



CALIFORNIA  
DEPARTMENT OF  
EDUCATION

**TOM TORLAKSON**

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

June 28, 2012

Dear County and District Superintendents, Special Education Local Plan Area Directors, Special Education Administrators of County Offices, Charter School Administrators, Principals, Nonpublic School Directors, Parents, and Mental Health Professionals:

### **ASSEMBLY BILL 114: ASSESSMENT SUMMARY**

Assembly Bill 114 made significant changes to Chapter 26.5 of the California *Government Code (GC)* regarding the provision of mental health services to students with disabilities. As a result of AB 114, local educational agencies (LEAs) are responsible for ensuring the provision of related services, including some services previously provided by county mental health agencies under Chapter 26.5 of the GC. As LEAs implement this transition, and as a result of changes in state statute resulting from AB 114, the Individuals with Disabilities Education Act (IDEA) serves as the statutory framework for the provision of related services. In some instances, existing California law provides further clarification of requirements for serving students with disabilities within the IDEA framework.

Under the state's prior structure, a LEA would initially assess students suspected of having social or emotional needs to determine if the students were eligible for special education. If the LEA determined that an eligible student was suspected to require mental health services (and met certain additional criteria), the student would be referred by the LEA to a state or local mental health agency for a mental health assessment. Under the new structure, the transition of responsibilities concerning the provision of related services discontinues the mandatory process of referring such students to mental health agencies for mental health assessments. Consequently, the scope and content of an LEA's assessment process now includes the need to directly assess students with suspected mental health needs, and to assist IEP teams in selecting appropriate services and goals to serve identified students with mental health issues.

This assessment summary is intended to provide general guidance and to assist LEAs in identifying the appropriate procedures and personnel to meet IDEA requirements related to assessment of students with identified or suspected disabilities, and for reassessment when needed, as established in federal and state law. While the general requirements for assessment and reassessment have not changed, it is critical that LEAs are aware of these requirements given that they are now responsible for directly

implementing all elements of the assessment process, including those related to mental health. This document provides an overview of federal and state requirements related to assessment and reassessment of students with disabilities, organized by the following topics:

- General Procedures
- Determining Appropriate Services
- Assessment Instruments and Materials
- Personnel
- Timelines

These requirements apply in all cases, regardless of whether a student's needs and services include a mental health component. However, given that mental health is a potentially new assessment element for LEAs, this guidance provides a specific focus on mental health issues where appropriate. In addition to clarification and discussion of legally required elements of the assessment process, references to potentially helpful assessment resources are included in Enclosure A.

## **GENERAL PROCEDURES**

Both federal and state laws establish specific requirements concerning initial assessment of students with a suspected disability, and for reassessment of students when required. The requirements for initial assessment and reassessment are addressed below. References to federal and state law that establish these requirements are provided to assist the reader in reviewing the complete statutory language for each requirement.

### **Initial Referral and Assessment**

Students are commonly referred for special education assessment by a parent or a teacher, but federal law requires each state to have a method to identify, locate, and assess all students needing special education and related services.<sup>1</sup> This "Child Find" requirement is implemented in various ways among states. In California, each LEA is responsible for identifying all children with disabilities who reside within its boundaries (including students attending private schools, homeless children, and wards of the state) and assessing them to determine if special education and related services are required to provide each student access to a free and appropriate public education. More information related to Child Find is available in Enclosure A – Resources.

In addition to the general Child Find requirement, federal law establishes that any of the following individuals may request an initial assessment to determine whether a child has a disability:

- The parent of the child

- The state educational agency or another state agency
- The local educational agency<sup>2</sup>

If health issues affect a student's access to education, special education and related services may be appropriate. Students medically diagnosed as having a chronic illness or acute health problem may be referred for a special education assessment.<sup>3</sup>

A full and individual initial assessment must be conducted before the initial provision of special education and related services to a student with a disability.<sup>4</sup> The assessment process must include:

