



August 2003

TO: District Superintendents
New York City Department of Education
Presidents of Boards of Education
Superintendents of Schools
Chairpersons on Committees on Preschool Special Education
Authorized Municipality Representatives under Section 4410
County Fiscal Officers
Directors of Approved Preschool Programs
Directors of Special Education
Commissioner's Advisory Panel for Special Education
Chief Elected Officials of the Counties
Head Start Directors
SETRC Project Directors and Professional Development Specialists
ECDC Project Directors and Coordinators
Organizations, Parents and Individuals Concerned with Special Education

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SUBJECT: Evaluations of Three- and Four-Year-Old Children Suspected of Having Disabilities Pursuant to Section 4410 of the Education Law

The individual evaluation is the first step a Committee on Preschool Special Education (CPSE) must take to determine if a preschool child meets the eligibility requirements for special education programs and services and to develop a student's individualized education program (IEP). This memorandum provides information regarding evaluations of three- and four-year-old children suspected of having disabilities, including requirements for parental consent, timelines for conducting evaluations, evaluation components and reimbursement procedures.

The memorandum also outlines procedures and directions for completion of the required form for a municipality to claim reimbursement for the cost of these evaluations pursuant to section 4410 of Education Law. This information refers to the policies and procedures for electronic processing of requests for reimbursement through the STAC Unit. Examples are presented when additional written justification must be provided by the CPSE in order for reimbursement of specific evaluation components to be approved by the State Education Department (SED). Only those evaluations where additional written explanation is required from the CPSE may be filed by paper.

Evaluations of Three- and Four-Year-Old Children Suspected of Having Disabilities Pursuant to Section 4410 of the Education Law

Initial Evaluation

An individual evaluation for a three or four-year old child suspected of having a disability means any procedures, tests or assessments used selectively with an individual child as necessary to determine whether a child has a disability and the extent of his/her special education needs. Upon referral of a child with a suspected disability to the CPSE, the board of education, with parent's consent, must arrange for an evaluation of the child. The school district CPSE, is the multidisciplinary team required by federal law to conduct the individual evaluation of a preschool child suspected of having a disability. The CPSE has the primary responsibility to identify and to authorize the specific components of each individual preschool evaluation, including the required components, and any other appropriate assessments or evaluations.

The parent selects an SED approved evaluator and must provide written consent for the proposed evaluation pursuant to section 200.5(b)(1) and section 200.16(c) of the Commissioner's Regulations.

Programmatic Requirements

The initial multidisciplinary evaluation of a preschool student pursuant to sections 200.4(b) and 200.16(c) of the Regulations of the Commissioner of Education must include at least:

- a physical examination in accordance with the provisions of sections 903, 904 and 905 of the education law;
- an individual psychological evaluation;
- a social history;
- an observation of the child in the current educational placement; and
- other appropriate assessments or evaluations, including a functional behavioral assessment for a student whose behavior impedes his or her learning or that of others, as necessary to ascertain the physical, mental, behavioral and emotional factors which contribute to the suspected disabilities.

The determination of other appropriate assessments or evaluations to be included as part of an initial evaluation or reevaluation must be made on a case-by-case basis by a group that includes the CPSE with the input of the child's parent(s) and other qualified professionals of various disciplines. (See section 200.16(c)(2) of the Regulations of the Commissioner of Education). This may include the child's teacher, the speech and language therapist or other related service providers, or the approved evaluator selected by the parent(s). The group must

review existing data on the child including evaluations and information provided by the child's parent(s), current classroom based assessments and observations by teachers and related service providers. For the child transitioning from the early intervention program, the early intervention official, with parental consent, must arrange for the transfer of records, including the most recent evaluations, to the CPSE and the approved evaluator selected by the parent(s). (See section 4410(4)(c) of New York State Education Law.)

The evaluation must include sufficient information for a CPSE to determine a child's eligibility for special education programs and services. To the extent that the approved evaluator conducts the initial evaluation as authorized by the CPSE using the evaluation components identified above, State reimbursement will be provided to the county. If the CPSE requires additional evaluation components, the identified components are part of the initial evaluation.

For the initial evaluation, should the evaluator find that a child requires an evaluation beyond the limits stated (see boxed components on previous page), or should a CPSE during the course of the school year, or at the time of annual review, require a reevaluation of any component, the CPSE must provide written authorization to the evaluator. Following the initial evaluation, in the event that a child experiences a change during the year in health, family structure or a related circumstance, the CPSE must provide written authorization before the evaluator may conduct reevaluation of any evaluation component, including the psychological or social history.

The approved evaluator must conduct the evaluation in accordance with section 200.4(b) of the Commissioner's Regulations and must provide documentation of the evaluation, including all assessment reports and a summary of findings to the members of the CPSE. The summary report must include a detailed statement of the child's individual needs. However, it may not include a recommendation as to the general type, frequency and duration of special services and programs; must not address the manner in which special services and programs can be provided in the least restrictive environment; and must not make reference to any specific provider of special services or programs. The summary must be on a form developed by SED. This form is available on our internet site, <http://www.vesid.nysed.gov/specialed/publications/preschool/>, or by referring to a SED field memo *Updated Preschool Student Evaluation Summary Report Form and Clarification on New Provisions Required Pursuant to the Reauthorization of the Individuals with Disabilities Education Act (IDEA)* (January 2000).

Legislative Authorization

Section 4410(10)(b) of the Education Law, as amended by Chapter 705 of the Laws of 1992, authorizes SED to establish separate reimbursement rates for evaluations subject to approval by the Division of Budget (DOB). In addition, Chapter 520 of the Laws of 1993 provides for reimbursement of the costs of translating, when necessary, the summary report of the evaluation from English into the native language or other mode of communication of the parents. Chapter 520 also provides reimbursement for the whole cost of translating the documentation of the evaluation, upon request of the parent(s), unless it is clearly not feasible to do so. To assure reimbursement, a CPSE should establish procedures to ensure that evaluators maintain documentation of the parent's request for translation of the documentation of the evaluation(s).

