

Question and Answer Sheet
State Performance Plan Indicator 11
(60-Day Timeline)

Indicator 11 Compliance Indicator

1) *Is Indicator 11 a Compliance Indicator?* Yes. The State Education Agencies and the Local Education Agencies (LEAs) are required to meet 100% compliance with this Indicator.

60-Day Timeline Begins

2) *When does the 60-day timeline begin?* The date the LEA receives the consent signed by the parent for an initial multidisciplinary team (MDT) evaluation.

60-Day Timeline Ends

3) *When does the timeline end?* The date the initial multidisciplinary team evaluation is completed.

MDT

4) *Can a LEA use an average of days from consent to a MDT?* No, the dates must be based on the actual number of calendar days.

Reporting Indicator 11 Information

5) *Where does the LEA report this information?* This information must be recorded in the Student Teacher Accountability Reporting System (STARS) on the Special Education Events Template, page 139 of the manual, field number five "Event Type Code", use code set number 30 "Parent Consent Initial Evaluation Only". The date consent was signed must be entered into field number six. The Special Education Template, fields five and six, are also used to record that the initial MDT evaluation was completed. Use event type code set number 31 for the date the initial MDT evaluation is completed. Currently code set number 31 reads "Initial MDT Eligibility Determination Only". This will be corrected in future STARS documents.

Reporting Delays and Reasons

6) *Must the LEA indicate the range of days beyond the timeline when the evaluation was completed and any reasons for delays?* Yes, this information must be reported in STARS on the Special Education Events Template, field number 20, "Non Compliance Reasons". Please use valid STARS Code Sets available on the PED website at <http://www.ped.state.nm.us/stars/documentation.html>.

Reporting Non-Eligible Students

7) *Must the LEA report the number of students not eligible who were evaluated within the 60-day timeline?* Yes. This information must be recorded in the Student Teacher Accountability Reporting System (STARS) on the Student Template, page 190, field number 38, "Special Education". This field is used as an indicator of whether or not the student has a current Individualized Education Program recommending service. Field 38 requires a yes (Y) or no (N) response. The (N) response should be used if the student is exiting from special education or if the student was determined not eligible to receive special education supports and services. "Special Education" status information is also collected on the Student Snapshot on page 212, in field number 38.

C to B Transition Reporting

8) *Does this include students transitioning from IDEA Part C to IDEA Part B who have been referred for an initial evaluation?* Yes.

Re-Evaluations

9) *Does this regulation and rule apply to students who are being re-evaluated for special education and related services?* No.

Gifted Reporting

10) *Does an LEA have to report the date of consent and the date of evaluation for students who are gifted?* No. The sixty day timeline regulations only pertain to those students eligible for special education and related services under the IDEA.

Measurement Table

11) *Has the Part B State Performance Plan (SPP) and Annual Performance Report (APR) Part B Indicator Measurement Table changed?* Yes. The original measurement table measured the amount of time between parental consent, evaluation, and eligibility determination. Although the SEB submitted a request to have the templates in STARS updated, the request was unable to be completed. In order for the State and LEAs to meet compliance with this Indicator, the district must submit the date of parental consent in STARS on the Special Education Events Template, page 139, in field number 5, "Event Type" and the date the evaluation was completed, on the Special Education Events Template, page 139, in field number 6, "Event Date". Specific reporting requirements are included in the response to question five.

Exceptions

12) *Does the IDEA allow for exceptions to the 60-day timeline and, if there are exceptions, how are the exceptions reported?* Yes, the IDEA allows two exceptions to the 60-day timeline. The exceptions to the 60-day timeline requirement are if the parent of a child repeatedly fails or refuses to produce the child for evaluation; or if the child enrolls in a school of another LEA after the 60-day timeline begins and prior to a determination by the child's previous LEA as to whether the child is a child with a disability. (34 CFR § 300.301(d) and Subsection D(1)(d)(i) and (ii) of 6.31.2.10 NMAC. The exceptions to the 60-day time-line are recorded in STARS, on the Special Education Events Template, page 140, in field number 20, "Non-compliance Reasons." Use code set 11 for students enrolling in a school of another district and code set 17 if the parent did not produce the child for testing.