- Proper notification to parents, including a description of the procedures proposed to be used in the assessment
- A variety of tools and procedures to develop information on the student
- A review of relevant functional, developmental, and academic information on the student
- A determination of whether the student has a disability
- A determination of the appropriate content of the student's Individualized Education Plan (IEP), including appropriate services and goals
- More than one measure to determine if the student has a disability, and if so, the appropriate services and goals to be included in the student's IEP
- Technically sound assessment instruments
- As appropriate, an assessment of the health, vision, hearing, social and emotional status, general intelligence, academic performance, communication, and motor skills of the student<sup>5</sup>

As noted above, prior California law stated that students identified as having exceptional needs and suspected of needing mental health services and who met specific additional criteria could be referred to a community mental health agency for a mental health assessment. The mental health agency would conduct the assessment and make a recommendation for mental health services to be provided to the student. By law, that recommendation for services would become the recommendation of the IEP team. Under current California law, the assessment process should consider whether a student's suspected disabilities include a mental health component, and whether an assessment addressing social and emotional issues is appropriate. Tests of emotional functioning are to be conducted by a credentialed school psychologist.<sup>6</sup> A LEA may still choose, as appropriate, to obtain additional assessment as needed by other qualified entities or individuals, such as appropriately licensed employees of community mental health agencies. Further, the recommendation for mental health services that results

from the assessment must be considered by the IEP team, but the IEP team has the authority to consider other factors and offer a different recommendation than that of the person conducting the assessment.

Generally, students must be assessed in all areas related to the suspected disability. See the Assessment Instruments and Materials section below for specific requirements concerning the assessment process. More information on assessment instruments and materials is also available in Enclosure A – Resources.

Prior to undertaking the assessment, an assessment plan shall be provided to the parent of the child in writing, which meets the following requirements:

- Be in language easily understood by the general public
- Be provided in the native language of the parent, unless clearly unfeasible
- Explain the types of assessments to be conducted
- State that no IEP will result from the assessment without parental consent <sup>7</sup>
- The Assessment Plan shall also include a description of any recent assessment conducted, including any independent assessment<sup>8</sup>

The assessment plan shall include the following assurances:

- Upon completion of the assessment, an IEP team meeting will be scheduled to determine whether the student has exceptional needs and to discuss the assessment results and educational recommendations and reasons for the recommendations.<sup>9</sup>
- A copy of the assessment report will be provided to the parent (or guardian).<sup>10</sup>
- The parent (or guardian) has the right to obtain (at public expense) an independent educational evaluation (IEE) from qualified specialists if the parent disagrees with the assessment obtained by the educational agency. This right is limited to one IEE at public expense each time the LEA conducts an assessment with which the parent disagrees.
- If a parent requests an IEE at public expense, the LEA must without unnecessary delay either file a due process complaint to show that its assessment is appropriate, or ensure that an IEE is provided at public expense, unless the LEA demonstrates in a hearing that the IEE did not meet agency criteria. If the hearing determines that the LEA assessment is appropriate, the parent may still obtain an IEE, but not at public expense.

- An independent assessment at public or private expense, if it meets agency criteria, shall be considered by the educational agency in respect to Free and Appropriate Public Education (FAPE), and may be presented as evidence in a due process hearing.<sup>11</sup>
- When a parent proposes a Nonpublic School (NPS) placement (using public funds) the educational agency shall be allowed to observe the NPS, and the pupil in the NPS if the pupil was unilaterally placed there. Such observation may only be of the pupil and shall not include observation or assessment of other pupils, unless the parent or guardian of the other pupil consents. Without such consent, observation results for the other students are not admissible in a hearing or proceeding.<sup>12</sup>

When developing the assessment plan, the IEP team shall:

- Review existing assessment data on the child, including assessments provided by parents, classroom-based assessments and observations, and observations by teachers and related services providers.<sup>13</sup> The IEP team may review the assessment data without conducting a formal IEP team meeting.<sup>14</sup>
- Identify what additional data are needed to determine: whether the child has a disability; present levels of performance; child's need for special education and related services; in the case of a re-evaluation, whether changes or additions to the child's special education and related services are needed.<sup>15</sup> The LEA is to administer the assessments that obtain the additional data.<sup>16</sup>

More information on development of assessment plans is available in Enclosure A – Resources.