Establishment of Rates

Each year, DOB approves the same rates for preschool (section 4410 of Education Law) evaluations as those established by the Department of Health for the Early Intervention program. Rates are established for the following types of evaluation components: psychological, social history, physicians and non-physicians. The rate for each component is the rate in effect on the evaluation completion date and for the evaluated preschooler's county of residence. Rates may be viewed on the internet site for the Rate Setting Unit at http://www.oms.nysed.gov/rsu/Correspondence/Methodology_Letters.html. Rates are not subject to reconciliation.

Reimbursement Procedures

After a child's evaluation has been conducted, the CPSE must initiate the *Request for Commissioner's Approval of Reimbursement for the Cost of Evaluations* (STAC-5). (A copy of the form is attached.) The request form must identify those components of the multi-disciplinary evaluation for which the provider may bill the appropriate municipality.

For each school year (July 1-June 30), providers may bill the municipality only once for each component of the evaluation, regardless of the number of sessions needed to complete the particular evaluation.

Requirements for Reimbursement

The following guidelines apply to section 4410 of the Education Law evaluation reimbursement processing. Under normal circumstances SED approval for reimbursement via electronic processing is limited to:

- one social history per school year;
- one psychological evaluation per school year;
- up to four other evaluations, in addition to the social history and psychological evaluation as determined necessary and appropriate by the CPSE, parent and evaluator (this may include a combination of physician evaluations and/or non-physician evaluations);
- the acceptable evaluation components listed on the attached glossary. Other components beyond the six components listed above may be reimbursable, but will require special (manual) processing.

Children who will turn 5 on or before December 1st of the school year are considered kindergarten age for that school year, except in districts such as the New York City Department of Education that have established a later "cut off" date (section 4410(1)(i) of Education Law). In those districts which use a later "cut off" date, the later date is used to determine the last date

of eligibility for preschool special education and the first date for kindergarten eligibility for the school year. Children who will turn 5 after the district's "cut off" date are considered preschoolers for an additional school year, and are eligible to be evaluated and receive services through the CPSE. STACs submitted for evaluations of children entering kindergarten in September must indicate evaluation dates prior to August in order to be reimbursed via the STAC process.

**Recommended Schedule for Evaluation
of Students with Disabilities**

Date of Birth	Transition of Children from Early Intervention		Transition of Preschool Students to Special Education for School-age Students	
	1 st Eligible for Preschool Special Education (8 NYCRR 200.16(e))	Recommended earliest date to have initial evaluation by CPSE	Last Date Eligible for Preschool Student to receive services, through the CPSE (8 NYCRR 200.1(mm))	Recommended last date for student to be evaluated by the CPSE
Between Jan. - June 1999	Jan. 2002	Sept. 2001	Aug. 2004	July 2004
Between July - Dec. 1, 1999	July 2002	March 2002	Aug. 2004	July 2004
Between Dec. 2 - Dec. 31, 1999	July 2002	March 2002	Aug. 2005	July 2005
Between Jan. - June 2000	Jan. 2003	Sept. 2002	Aug. 2005	July 2005
Between July - Dec. 1, 2000	July 2003	March 2003	Aug. 2005	July 2005
Between Dec. 2 - Dec. 31, 2000 (when the district cut off date for kindergarten eligibility is Dec. 1).	July 2003	March 2003	Aug. 2006	July 2006
Between Dec. 2 - Dec. 31, 2000 (when the district cut off date for kindergarten eligibility is later than Dec. 1).	July 2003	March 2003	Aug. 2005	July 2005

The annual review of a preschool child with a disability is based on a review of the child's IEP and other current information pertaining to the student's performance. When the child's teacher(s) and/or any related service provider(s) use formal or informal assessment measures as specified on the child's IEP to document a child's progress, the assessment is not reimbursable. However should the CPSE authorize a reevaluation or a new evaluation in any component, as documented on the STAC-5, a claim for reimbursement may be made.

- Evaluators who bill for a bilingual evaluation may not bill translation costs separately or in addition to billing at a bilingual evaluation rate. The bilingual evaluation rates include the cost of any translated documents required by section 200.16 of the Regulations of the Commissioner of Education. In cases where the child does not

require a bilingual evaluation, but the parent requests translations of the evaluation summary and/or documentation of the evaluation, the evaluator may bill for actual translation costs incurred.

- If the child's parent required the translation of the summary report of the evaluation from English into the native language or other mode of communication of the parent, report the costs of such translations on the request form (STAC-5).
- If, at the parent's request, documentation of the evaluation is translated from English into the native language or other mode of communication of the parent, indicate the translation cost on the request form (STAC-5).
- The CPSE must sign the STAC-5, retain the district copy and forward the other three copies to the appropriate municipality. The municipality must sign the STAC-5, retain the municipality copy and forward the other copies to the evaluator and SED (on paper or as an electronic file).

Upon review and approval, SED's STAC and Special Aids Unit will send or transmit an *Evaluation Reimbursement Approval* (STAC-5A) for each child to the responsible school district with informational copies to the approved evaluator and appropriate municipality. Corrections to the STAC-5A may only be made by a CPSE Chairperson or the designee of the school district. If an evaluator or municipality identifies the need for correction, the appropriate CPSE should be contacted.

To initiate corrections, the CPSE should sign the "Revision" portion of the STAC-5A approval document and forward it to the municipality. Upon transmittal to the STAC and Special Aids Unit, staff will review the revision and, if appropriate, process an amended approval with copies to the CPSE, the municipality and the section 4410 approved agency that conducted the student's evaluation. Reimbursement will be provided to the municipalities through an Automated Voucher Listing (AVL) process.

Claiming Reimbursement using the Automated Voucher Listing (AVL)

The AVL for Evaluations is generated on a quarterly basis beginning on April 1st during the school year in which the evaluation components were conducted. The AVL is transmitted to the municipality for review and claim, then returned to SED for payment. As with all section 4410 of the Education Law reimbursement, claims must be made within three years of the end of the school year in which the evaluation was conducted. (See Chapter 474 of the Laws of 1996.)

