

THE CASE:

LEA: We have filed a due process complaint seeking to override Syd's parent's failure to consent to a reevaluation. In winter of this year, we invited the parent to a meeting to review current data on Syd. The parent did not attend. The next day we issued the PTRe. After many attempts to obtain consent, we received an email stating that Syd would not be testing. We proceeded to do part 1 of the RR process by reviewing data on file. In that review, it was determined that Syd had met the IEP goals. To make a formal recommendation regarding continued need for special ed or to consider exiting Syd, we proposed to conduct a comprehensive RR that would include cognitive, achievement, SEB, observations, clinical interview, classroom diagnostic and parent & teacher input. No psychoeducational testing has been done in 6 years. When we met a few weeks later to revise Syd's IEP based on the RR part 1 that was completed, the parent attended and was informed Syd had met all IEP goals. At that point the parent asked for more details on Syd's homework completion. We provided that detailed information as requested. Still no consent to conduct the RR as proposed was given to us.

F: My high school aged student, Syd, is eligible for special ed services under the category of OHI (ADHD). As a person who works in the field of special education, I am aware of my right to deny consent to the additional testing proposed by the SD. I know that the SD does not need to do the assessments being sought. I have suggested that maybe a Section 504 Plan could be developed as a way to settle our disagreement. I am distrustful of the SD with the history we have had over the years Syd has been attending. I continue to deny the consent being requested as is my right as a parent of a youth with disabilities under the IDEA and chapter 14.

THE QUESTION(S):

1. Has the SD proven that it should be permitted to reevaluate Syd despite the refusal of the parent to consent to a reevaluation?

WHAT DO YOU THINK?

1. **YES:** the SD has proven it should be granted the relief being sought which is to conduct the RR as proposed in the PTRe issued earlier this year
2. **NO:** the SD has not proven that the proposed RR is necessary to make an informed decision regarding Syd's continued need for special ed services.
3. **NO:** the parent has provided adequate reasons for denying her consent to the proposed RR

Discussion in Your Breakout Room:

1. As you head into Breakout Rooms, **note your Room Number.**
2. Find the slide with that number once in the room.
3. You will have **15 minutes** to discuss the case and the questions before you.
4. Remember you have only key parts of the case that is 21 pages.

5. Assign someone to be a note taker to enter onto your room's slide.
6. Assign someone to be the time watcher.
7. As a group, decide which option under What Do You Think is the outcome of this case based on the information provided in the scenario.
8. Document your group's choice on the slide.
9. Then discuss at least 2 recommendations/learnings you might take to your school teams based on the case.
10. Record the suggestions/learning on the slide
11. Be prepared to share in the main room by knowing the Letter of the Option you have chosen and the recommendations you would make to school teams.