Students may be referred to California School for the Blind, California School for the Deaf, or diagnostic centers for further assessment.<sup>17</sup> The local agency must conduct all assessments within its capabilities prior to referring a student for further assessment at the special schools or diagnostic centers. Results of the local assessment shall accompany the referral request.<sup>18</sup> Contact information for the California School for the Blind, California School for the Deaf, and State Diagnostic Centers is available in Enclosure A – Resources.

The LEA shall make reasonable efforts to obtain informed consent from the parent (or guardian) before conducting the assessment; if the parent fails to respond to the request for consent, the LEA **may** pursue the initial assessment. The LEA does not violate Child Find requirements or its eligibility determination obligations if it does not pursue an assessment under this circumstance.<sup>19</sup> LEAs are to document their efforts to obtain informed parental consent.<sup>20</sup> The parent has at least 15 days from the receipt of the proposed assessment plan to decide on consent.<sup>21</sup> The assessment may begin immediately upon receipt of parental consent. Informed parental consent is required for assessments and reassessments, unless the LEA can demonstrate it made a

reasonable effort and the parent didn't respond.<sup>22</sup> Consent for assessment shall not be construed as consent for placement or provision of special education and related services<sup>23</sup>. However, consent is not required before reviewing existing assessment data, or to have the student take a test that all students must take, unless consent is required of all students before they take the test.<sup>24</sup> More information concerning obtaining parental consent is available in Enclosure A – Resources.

When a student moves from one LEA to another, both the prior LEA and the new LEA are responsible for ensuring continuity in the assessment process. LEAs must ensure that when students transfer from one district to another in the same academic year, assessments are coordinated with the student's prior and subsequent schools to ensure prompt completion of the student's full assessment.<sup>25</sup>

Upon completion of the assessment, the assessors shall prepare written reports of the assessment results, including:

- Whether the pupil may need special education and related services and the basis for that determination
- Relevant behavior noted during observation of the pupil
- The relationship between the behavior and the pupil's academic and social functioning
- Educationally relevant health and development and medical findings, if any
- For students with learning disabilities, any discrepancy between ability and achievement that cannot be corrected without special education and related services
- A determination of the effects of environmental, cultural, or economic disadvantage
- The need for specialized services, materials, and equipment for low incidence disabled students<sup>26</sup>

A copy of the assessment report and supporting documentation shall be given to the parent.<sup>27</sup>

## **Reassessment**

The LEA shall ensure that a reassessment of the child is completed if:

- The LEA determines that the child's need for special education or related services, including academic achievement and functional performance need reassessment; or,

- The parent or teacher requests a reassessment.<sup>28</sup>

The reassessment shall occur not more than once a year, and at least once every three years, unless the parent and LEA agree otherwise.<sup>29</sup> As with the initial assessment, when reassessing the student, the IEP team must:

- Review existing assessment data on the child, including: assessments provided by parents, classroom-based assessments and observations, and observations by teachers and related services providers.<sup>30</sup>
- Identify what additional data are needed to determine: whether the child continues to have a disability, present levels of performance, child's need for special education and related services, and whether changes or additions to the child's special education and related services are needed.<sup>31</sup> The LEA is to administer the assessments that obtain the additional data.<sup>32</sup>

The timing for reassessment for each student should be carefully considered, and annual assessments may be appropriate for some students, particularly those students receiving intensive levels of services or those with rapidly changing needs. Given the possibility that students may present new disabilities or require new supports as they develop, regular reassessment is an important consideration. In cases in which the IEP team determines that no additional data are needed to determine that the child is still a student with disabilities and that current services are appropriate, the LEA shall notify the parents that no new assessment is planned and why, and that the parents can request a new assessment. In such a case, unless the parents request a new assessment, the LEA is not required to reassess the student.<sup>33</sup>

The LEA shall assess a student with disabilities before determining that the student is no longer a student with disabilities, unless the student graduates with a regular diploma or exceeds the age of eligibility for special education and related services.<sup>34</sup> When a student becomes ineligible due to graduation or age, a public agency must provide the student with a summary of the student's academic achievement and functional performance, including how to assist the student in meeting the student's postsecondary goals.<sup>35</sup> More information on student summaries of academic achievement and functional performance is available in Enclosure A – Resources.