Glossary of Terms

The following are components that may be included in an individual evaluation to determine whether a child has a disability. Some terms are specifically identified on the STAC-5 form for reimbursement purposes as required components of an individual evaluation (Table 1). Some are evaluation components that may be used to identify the factors that may contribute to an individual child's disability (Table 2). The remaining are not acceptable for electronic transmittal as components for reimbursement and should be included as part of another component if appropriate (Table 3). Only the components and codes listed in Tables 1 and 2 may be included on electronically transmitted STAC-5 forms.

INDIVIDUAL EVALUATION COMPONENTS (Table 1)
(Required Initial Evaluations)
Reimbursed through the STAC System

Evaluation Component	Code	Areas To Be Assessed	Qualified Staff Who May Conduct the Evaluation
1. Physical Examination (In accordance with Sections 903, 904 and 905 of the Education Law)	PHY	Vision, hearing physical impairment and medical needs which affect a child's developmental progress.	School physician Nurse practitioner Physician's assistant
2. Social History (Section 200.1(tt) Regulations of the Commissioner)	SOC	Interpersonal, familial and environmental factors which influence a student's general adjustment to school, including, but not limited to, information on family composition, student's family history, student's health and family interaction.	Social worker School psychologist Special education teacher School administrator School nurse
3. Psychological (Section 200.1(bb) Regulations of the Commissioner)	PSY	Developmental learning, behavioral and other personality characteristics. Areas may include: general intelligence, learning strengths and weaknesses, instructional needs, social interactions and relationships.	School psychologist Licensed psychologist

OTHER EVALUATION COMPONENTS (Table 2)
(Additional components that may be included for reimbursement at the SED established rate)

Evaluation Component	Code	Areas To Be Assessed	Qualified Staff Who May Conduct the Evaluation
4. Audiological	AUD	Identifies the type, classification and degree of a child's hearing loss as it relates to the development and understanding of spoken language.	Licensed audiologist Licensed physician Nurse practitioner
5. Educational	EDU	Identifies a child's level of achievement, knowledge, and development in subject and skill areas such as maintaining attention, auditory and visual perception, fine and gross motor skills, and self-help skills, social interactions and learning styles.	Special education teacher School psychologist
6. Neurological	NEU	A specialized medical examination of the nervous system. A medical history focusing on the nervous system is taken. Typically, the exam tests vision, strength, coordination, reflexes and sensation. This information helps to determine if the problem is in the nervous system.	Neurologist Pediatric neurologist

Evaluation Component	Code	Areas To Be Assessed	Qualified Staff Who May Conduct the Evaluation
7. Neuropsychological	NPY	Provides a description of a range of cognitive deficits and strengths in such areas as: organizational skills; intellectual functioning; sensory and perceptual functioning; language comprehension and expression; attention, concentration and alertness; problem solving and judgment; flexibility of thought process; memory; rate of information processing; sequencing ability; and temporal and spacial abilities.	Neuropsychologist
8. Occupational Therapy	OCT	Developmental level of the child in oral-motor, sensory processing, visual-perceptual-motor function, manual dexterity, play and self-help skills.	Licensed occupational therapist
9. Optometric	OPT	An examination of the eyes and related structures to determine the presence of vision problems and eye disorders and, if necessary, the prescription and adaptation of lenses and other optical aids or the use of vision training for maximum visual efficiency.	Licensed optometrist
10. Orthopedic	ORT	An examination by a medical specialist concerned with the preservation, restoration and development of form and function of the musculoskeletal system, extremities, spine and associated structures by medical, surgical and physical means.	Licensed orthopedist
11. Otolaryngology	OTO	A medical evaluation by a specialist dealing with the ear, nose, and throat which is not generally part of an evaluation to determine a child's special education needs unless justification is given as to how the evaluation provides information about a child's language and communication or hearing as compared to generally expected developmental age milestones.	Otolaryngologist
12. Physical Therapy	PHT	Developmental level in the motor area, including range of motion, muscle testing, sensory integration, endurance, balance and equilibrium, postural and joint deviation, gait analysis, personal independence, checking of prosthetic and orthotic equipment and devices, wheel chair management (if applicable) and identification of architectural barriers and transportation needs.	Licensed physical therapist
13. Psychiatric	PYC	A medical evaluation that deals with the mental, emotional and behavioral functioning of a child as these areas related to the child's learning, acquisition of skills and interpersonal relationships with peers and adults.	A physician with a license in clinical psychiatry
14. Speech and Language	SPT	Developmental level at which a child understands and uses language to communicate and interact with adults and peers. Includes phonology, the correct production of sounds; semantics or understanding and production of words and sentences, and abstract or relational words; grammar, intonation, pragmatic use of language to communicate or express needs and intention.	Teacher of the speech and hearing impaired Licensed speech pathologist

REIMBURSEMENT OF “OTHER” EVALUATION COMPONENTS AS STAND-ALONE EVALUATIONS REQUIRES MANUAL PROCESSING (Directions to Table 3)

All “OTHER” evaluation components (not identified in Tables 1 or 2) must be processed manually by the STAC and Special Aids Unit. The STAC System does not automatically recognize the evaluation terms listed on the left column of Table 3. These may be included in other evaluation components such as the terms noted on the right hand column. In the event that requests for reimbursement for these "specialty" or “OTHER” evaluation components are submitted as separate evaluation components, the completed STAC-5 form must include an explanation from the CPSE.

When possible, the “OTHER” evaluations listed as Part of Table 3 should be processed as PART of the suggested standard evaluations which make up the “Glossary of Terms.”

When an “OTHER” evaluation cannot be delivered as part of a standard evaluation listed in the “Glossary of Terms,” and must be considered as a “SEPARATE, STAND-ALONE” evaluation, the following procedures must be followed:

- The word “OTHER” must be written in at the bottom of section 10 of the evaluation form (below Speech/Language). Next to the word OTHER, the district must indicate exactly what type of OTHER evaluation has been conducted (i.e., Music, Assistive Technology, etc.) and specify whether reimbursement has been made at the “physician or non-physician” rate. A written justification as to the need for the OTHER evaluation from the CPSE must also be attached to the STAC-5 form that is being submitted for manual processing.
- Upon receipt of the STAC-5, the STAC Unit will verify that the proper paperwork is in order (attached justification, etc) and will manually process the “OTHER” evaluation.

