. |

Rationale for response:

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71. Transportation services include the projected date for the beginning of the services described in 92 NAC 51-007.07A5 and the anticipated frequency, location, and duration of those services. (All yeses required) [007.07A8]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | Transportation is identified as a needed service and is documented on the services chart. |
| Yes | | Transportation includes the projected beginning date of services. |
| Yes | | Transportation includes the frequency. |
| Yes | | Transportation includes location. |
| Yes | | Transportation includes duration. |
| No | | One or more of the above boxes are not checked. |

Rationale for response:

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Assessment Accommodations (007.07A7)

Assessment Accommodations Regulations Reviewed

- 007.07A3 For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;
- 007.07A7 A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state and district-wide assessments; and if the IEP team determines that the child must take an alternate assessment instead of particular regular state or district-wide assessment of student achievement, a statement of why:
- 007.07A7a The child cannot participate in the regular assessment; and
- 007.07A7b The particular alternate assessment selected is appropriate for the child

Assessment Accommodations File Review Questions

72. The IEP contains a written statement of the accommodations or modifications the child will receive when participating in the state and district-wide assessments. [007.07A7]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | IEP includes documentation of accommodations or modifications the child needs for taking state or district-wide assessments aligned to accommodations or modifications for daily instruction. |
| Yes | | IEP states accommodations and/or modifications on state or district-wide assessments are not needed. |
| No | | IEP includes documentation of accommodations or modifications the child needs for taking state or district-wide assessments, but are not aligned to accommodations or modifications for daily instruction. |
| No | | IEP does not include any documentation of accommodations or modifications the child needs for taking state or district-wide assessments. Nor is there a statement provided that states a child does not need any accommodations or modifications for assessments. |

Rationale for response:

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73. For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives; [007.07A3]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | The child takes the alternate assessment AND short-term objectives and benchmarks are included in annual goal(s). |
| Yes | | There is documentation that the child will be taking the alternate assessment aligned to alternate achievement standards. |
| No | | The child takes the alternate assessment AND no short-term objectives and benchmarks are included in annual goal(s) and/or there is no documentation that the child will be taking alternate assessment aligned to alternate achievement standards. |
| N/A | | The child does not take the alternate assessment. |

Rationale for response:

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74. The IEP contains a written statement of why the child cannot participate in the regular assessment. [007.07A7a]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | IEP documents why and provides evidence as to why the student cannot participate in the regular assessment (Evidence as to how the student met eligibility) |
| No | | IEP does not provide why and/or evidence as to why the student cannot participate in the regular assessment (restatement of criteria does not count) |
| N/A | | The child is taking the regular assessment. |

Rationale for response:

75. The IEP contains a written statement of why the child must take the alternate assessment. [007.07A7a]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | IEP provides a statement of why the student must take the alternate assessment. (Evidence as to how the student met eligibility) |
| No | | IEP does not provide a statement of why the student must take the alternate assessment. |
| N/A | | The child is taking the regular assessment. |

Rationale for response:

Extended School Year Services (007.07C5)

ESYS Regulations Reviewed

- 007.07C5a Each school district or approved cooperative shall ensure that extended school year services are available as necessary to provide a free appropriate education consistent with 92 NAC 51-007C5b.
- 007.07C5b Extended School Year (ESY) services must be provided only if a child's IEP team determines, on an individual basis, in accordance with Section 007, that the services are necessary for the provision of a free appropriate public education.

ESYS File Review Questions

76. Extended school year services were considered and documented as needed. [007.07C5a; 007.07C5b]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The IEP contains documentation that the IEP Team reviewed and considered the need for ESY services and if ESY services are needed. |
| Yes | | The IEP documents the type, amount and duration of the ESY services to be provided. |
| No | | IEP documents the team will meet at a later date to discuss and determine if services are needed. No evidence of an amended or updated IEP. |
| No | | No documentation that ESYs were considered; or if ESYs services were deemed to be necessary there is no documentation of the ESYs services to be provided. |

Rationale for response:

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Prior Written Notice (009.05)

Prior Written Notice Regulations Reviewed

- 009.05A Prior written notice shall be given to the parents of a child with a disability a reasonable time before a school district or approved cooperative:
- 009.05A1 Propose to initiate or change the identification, evaluation or educational placement of a child or the provision of a free appropriate public education; or
- 009.05A2 Refuses to initiate or change the identification, evaluation or educational placement of a child or the provision of a free appropriate education.
- 009.05B1 A description of the action proposed or refused by the school district or approved cooperative
- 009.05B2 An explanation of why the school district or approved cooperative proposes or refuses to take action;
- 009.05B3 An explanation of other options the team considered and the reasons why those options were rejected;
- 009.05B4 A description of each evaluation procedure, assessment, record, or report the school district or approved cooperative uses as a basis for the proposal or refusal;
- 009.05B5 A description of any other factors which are relevant to the school district's or approved cooperative's proposal or refusal;

009.05B6 A statement that the parents of a child with a disability have protection under the procedural safeguards of this Chapter and, if this notice is not an initial referral for evaluation, the means by which a copy or description of the procedural safeguards can be obtained; and

009.05B7 Sources for parents to obtain assistance in understanding the provisions of this part.