## **DETERMINING APPROPRIATE SERVICES FOR STUDENTS WITH DISABILITIES**

Upon completion of the assessment, the determination of whether the child is a student with disabilities shall be made by a team of qualified professionals and the parent, and not based on the child's lack of appropriate instruction or limited English proficiency.<sup>36</sup> Determination of need does not require considering whether there is a discrepancy between achievement and intellectual ability.<sup>37</sup> Determination of need may include a process that determines if the child responds to scientific, research-based intervention as part of the assessment procedures.<sup>38</sup> A student qualifies as an individual with special needs if assessment results determine that the degree of impairment requires special

education services, based on the IEP team's analysis of assessment results. The IEP team is to take into account all relevant data and not base the decision on a sole criterion.<sup>39</sup> When determining eligibility and educational need, each public agency must:

- Draw upon several sources, including aptitude and achievement tests, parent input, teacher recommendations, and information on the child's physical condition, social/cultural background, and adaptive behavior; and,
- Ensure that information from all of these sources is considered and documented.<sup>40</sup>

If a determination is made that the child has a disability and needs special education and related services, an IEP must be developed for the child.<sup>41</sup>

Recent changes to state law potentially simplify the assessment process in some ways, given that LEAs are not required to refer a student to a mental health agency if the student is suspected to have social or emotional needs. The LEA now has oversight of the entire assessment process, including any social or emotional components. However, the requirement to assess a student in all areas of suspected disability remains in place. Generally, the LEA is responsible to ensure that:

1. Each student potentially needing special education and related services is identified and assessed to determine eligibility for special education and related services.<sup>42</sup>
2. Based on the type and level of the student's disabilities, the LEA, through the IEP team, identifies what the student needs in order to achieve access to a free and appropriate public education.<sup>43</sup>
3. Based on the individual student's needs, the LEA, through the IEP team, develops a specific plan for the provision of the services the student requires, including the frequency, duration, and location in which each service will be provided, and documents that plan for service provision in the student's IEP.<sup>44</sup>

In the case of a pupil whose behavior impedes his or her learning or that of others, the IEP team must consider the use of positive behavior interventions and supports and other strategies to address that behavior.<sup>45</sup> If the IEP team finds that the instructional/behavioral approaches specified in the student's IEP have been ineffective, a Functional Analysis Assessment (FAA) of behavior shall be conducted.<sup>46</sup> The FAA is conducted by, or is conducted under the supervision of, a person who has documented training in behavior analysis with an emphasis on positive behavioral interventions. FAA information shall come from three sources:

- Direct observation
- Interviews with significant others



- Review of available data<sup>47</sup>

The FAA procedure shall include observation of the occurrence of the targeted behavior to determine frequency, duration, intensity, antecedent events, consequences to determine the function the behavior serves, settings in which the behavior most frequently occurs, a review of records of health and medical factors that may influence behavior, and history of the behavior, including effectiveness of prior interventions.<sup>48</sup>

The FAA shall result in a written report that includes a description of the behavior, including the observation elements described above, and of alternative behaviors, and recommendations to the IEP team, which may include a behavioral intervention plan (BIP).<sup>49</sup> The IEP team meets to consider the FAA results and develop the BIP, if necessary.<sup>50</sup> A BIP is developed when a student exhibits a serious behavior problem that significantly interferes with the implementation of the goals and objectives in her or his IEP.<sup>51</sup> For these purposes, a serious behavior problem is one that is self-injurious, assaultive, causes serious property damage, or another severe behavior problem that is pervasive and maladaptive and for which instructional/behavioral approaches specified in the student's IEP are found to be ineffective.<sup>52</sup>

## **ASSESSMENT INSTRUMENTS AND MATERIALS**

The LEA shall ensure that all assessment materials are:

- Free from racial or cultural bias
- Not discriminatory, and provided in the student's native language or communication mode, "unless it is clearly not feasible to do so"
- Administered in the language and form most likely to yield an accurate result (to measure actual aptitude, not to measure a communication impairment)
- Used for purposes for which they are deemed valid and reliable
- Administered by trained and knowledgeable personnel
- Administered according to the instructions provided by the producer
- Able to assess the child in all areas of the suspected disability, including, if appropriate, health and development, vision, hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status
- Not using a single measure or assessment as the sole criterion for determining whether the student is a student with disabilities or to determine the appropriate educational program for the student

- In the case of a child transferring LEAs during the school year, coordinated between the old and new LEA to ensure prompt completion
- Tailored to address specific areas of educational need, not merely an intelligence quotient (IQ) score
- Sufficiently comprehensive to identify all of the student's needs, including those not commonly linked to the student's disability category<sup>53</sup>

A test of a student to determine best instructional strategies for the student is not an assessment for eligibility for special education and related services.<sup>54</sup>

## **PERSONNEL**

The LEA responsible for assessing a student is also responsible for ensuring that all assessments are conducted by appropriately qualified and licensed staff. Pursuant to state law, the LEA shall ensure that all assessment materials are administered by trained and knowledgeable personnel, as determined by the LEA, and in accordance with the instructions provided by the producer of the assessments.<sup>55</sup> Assessments shall be administered by qualified persons competent in the student's primary language or communication mode (including sign language) who have an understanding of the cultural and ethnic background of the student.<sup>56</sup> Specific requirements apply based on the type of assessment being conducted, as described below.

Individual assessments of intellectual or emotional functioning shall be administered by a credentialed school psychologist.<sup>57</sup> Psychological assessments shall be conducted by a credentialed school psychologist who is trained and prepared to assess cultural and ethnic factors appropriate to the pupil being assessed.<sup>58</sup> If school psychologists are not available to conduct a psychological functioning assessment:

- School districts and special education local plan areas (SELPA) shall ensure that school psychologists are available
- If school psychologists are temporarily unavailable, a LEA may contract with qualified personnel to conduct psychological assessments. Qualified personnel are educational psychologists licensed by the Board of Behavioral Science Examiners.
- LEA efforts to employ school psychologists shall be documented.<sup>59</sup>

The requirement that the assessments identified above must be conducted by a credentialed school psychologist does not preclude an LEA from conducting or obtaining additional assessments by appropriately qualified and licensed individuals.<sup>60</sup> LEAs are expected to ensure that all individuals conducting assessments meet federal and state

certification, licensing, registration or other comparable requirements which apply to the area in which they are conducting assessments.

Also, LEAs intending to bill Medi-Cal for the provision of related services are advised to review Medi-Cal requirements for diagnosis and determination of needs to ensure that the LEA's assessment process conforms to those requirements. Services must meet Medi-Cal requirements to qualify for reimbursement. The following link on the Department of Health Care Services Web site provides information on the Medi-Cal program:  
<http://www.dhcs.ca.gov/services/medi-cal/Pages/default.aspx> .

Health assessments shall be conducted by a credentialed school nurse or physician who is trained and prepared to assess cultural and ethnic factors appropriate to the pupil being assessed.<sup>61</sup>

Students who fail a threshold hearing test shall be assessed by a licensed audiologist, and this assessment shall be part of the assessment plan.<sup>62</sup>

A holder of a language, speech, and hearing (LSH) credential may provide referral and assessment of students suspected of having LSH disorder, among other services.<sup>63</sup>

An assessment of and provision for services for visually impaired students may be conducted by an eye specialist who has appropriate training and tools.<sup>64</sup> An "eye specialist" is a licensed optometrist, ophthalmologist, or other licensed physician or surgeon who has training in low vision disabilities.<sup>65</sup> School nurses and other qualified LEA employees may also conduct vision testing.<sup>66</sup> More information on vision testing is available Enclosure A – Resources.