Please contact the STAC and Special Aids Unit at 518-474-7116 if you have any questions or need additional information.

**EVALUATION COMPONENTS NOT ACCEPTABLE
AS STAND-ALONE (TABLE 3)**

Evaluation Components Which Must be Processed Manually as an “OTHER” Evaluation:	Standard Evaluation Components Acceptable for Electronic Processing:
Adapted PE	Physical/Medical (PHY) Physical Therapy (PHT)
Art Therapy/Play	Psychological (PSY)
Augmented Communication	Speech/Language (SPT)
Cleft Palate (no team)	Physical/Medical (PHY) Speech/Language (SPT)
Physical Coordination and Balance	Physical/Medical (PHY) Physical Therapy (PHT)
Counseling	Psychological or other assessments of social functioning (PSY)
Developmental Assessment	Physical/Medical (PHY)
Ear/Nose/Throat (For clarification please refer to Table 2, item 11, Otolaryngology evaluation)	Physical/Medical (PHY)
Feeding	Physical/Medical (PHY) Speech/Language (SPT)
Music Therapy	Psychological (PSY)
Oral Motor	Physical/Medical (PHY) Speech/Language (SPT)
Orientation and Mobility	Psychiatric (PYC) Optometric (OPT) Occupational Therapy (OCT) Physical Therapy (PHT) Audiological (AUD)
Evaluation by a Teacher of the Deaf	Educational Evaluation
Evaluation by a Teacher of the Blind/Visually Handicapped	Educational Evaluation

The following should not be included for reimbursement on the STAC-5 form:

- developmental observation - an observation of the child is required in the initial evaluation, however it is not reimbursed as a separate component,
- genetics,
- screening,
- social work assessment, and
- summary report - there is no established reimbursement rate for the completion of the summary report in English. Reimbursement is provided for the cost of translating the summary report into a language other than English for a child's parent, if the translation is not part of a bilingual assessment of the child.

Frequently Asked Questions and Answers

1. Who is responsible for identifying the specific evaluation components for each individual evaluation for each preschool child suspected of having a disability?

The Committee on Preschool Special Education (CPSE) has the primary responsibility to identify and to authorize the specific components of each individual preschool evaluation, including the required components and any other appropriate assessments or evaluations. (Please refer to the "Glossary of Terms" - Tables 1 and 2 - Pages 8 and 9). A group that includes the CPSE, the student's parents and other qualified professionals of various disciplines must review existing evaluation data on the student to determine what additional data, if any, are needed to determine a student's eligibility for special education, the present levels of educational performance and the needs of the student. With the consent of the parents, approved evaluators and committees are provided with the most recent evaluation report for a child in transition from the early intervention program. The approved evaluator and the committee may review these and other assessments or evaluations to determine if these assessments or evaluations fulfill the requirements of the Regulations of the Commissioner. There is no separate or additional reimbursement to an evaluator for review of existing evaluation information. The review of existing evaluation data on the student does not necessarily need to take place at a formal meeting. The approved evaluator selected by the parent may be considered one of the other qualified professionals who may recommend to the CPSE the tests or assessments to be conducted as part of an initial evaluation or reevaluation of a preschool student.

2. Is "screening" a component of an individual evaluation and is it reimbursable?

No. Screening, pursuant to Part 117 of the Regulations of the Commissioner, is a preliminary method of distinguishing from the general school-age population those students who may possibly have a disability or those who may possibly be gifted. It is not a component of a multidisciplinary evaluation of a preschool child suspected of having a disability and therefore, is not reimbursable.

3. What is a functional behavioral assessment (FBA)? Is reimbursement provided for an FBA?

An FBA is the process of determining why a student engages in behaviors that impede learning and how the student's behavior relates to the environment. The FBA includes, but is not limited to, the identification of the problem behavior, the definition of the behavior in concrete terms, the identification of the contextual factors that contribute to the behavior (including cognitive and affective factors) and the formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it. A variety of techniques are available to conduct an FBA including, but not limited to direct assessment, indirect assessment and data analysis.

A separate rate is not established for an FBA for a three-or four-year old child. Since the specific assessment techniques and components of the FBA vary based on the identification of an individual student's challenging behavior, the CPSE must determine which evaluation components will be used for the FBA. Reimbursement is requested using the STAC-5, with an identification of the components used, either as part of an initial evaluation or a reevaluation. The components of the FBA may include, but are not limited to a psychological, social history or an educational assessment, either individually or in combination.

4. Is parental consent needed for the CPSE to conduct an initial evaluation of a preschool child?

Yes. In the event that the parent(s) does not provide written consent for an evaluation of the student, the CPSE must use the school district's procedures to ensure that the parents have received and understand the request for consent. If a parent continues not to provide written consent, no evaluation is conducted and the process ends.

5. When and how are evaluation results reported to the CPSE?

The evaluation results must be provided to the CPSE, including the child's parent(s), in time to allow the CPSE to make a recommendation to the board of education within 30 school days of the date the CPSE received parental consent.

The results or "documentation" of the evaluation includes all assessment reports of the individual evaluation components and a summary report of the evaluation findings. The summary report must be in a form required by SED, and include a detailed statement of the preschool child's individual needs. The summary report must not address the manner in which special services and programs can be provided in the LRE or make a recommendation as to the general type, frequency, and duration of special services and programs. The required evaluation summary form may be obtained by contacting VESID, Special Education Policy Development Unit at One Commerce Plaza, Room 1624, Albany, New York 12234 or 518-473-2878 or by accessing the SED internet web site at <http://www.vesid.nysed.gov/specialed/publications/preschool/>. The results or "documentation" of the evaluation, which includes all assessment reports of the individual evaluation, may include recommendations stated above.

6. Must the evaluation be conducted in languages other than English? Is reimbursement provided when the evaluation results must be translated into other languages for parents?