Prior Written Notice File Review Questions

77. Prior written notice shall be given to the parents of a child with a disability a reasonable time before (NOTE: Check for the date of delivery, if the PWN is prior to the start of services located on the services page/chart of the IEP. Examples may include: change of placement, addition or termination of services, proposal or refusal to conduct evaluations, etc..) [009.05A]

| Compliant | ✓ | Response Criteria: |
|------------------|----------|--|
| Yes | | The district documents that written notice was provided prior to the district taking an action, or refusing to take an action, regarding the initiation or change in the identification, evaluation, educational placement or the provision of a free appropriate public education to the child. |
| No | | The district cannot document that written notice was provided prior to the district taking an action, or refusing to take an action, regarding the initiation or change in the identification, evaluation, educational placement or the provision of a free appropriate public education to the child. |
| No | | No PWN is available to review. |
| No | | PWN is dated well after the services start date. |

Rationale for response:

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78. The prior written notice has a proposal or refusal [009.05A1]

| Compliant | ✓ | Response Criteria: |
|------------------|----------|---|
| Yes | | Prior written notice addresses the initiation or change in the identification, evaluation, educational placement or the provision of a free appropriate public education to the child. |
| No | | Prior written notice does not address the initiation or change in the identification, evaluation, educational placement or the provision of a free appropriate public education to the child. |
| No | | No PWN is available to review. |

Rationale for response:

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79. The prior written notice must include a description of the action being proposed or refused by the district. [009.05B1]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | The prior written notice contains a description of the action proposed or refused by the district. |
| No | | The prior written notice does not contain a description of the action proposed or refused by the district. |
| No | | The prior written notice includes statements like - annual review is required, Rule 51 states we have to review IEP annually, three-year re-evaluation is due, etc. |
| No | | No PWN is available to review. |

Rationale for response:

80. The prior written notice must include an explanation of why the district proposes or refuses to take the action. [009.05B2]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The prior written notice contains an explanation of why the district proposed or refused to take the action. |
| No | | The prior written notice does not contain an explanation of why the district proposed or refused to take the action. |
| No | | No PWN is available to review. |

Rationale for response:

81. The prior written notice must include an explanation of any other options the team considered and why rejected. (If the district did not consider any other options, the notice should include a statement indicating that no other options were considered.) [009.05B3]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The notice sent to the parents contains a description of other options considered and the reason(s) why the options were rejected. <i>Note: There should be more than one option that was rejected.</i> |
| No | | The notice does not contain a description of other options considered and the reason(s) why the options were rejected. <i>Note: If only one other option (the chosen option) is provided, count as noncompliant.</i> |
| No | | No PWN is available to review. |

Rationale for response:

82. The prior written notice must include a **description** of each evaluation procedure, assessment, record or report used by the district as a basis for the proposal or refusal. [009.05B4]

| Compliant | ✓ | Response Criteria: |
|-----------|---|---|
| Yes | | The prior written notice contains a description of each evaluation procedure, test, record, or report that district used as a basis for the proposed action. |
| No | | The prior written notice does not contain a description of each evaluation procedure, test, record, or report that district used as a basis for the proposed action. <i>NOTE: Simply listing the assessments does not appropriately describe the assessment was used to support the proposed action or refusal.</i> |
| No | | No PWN is available to review. |

Rationale for response:

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83. The prior written notice must include a description of any other factors which are relevant to the district's proposal or refusal. If there are no other factors, the district must include a statement that no other factors were relevant to the proposal or refusal. [009.05B5]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The prior written notice includes a description of any other factors which are relevant to the district's proposal or refusal of the action. |
| No | | The prior written notice does not include a description of any other factors which are relevant to the district's proposal or refusal of the action. |
| No | | No PWN is available to review. |

Rationale for response:

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84. The prior written notice must include a statement that the parents of a child with a disability have protection under the procedural safeguards of Rule 51 (parent rights) and, all prior written notices (except for notice regarding an initial evaluation) must indicate the means by which a copy of or description of the parent rights can be obtained. [009.05B6]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The prior written notice contains a statement that the parents of a child with a disability have protection under the procedural safeguards contained in Rule 51 and (except for notices regarding an initial evaluation) the means by which a copy or description of the procedural safeguards can be obtained. |
| No | | The prior written notice does not contain a statement that the parents of a child with a disability have protection under the procedural safeguards contained in Rule 51 or (except for notices regarding the initial evaluation) the means by which a copy or description of the procedural safeguards can be obtained. |
| No | | No PWN is available to review. |

Rationale for response:

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85. The prior written notice must include sources for parents to obtain assistance in understanding the procedural safeguards (parent rights). [009.05B7]

| Compliant | ✓ | Response Criteria: |
|-----------|---|--|
| Yes | | The prior written notice contains a listing of sources for parents to contact to obtain assistance in understanding the provisions of this part. |
| No | | The prior written notice does not contain a listing of sources for parents to contact to obtain assistance in understanding the provisions of this part. |
| No | | No PWN is available to review. |

Rationale for response:

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