Assessment of students with a suspected low incidence disability shall be conducted by persons knowledgeable of that disability. Special attention shall be given to the special needs of such students, including required special services, materials, and equipment.<sup>67</sup>

## **TIMELINES**

LEAs are responsible for ensuring that the assessment process is completed within specified statutory timelines, as described below. Once a student is referred for a special education assessment, the timeline begins. Pursuant to state regulations, referrals for special education and related services shall initiate the assessment process and be documented. Documentation requirements for the referral shall not delay timelines for completing the assessment plan and the assessment.<sup>68</sup>

The assessment must take place within 60 days of receiving parental consent, unless the child enrolls after the timeline has begun and the LEA is making sufficient progress on the assessment, or the parent does not make the child available for assessment.<sup>69</sup>

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Parents shall be given a written proposed assessment plan within 15 days of the referral for assessment unless the parent agrees in writing to an extension. In any event, the assessment plan shall be developed within 10 days of the start of the next school year for any pupil for whom a referral has been made within 10 days of the end of the regular school year. In the case of a school vacation, the 15-day timeline shall recommence on the day that the student's regular school days reconvene. A copy of the notice of parent's rights shall be attached to the assessment plan. A written notice of parents' rights and procedural safeguards shall be included in the notice of parent's rights, including procedures for requesting an informal meeting, prehearing mediation conference, or due process hearing, including the timelines for completing each process, options available, and potential participants.<sup>70</sup>

Sincerely,

*Original signed by Fred Balcom. Hard copy of the signed document is available by contacting the Special Education Division's Director's Office at 916-445-4602.*

Fred Balcom, Director  
Special Education Division

FB:ja  
Enclosure A – Resources  
Enclosure B – Notes

## RESOURCES

The following resources provide information and material related to the subjects discussed in this guidance. The CDE provides this information as a service to assist LEAs in meeting legal requirements for assessment of students with disabilities, but does not specifically endorse any non-CDE resources and cannot confirm the accuracy of all information accessible on the links below.

### Child Find

IDEA Child Find Project: <http://www.childfindidea.org/> (U.S. Office of Special Education Programs)

CDE Special Education Local Plan Area (SELPA) page:  
<http://www.cde.ca.gov/sp/se/as/caselpas.asp>

### Assessment Instruments and Materials

Special Education Assessment Procedures, Riverside County Special Education Local Plan Area:

<http://rcselpa.org/docs/policies/Section%20III%20Evaluations/III.a%20Special%20Education%20Assessment%20Procedures.pdf>

Special Education Policies and Procedures Manual, Los Angeles Unified School District:  
[http://sped.lausd.net/sepg2s/pdf/guides/ppm\\_6\\_21\\_05.pdf](http://sped.lausd.net/sepg2s/pdf/guides/ppm_6_21_05.pdf)

Mental Health Status Examination, Desert Mountain Special Education Local Plan Area (Schertell):

<ftp://ftp.cde.ca.gov/sp/se/ds/DesertMountainAssessment/AB%203632%20Mental%20Status%20Exam.doc>

Residential Assessment: Desert Mountain Special Education Local Plan Area (Schertell):  
<ftp://ftp.cde.ca.gov/sp/se/ds/DesertMountainAssessment/AB%203632%20Residential%20Assessment.doc>

Outpatient Assessment: Desert Mountain Special Education Local Plan Area (Schertell):  
<ftp://ftp.cde.ca.gov/sp/se/ds/DesertMountainAssessment/AB%203632%20Outpatient%20Assessment.doc>

### **Assessment Instruments and Materials (continued)**

Assessment Addendum: Fire Setting: Desert Mountain Special Education Local Plan Area (Schertell):

<ftp://ftp.cde.ca.gov/sp/se/ds/DesertMountainAssessment/AB%203632%20Assessment%20Addendum%20-%20Fire%20Setting.doc>

Assessment Addendum: Assaultive Behavior: Desert Mountain Special Education Local Plan Area (Schertell):

<ftp://ftp.cde.ca.gov/sp/se/ds/DesertMountainAssessment/AB%203632%20Assessment%20Addendum%20-%20Assaultive%20Bx.doc>

Assessment, Identification, and Educational Planning for Students with Emotional Disturbance, Riverside County SELPA:

<http://rcselpa.org/docs/policies/Section%20III%20Evaluations/III.m%20Assessment,%20Identification%20and%20Educational%20Planning%20for%20Students%20with%20Emotional%20Disturbance.pdf>

Guidelines for Assessing African American Students, Riverside County SELPA:

<http://rcselpa.org/docs/policies/Section%20III%20Evaluations/III.h%20Guidelines%20for%20Assessing%20African-American%20Students.pdf>

Presentations with elements concerning assessment presented to the AB 114 Transition Work Group: <http://www.cde.ca.gov/sp/se/ac/ab114twg.asp> (See AB 114TWG Meetings)

- Assessment and Service Determinations, Lyn Farr and Michael Schertell, 10/20/11
- Residential Care Assessment, L. Farr, Doug Johnson, and M. Schertell, 9/14/11

### **Assessment Plans**

Developing a Special Education Assessment Plan, Special Education Policies and Procedures Manual, Los Angeles Unified School District (Part II, Chapter 2, pp. 31–34):

[http://sped.lausd.net/sepg2s/pdf/guides/ppm\\_6\\_21\\_05.pdf](http://sped.lausd.net/sepg2s/pdf/guides/ppm_6_21_05.pdf)

Sample Special Education Assessment Plan form (Desert Mountain SELPA):

<http://dmselpa.org/forms/selpa/pdf/DM66.pdf>

### **State Special Schools Contact Information**

California School for the Blind: <http://www.csb-cde.ca.gov/>

California School for the Deaf, Riverside: <http://www.csdr-cde.ca.gov/%20>

California School for the Deaf, Fremont: <http://www.csdf.k12.ca.us/>

California Diagnostic Centers: <http://www.cde.ca.gov/sp/ss/dc/>

### **Parental Consent**

CDE Parents' Rights Overview (Procedural Safeguards):

<http://www.cde.ca.gov/sp/se/qa/psssummary.asp>

Parents' Rights to Revoke Consent (CDE Letter):

<http://www.cde.ca.gov/sp/se/lr/om010609.asp>

Sample Assessment Parental Consent Form, Los Angeles Unified School District:

[http://notebook.lausd.net/pls/ptl/docs/PAGE/CA\\_LAUSD/FLDR\\_ORGANIZATIONS/FLDR\\_PLCY\\_RES\\_DEV/PAR\\_DIVISION\\_MAIN/SISB/IEP\\_SUPPORT/ASSESSMENTPLAN.PDF](http://notebook.lausd.net/pls/ptl/docs/PAGE/CA_LAUSD/FLDR_ORGANIZATIONS/FLDR_PLCY_RES_DEV/PAR_DIVISION_MAIN/SISB/IEP_SUPPORT/ASSESSMENTPLAN.PDF)

Sample Student Summary of Academic Achievement and Functional Performance Form, Santa Clara County:

[http://www.sccoe.k12.ca.us/depts/selpa/docs/17A\\_IEP\\_Transition\\_Summary.pdf](http://www.sccoe.k12.ca.us/depts/selpa/docs/17A_IEP_Transition_Summary.pdf)

### **Vision Testing**

A Guide for Vision Testing in California Schools, California Department of Education, 2005: <http://www.cde.ca.gov/ls/he/hn/documents/visionreport.pdf>

## Notes

20 USC: Title 20, *United States Code* (federal education statutes)

34 CFR: Title 34, *Code of Federal Regulations* (federal education regulations)

EC: *California Education Code* (California state education statutes)

BPC: *California Business and Professions Code* (California state statutes)

CCR: *California Code of Regulations* (California state regulations)

5 CCR–Title 5: Education

9 CCR–Title 9: Rehabilitative and Developmental Services

Federal law uses the terms “evaluate” and “evaluation” when referring to the process to which California law refers as “assess” and “assessment”. This guidance document uses the term “assessment” when reviewing both federal and state law to avoid confusion.