Yes. Tests and other assessments must be provided and administered in the student's native language or other mode of communication, unless it is clearly not feasible to do so. Similarly, the approved evaluator must provide a statement of the evaluation results and recommendation provided to the CPSE in English, and when necessary, in the native language of the parent or other mode of communication used by the parent, unless it is not feasible to do so.

Reimbursement for the written translated summary and evaluation is not allowable if the evaluation is billed as a bilingual evaluation. The bilingual evaluation rates include the cost of any translated documents required by section 200.16 of the Regulations of the Commissioner of Education. Evaluators who bill for a bilingual evaluation may not bill translation costs separately or in addition to billing at a bilingual evaluation rate. In cases where the child does not require a bilingual evaluation, but the parent requests translations of the evaluation summary and/or documentation of the evaluation, the evaluator may bill for actual translation costs incurred.

7. What is a social history and are updates reimbursable as part of the reevaluation?

A social history is a mandated component of an initial evaluation only and is reimbursed at the rate set by SED. It is a report gathered and prepared by qualified personnel related to the interpersonal, familial and environmental variables, which influence a student's adaptation to school and learning environments. It includes, but is not limited to data on family composition, family history, developmental history of the student, health of the student, family interaction and the student's adjustment to school and learning environments.

In the course of the annual review or other review to assess a child's progress in meeting IEP goals, a social worker, a psychologist or other qualified professional may make a note to update the social history. This is not a reevaluation and there is no separate reimbursement for a social history update. However, a social history reevaluation may be appropriate when there is a significant change or serious issue in a child's family circumstances. This may be due to divorce, remarriage, death or severe illness of a parent, or a change in the child's health, stamina or attention due to a medical condition, illness or accident. The cost of a social history reevaluation is reimbursed at the SED established rate using the STAC-5 form with an attached statement by the CPSE justifying the need for the reevaluation.

8. When is the psychological component of the evaluation required?

A psychological evaluation is mandated as part of the initial evaluation of a preschool child suspected of having a disability. Generally, most children should not require a psychological reevaluation on an annual basis. However, the CPSE may authorize such a reevaluation if needed.

9. Section 200.4(b) of the Regulations of the Commissioner includes an observation of the student in the current education placement, yet no rate has been set to reimburse for this mandated evaluation component. Can this be reimbursed?

No. An observation of the child in the current education placement is an integral part of the existing evaluation and rate structure and is not reimbursed as a separate component.

10. When is the CPSE required to provide written authorization for an individual evaluation?

For reimbursement purposes, the CPSE must provide written authorization to the evaluator for all components of an initial evaluation and reevaluation. This is particularly significant when a child experiences a change during the year in health, family structure or a related circumstance and a reevaluation of the psychological or social history components may be needed. Appropriate completion of the STAC-5 includes a certification statement signed by the CPSE chairperson that the child has received a multidisciplinary evaluation in accordance with section 4410 of the Education Law and Part 200 of the Regulations of the Commissioner of Education.

11. During the course of an initial evaluation authorized by the CPSE, all components of the evaluation are unable to be completed at one session. Does the CPSE have to authorize those parts of the initial evaluation that will be completed at a subsequent session? Are these reimbursable?

The initial evaluation must be authorized by the CPSE and is reimbursable, regardless of the number of sessions that it takes to complete the evaluation. The evaluation must be completed within the timelines that allow the IEP to be developed for eligible preschool children with disabilities within 30 days of the date when the CPSE received parent consent

for the evaluation to be conducted. If subsequent sessions are required to complete the evaluation, no additional authorization is required, nor is additional reimbursement available.

12. Can a provider be reimbursed for an incomplete or partially completed initial evaluation if the parent either leaves without notification to the CPSE or formally withdraws the child from the process?

Yes. To the extent that the evaluator conducted an incomplete or partial evaluation that was interrupted at the parent's request, the evaluator should submit a summary report including all documentation to the CPSE reflecting the evaluation results and indicating that the evaluation was terminated before any recommendations could be developed. The CPSE would then complete and submit a STAC-5 authorizing reimbursement for those components, which were reported in the summary of the evaluation.

13. Must all CPSE authorizations for evaluation be done through a formalized process? If minutes are taken at the CPSE meeting will these minutes serve as an authorization for reimbursement to the providers for evaluations/reevaluations?

All evaluations must be authorized in writing by the CPSE. The method of transmitting the CPSE's authorization to the approved evaluator is at the discretion of the school district. The method(s) should be included in written district policy and transmitted to providers and municipalities so they understand the policy. The evaluator's receipt of a copy of the signed parent consent indicates the specific evaluation components authorized by the

CPSE. Item 12 of the STAC-5 form is the certification by the CPSE Chairperson that the evaluation has been authorized by the CPSE and consistent with State requirements. Minutes from the CPSE meeting are not typically considered as an authorization for reimbursement of evaluations/reevaluations unless the school district has established and transmitted that policy to providers and municipalities.

14. May a related service provider conduct and be reimbursed for a reevaluation for a student who is receiving related services only?

Only approved evaluators may conduct reevaluations with the authorization of the CPSE. A related service provider may not conduct reevaluations within their capacity as a designated related service provider. However, if the related service provider is employed by or under contract with an agency which has an evaluation program approved by SED, the related service provider may conduct a requested reevaluation within the capacity of the approved evaluation program. Approved evaluators may contract with other qualified professionals to ensure timely completion of the evaluation. In the course of working with a child, the related service provider may use informal or formal assessment measures to document the child's progress. This is not considered to be a reevaluation. Such assessment(s) may be conducted within the scheduled related service session for which reimbursement is already provided.

15. Can more than one agency be responsible for conducting an initial evaluation?

In general, one agency is responsible for conducting an initial evaluation. However, an approved evaluator who is unable to conduct a specific component is permitted to enter into a formal agreement with other qualified professionals to ensure completion of evaluations within mandated timelines.

16. Is parental consent required for reevaluation?

Yes. If new tests or assessments are going to be conducted as part of the reevaluation parental consent is required prior to the reevaluation. Parents must be provided with a description of the proposed reevaluation and the uses to be made of the information obtained through the reevaluation.

17. Can authorization to conduct another evaluation component as part of an initial evaluation or in a reevaluation of a child be given by the CPSE chairperson without a full CPSE meeting?

Yes. A CPSE chairperson may authorize, in writing, another evaluation component for a preschool child with a disability, in consultation with a group that includes the CPSE and other qualified professionals including the evaluator to ensure such evaluation is appropriate and necessary. The group may conduct its review without the need to convene a meeting of the CPSE. The CPSE chairperson, acting on behalf of the Committee, may authorize the additional evaluation component for the child based on the following conditions:

- The approved program provides to the CPSE chairperson a written description of the proposed evaluation and the uses to be made of the information.
- The evaluation must be sufficient to determine the child's individual needs according to the areas related to the evaluation.
- The evaluation is necessary to modify the programs and/or services described in the approved IEP.
- Chairperson of the CPSE must notify the parent in writing that evaluation information is being sought regarding the preschool child in accordance with section 200.5 of the Regulations of the Commissioner and parental consent for the additional evaluation must be obtained.

However, if any CPSE member does not agree that a specific evaluation component is necessary, it is recommended that the chairperson convene a meeting of the CPSE to determine the need for such an evaluation.

18. For students who are eligible to enter kindergarten in September, is there a cut-off date for obtaining an initial evaluation through the CPSE process?

There is no cut-off date specified in law or regulation when the CPSE process should no longer be used to conduct an initial evaluation for a child eligible for school age services in September. In most cases no evaluations should be conducted through the CPSE process after July 1st since, as a practical matter the child's eligibility and IEP will have to be developed by the Committee on Special Education (CSE). Those children who will be school age in September and who are referred for evaluation following kindergarten screenings should be referred to the CSE.

In those rare cases when a preschool child may need services for the first time in July/August preceding entry as a school age student, a recommendation would be made by the CPSE and reimbursement would be provided by the municipality. Section 200.1(mm) of the Regulations of the Commissioner specifies that "a student shall be deemed to be a preschool child with a disability through the month of August of the school year in which the child becomes eligible to attend school pursuant to section 3202 of the Education Law."

19. When a child transitions from the Early Intervention Program, moves to New York from out of state or from one county to another or when a child has an evaluation from other sources, is there a reimbursement mechanism for review of existing evaluations?

No. Section 4410 of Education Law provides reimbursement to the approved evaluators for conducting evaluations. There is no additional reimbursement for review of existing completed evaluations.

20. How can the fees for appropriate translation be included in the evaluation reimbursement?

If one or more components of the evaluation required the participation of an individual in addition to the evaluator for the purpose of translation, check the appropriate box on the STAC-5.

If the native language or mode of communication of the parent(s) is other than English a translation of the summary report of the evaluation must be prepared. Report the cost of such translation on the STAC-5.

If the parent requests the whole evaluation be translated into his/her native language or other mode of communication, indicate the cost of translation on the STAC-5.

21. Does SED establish rates for bilingual evaluations?

Yes. Use item 10 on the STAC-5 form to request reimbursement for bilingual evaluation components.

22. If an evaluator uses a nurse to collect a child's medical records and review them, is this a billable supplemental evaluation?

No.

23. How and when is an STAC-5 completed for preschool evaluations?

Following the review of the results of the initial evaluation at the CPSE meeting, the chairperson must complete and sign the STAC-5. This could be done at the CPSE meeting. The STAC-5 should identify those components of the multidisciplinary evaluation for which the provider may bill the appropriate municipality. The CPSE chairperson must sign and retain a copy of the STAC-5 and forward the other three copies to the appropriate municipality. The municipality must sign the STAC-5, retain its copy and forward the other copies to the evaluator and SED. The original of the STAC-5 is provided to the STAC and Special Aids Unit at the New York State Education Department for processing.

24. How are providers informed that a STAC-5 has been completed and submitted by the CPSE?

The service provider receives both a copy of the STAC-5 Evaluation Form and an informational copy of the STAC-5A "Approval for Reimbursement of Evaluation Costs." Municipalities must pay based upon receipt of the completed STAC-5 from the CPSE. Municipalities may not delay payment until receipt of the STAC-5A, "Notification of Commissioner's Approval for Reimbursement of Preschool Evaluations." (Formerly known as "Approved Evaluation Components.")

- 25. What happens if a STAC-5 is filed for a child after the initial CPSE meeting and later, during the year, a new evaluation is approved? Is the STAC-5A amended, or is a second STAC-5 filed?**

It is important to distinguish between a reevaluation and other assessments such as those conducted as part of the annual review. For a reevaluation authorized by the CPSE a new STAC-5 should be submitted to indicate "reevaluation." As previously noted, assessments conducted as part of an annual review are not subject to reimbursement through these procedures. The STAC-5A should only be used to amend the STAC-5 if there is an inconsistency between the STAC-5 and the STAC-5A.

- 26. If a child moves to another school district, which district completes the STAC-5?**

The district with CPSE responsibility at the time the child was evaluated is responsible to complete and submit the STAC-5 to the SED.

- 27. How will SED determine the fiscal year of the evaluation when STAC-5 forms are submitted?**

The STAC-5 reflects the date the child was evaluated. This date is used to determine the rate in effect for each evaluation component.

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STAC ID

The University of the State of New York
THE STATE EDUCATION DEPARTMENT
 STAC & Special Aids Unit

STAC-5
 07/02

Request for Commissioner's Approval of Reimbursement for the Cost of Evaluations

Please Print Clearly

1. NAME OF CHILD (Last) (First) (M.I.)	
2. DATE OF BIRTH ____/____/____ Month Day Year	3. GENDER <input type="checkbox"/> Male <input type="checkbox"/> Female
4. SOCIAL SECURITY NUMBER	
5. SIS CHILD ID NUMBER	
6. Racial/Ethnic Category of Child (Definitions on the reverse side of this form) <input type="checkbox"/> Amer. Indian or Alaskan Native <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> White	
7. The child named above is: <input type="checkbox"/> PD - Preschool Student With a Disability <input type="checkbox"/> ND - Non-Disabled	
8a. School District with CPSE Responsibility	_____
b. County of Child's Current Location (where child resides)	____
c. County at time of Placement in Foster Care	____
9. Approved Evaluator	_____

10. List the date each evaluation component was completed (use four digits to indicate month and year). For bilingual evaluations indicate on line provided.