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<sup>1</sup> 20 USC § 1412(a)(3)

<sup>2</sup> 20 USC § 1414(a)(1)(B)

<sup>3</sup> 5 CCR § 3021.1

<sup>4</sup> EC § 56320

<sup>5</sup> 20 USC § 1414(b)

<sup>6</sup> EC § 5620(b)(3)

<sup>7</sup> EC § 56321(b)(4)

<sup>8</sup> 5 CCR § 3022

<sup>9</sup> EC § 56344

<sup>10</sup> 20 USC § 1414(b)(4)(B)

<sup>11</sup> 34 CFR § 300.502; EC 56329

<sup>12</sup> EC § 56329(d)

<sup>13</sup> 34 CFR § 300.305(a)(1)

<sup>14</sup> 34 CFR § 300.305(b)

<sup>15</sup> 34 CFR § 300.305(a)(2)

<sup>16</sup> 34 CFR § 300.305(c)

<sup>17</sup> EC § 56326

<sup>18</sup> 5 CCR § 3025(a)



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**Notes (continued)**

<sup>19</sup> EC § 56321(c)

<sup>20</sup> EC § 56321(g)

<sup>21</sup> EC § 56321(c)

<sup>22</sup> EC § 56321(c)(2),(4)

<sup>23</sup> EC § 56321(d)

<sup>24</sup> 20 USC § 1414(a)(1)(D); EC 56321(e)

<sup>25</sup> 20 USC § 1414(b)(3)(D); EC 56320(i)

<sup>26</sup> EC § 56327

<sup>27</sup> 20 USC § 1414(b)(4)(B)

<sup>28</sup> 20 USC § 1414(a)(2)(A)

<sup>29</sup> 20 USC § 1414(a)(2)(B)

<sup>30</sup> 34 CFR § 300.305(a)(1)

<sup>31</sup> 34 CFR § 300.305(a)(2)

<sup>32</sup> 34 CFR § 300.305(c)

<sup>33</sup> 20 USC § 1414(c)(4)

<sup>34</sup> 20 USC § 1414(c)(5)

<sup>35</sup> 20 USC § 1414(c)(5)(B)(ii)

<sup>36</sup> 20 USC § 1414(b)(4-5)

<sup>37</sup> 20 USC § 1414(b)(6)(A)

<sup>38</sup> 20 USC § 1414(b)(6)(B)

<sup>39</sup> 5 CCR § 3030

<sup>40</sup> 34 CFR § 300.306(c)

<sup>41</sup> 34 CFR § 300.306(c)(2)

<sup>42</sup> 20 USC § 1412(a)(3)

<sup>43</sup> 20 USC § 1401(9)

<sup>44</sup> EC § 56345

<sup>45</sup> 20 USC § 1414(d)(3)(B)(i); EC § 56341.1(b)(1)

<sup>46</sup> 5 CCR § 3052(b)

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**Notes (continued)**

<sup>47</sup> 5 CCR § 3052(b)

<sup>48</sup> 5 CCR § 3052(b)(1)

<sup>49</sup> 5 CCR § 3052(b)(2)

<sup>50</sup> 5 CCR § 3052(c)

<sup>51</sup> 5 CCR § 3001(g)

<sup>52</sup> 5 CCR § 3001(ab)

<sup>53</sup> 20 USC § 1414(b)(3); EC § 56320

<sup>54</sup> EC § 56321(f)

<sup>55</sup> EC § 56320(b)(3)

<sup>56</sup> 5 CCR § 3023

<sup>57</sup> EC § 6320(b)(3)

<sup>58</sup> EC § 56324(a)

<sup>59</sup> 5 CCR § 3029

<sup>60</sup> 5 CCR § 3001(z); 5 CCR § 3023(a); 5 CCR § 3065

<sup>61</sup> EC § 56324(b)

<sup>62</sup> 5 CCR § 3028

<sup>63</sup> 5 CCR § 3051.1

<sup>64</sup> 5 CCR § 3051.7(b)

<sup>65</sup> 5 CCR § 3051.7(d)

<sup>66</sup> 5 CCR § 591

<sup>67</sup> EC § 56320(g)

<sup>68</sup> 5 CCR § 3021

<sup>69</sup> 20 USC § 1414(a)(1)(C)

<sup>70</sup> EC § 56321(a)