EVALUATION COMPONENT		Month / Year	Check if Bilingual
Physical/Medical	PHY	____/____	_____
Social	SOC	____/____	_____
Psychological	PSY	____/____	_____
Audiological	AUD	____/____	_____
Education	EDU	____/____	_____
Neurological	NEU	____/____	_____
Neuropsychological	NPY	____/____	_____
Occupational Therapy	OCT	____/____	_____
Optometric (visual)	OPT	____/____	_____
Orthopedic	ORT	____/____	_____
Otolaryngology	OTO	____/____	_____
Physical Therapy	PHT	____/____	_____
Psychiatric	PYC	____/____	_____
Speech / Language	SPT	____/____	_____

11. Cost of translation/transmittal of evaluation documentation or summary report for monolingual evaluations only. \$ _____

12. CERTIFICATION OF EVALUATION: I certify that the preschool child herein named received a multidisciplinary evaluation as indicated above and in accordance with Section 4410 of the Education Law and the Regulations of the Commissioner of Education.

Signature CPSE Chairperson _____ Date _____ CPSE Review Date (if different) _____

13. MUNICIPALITY SIGNATURE SECTION:
 The municipality of _____ has received on ____/____/____ the STAC-5 Request for Commissioner's Approval of Reimbursement for the Cost of Evaluations for the above named child pursuant to Section 4410 of the Education Law.

Signature of Authorized Representative of the Municipality _____ Date _____

PLEASE PRINT THE NAME AND ADDRESS OF THE PERSON COMPLETING THIS FORM IN THE SPACE PROVIDED ON THE BACK OF THE ORIGINAL.

Definitions of Racial/Ethnic Categories for Item 6 on reverse side of this form:

1. **American Indian or Alaskan Native** – A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.
2. **Asian or Pacific Islander** – A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands and Samoa.
3. **Black** – A person having origins in any of the black racial groups of Africa.
4. **Hispanic** – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish Cultural or origin, regardless of race.
5. **White** – A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

INSTRUCTIONS TO THE PUBLIC SCHOOL DISTRICT WITH CPSE RESPONSIBILITY.

1. Complete items 1 through 8.
2. List the State Education Department Approved Evaluator in Item 9.
3. Provide evaluation dates for the components of the multidisciplinary evaluation in item 10. **If any evaluation component was conducted in a language other than English, indicate on the line provided to the right.**
4. Item 11 should be completed to identify the costs of translating the summary report, for monolingual evaluations.
5. The CPSE Chairperson must sign and date the STAC-5 in item 12.
6. Keep the "CPSE Copy" and forward copies to the county listed in Item 8b.

INSTRUCTIONS TO THE COUNTY OF CHILD'S CURRENT LOCATION.

1. Complete Item 13.
 2. Keep one copy, forward a copy to the approved evaluator and the original to:

NYS Education Department
STAC and Special Aids Unit
514 West Hall, Education Bldg.
Albany, New York 12234
- * Electronic filers – Do not send a paper copy to SED.

PERSON COMPLETING THIS FORM

NAME: _____ TITLE: _____

PHONE: _____



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

OFFICE OF VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES
 MANAGER, SPECIAL EDUCATION POLICY
 ONE COMMERCE PLAZA, ROOM 1624, ALBANY, NY 12234

Preschool 00-01

January 2000

TO: District Superintendents
 Presidents of Boards of Education
 New York City Board of Education
 Superintendents of Schools
 Organizations, Parents and Individuals Concerned with Special Education
 Executive Directors of Approved Private Schools
 Directors of Approved Preschool Programs
 Directors of Approved Evaluation Sites
 Commissioner's Advisory Panel for Special Education Services
 Directors of Special Education
 Chairpersons of Committees on Preschool Special Education
 Head Start Directors
 SETRC and ALTA Project Directors and Training Specialists
 ECDC Project Directors and Coordinators
 Chief Elected Officials of the Counties
 Independent Living Centers

From: Rita D. Levay

SUBJECT: Updated Preschool Student Evaluation Summary Report Form and Clarification on New Provisions Required Pursuant to the Reauthorization of the Individuals with Disabilities Education Act (IDEA)

The purpose of this memorandum is to provide updated information on Section 4410 of the Education Law, as amended by Chapter 474 of the Laws of 1996 regarding documentation requirements of the evaluation of a preschool child suspected of having a disability. This updated information is consistent with the recent reauthorization of the Federal Individuals with Disabilities Education Act (IDEA).

Section 4410(4) of the Education Law requires that the documentation of the evaluation include all assessment reports and a summary report of the findings of the evaluation on a form prescribed by the Commissioner and a detailed statement of the preschool child's individual needs. The evaluator shall not include on the summary evaluation report recommendations about the type, frequency and duration of special



education services or programs or address the manner in which the special services or programs can be provided in the least restrictive environment. In addition, the evaluation finding must not refer to any specific provider of special services or programs. The law clarifies that the CPSE is responsible for making these recommendations when developing, reviewing and/or revising the individualized education program (IEP) for a preschool child with a disability.

Congress intended to strengthen the role of parents and ensure that families have meaningful opportunities to participate in the education of their children at school and at home. In accordance with IDEA, the parent of the child suspected to be a preschool child with a disability is now a member of the interdisciplinary individualized education program (IEP) team. In New York State, this team is the Committee on Preschool Special Education (CPSE). In their role as CPSE members, parents have all the rights and responsibilities of other CPSE members. The parent(s) of the child who is referred to the CPSE must receive all information and written materials, which are provided to the members of the CPSE prior to and throughout the CPSE process of reviewing the child.

The individual evaluation must be conducted in accordance with Section 200.4(b) of the Regulations of the Commissioner of Education. The approved evaluators should review other assessments or evaluations to determine if such information fulfills the requirements of the Regulations. Evaluators should be cognizant of these requirements so that appropriate evaluation information is collected and available to the CPSE.

Documentation of the evaluation should be transmitted as follows:

- The approved evaluator must provide, on a timely basis, a copy of the full evaluation, including the summary report, to each member of the CPSE, including the parent(s) of the referred child and to the person designated by the municipality in which the preschool child resides.
- The statement of the preschool student's individual needs and recommendation, including the summary of the evaluation must be provided by the evaluator in English and, when necessary, in the native language or other mode of communication of the parent unless not feasible to do so.

The attached Preschool Student Evaluation Summary Form (revised October 1996) must be used for all evaluations of preschool students referred to the CPSE. This summary should include a description of the preschool child's individual needs according to the major areas of child development. This evaluation information should serve as a basis for determining the present levels of performance for a preschool child with a disability, including a statement, as appropriate, as to how the disability affects the preschool child's participation in appropriate activities.

The 1997 amendments to IDEA also ensure additional protections for parents, as follows:

- including evaluations and information provided by the parents in CPSE discussions that may assist in determining whether the child is a preschool child with a disability and the content of the IEP;
- providing copies of the evaluation report and documentation of the determination of eligibility to parents;
- allowing parents to bring individuals who have knowledge or special expertise regarding the child to participate at CPSE meetings;
- having parents input for enhancing the education of their child considered by the CPSE; and
- receiving progress reports, at least as often as parents of nondisabled children receive similar reports, of the child's progress toward the annual goals; and the extent to which that progress is sufficient to enable the preschool child with a disability to achieve the goals by the end of the school year.

IDEA also requires that:

- Committee membership must include an individual who can interpret the instructional implications of evaluation results.
- Committees, including the parents of a preschool child with a disability, must consider the following special factors in developing IEPs:
 - When a child's behaviors impede learning, the Committee must consider strategies, including positive behavior interventions, strategies and supports to address those behaviors.
 - If a child has limited English proficiency, the Committee must consider the language needs of the child as such needs relate to the child's IEP.
 - If a child is blind or visually impaired, the Committee must provide instruction in Braille and in the use of Braille unless the Committee determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or in the use of Braille), that instruction in Braille or in the use of Braille is not appropriate for the child.
 - For children who are deaf or hard of hearing, the Committee must consider the language and communication needs of the child and opportunities for direct communication with peers and professional personnel in the child's language and communication mode. The

Committee must also consider the child's academic level and full range of needs, including the child's social, emotional and cultural needs.

- For all students, the Committee must consider the provision of assistive technology devices and services when developing the child's IEP.

Functional behavioral assessment is the process of determining why a student engages in challenging behavior and how the student's behavior relates to the environment. Functional behavioral assessments should be viewed as an integral part of evaluation and reevaluation procedures. When students demonstrate behaviors that impede learning, these assessments should be integrated, as appropriate, throughout the process of developing, reviewing and revising a student's IEP. When a functional behavioral assessment is conducted of a preschool student who has, or is suspected of having, a disability, the attached summary form should be used to report the results. The components of the functional behavioral assessment may be included in the space provided on the summary evaluation form. Additional pages may be included as needed to report the findings and comments of the functional behavioral assessment.

At a minimum, comments must address the following components:

- Identification of the problem behavior;
- Definition of the behavior in concrete terms;
- Identification of the contextual factors that contribute to the behavior (including affective and cognitive factors); and
- Formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

Please refer to the July 1998 memorandum (Policy 98-05) "Guidance on Functional Behavioral Assessments for Students with Disabilities" for further information on functional behavioral assessment. The attached Preschool Student Evaluation Summary Form may be duplicated. A Spanish version of the form is also attached.

Questions regarding the Preschool Student Evaluation Summary Report Form should be directed to the Preschool Special Education Services Unit of VESID Special Education Policy and Quality Assurance at (518) 473-6108.

Attachments

PRESCHOOL STUDENT EVALUATION SUMMARY REPORT

Student's Name:	Date of Birth:	Date of Evaluation:
Parent/Guardian:	Relationship:	Agency:
Address:	Contact Person:	Telephone:
County of Residence:	School District:	

This reporting form provides a summary of the findings of the evaluation which includes a detailed statement of the child's individual needs. As a result of Chapter 474 of the Laws of 1996, the evaluator may no longer recommend the general type, frequency and duration of special services and programs needed nor address the manner in which the special services and programs can be provided in the least restrictive environment.

Please indicate the individually administered evaluation measures used, including the result of the observation of the child and the findings pertinent to the following domains. Incorporate the strengths of the child and the characteristics relating to the suspected disability. This summary and the documentation of the evaluation results are to be transmitted to all the members of the Committee on Preschool Education (CPSE) and to the Municipality Representative. Before meeting with the parent, the CPSE must transmit a copy of this evaluation summary report to the parent. The summary report must be transmitted in English, and when necessary, in the dominant language or other mode of communication of the parent.

1. Cognitive
2. Social/Emotional
3. Motor Development

4. Language and Communicative

5. Adaptive/Functional Behavioral Assessment

Please indicate the date the evaluation results, including this summary report, were sent to the Committee on Preschool Special Education and the Municipality Representative:

RESUMEN DE LOS RESULTADOS DE LA EVALUACIÓN DE ESTUDIANTES PRE-ESCOLARES

Nombre del Estudiante:	Fecha de Nacimiento:	Fecha de Evaluación:
Padres/Guardián:	Parentesco:	Agencia:
Dirección:	Persona a Contactarse:	Teléfono:
Condado de Residencia:	Distrito Escolar:	

Este informe es un resumen de los resultados de la evaluación que incluye una declaración detallada sobre las necesidades individuales del niño. Como resultado del Capítulo 474 de las Leyes de 1996, el evaluador no podrá hacer recomendaciones acerca del tipo, frecuencia y duración de programa o servicio de educación especial así como tampoco podrá proveer el programa o servicio en el ambiente menos restrictivo.

Sírvase indicar las medidas que se utilizaron en la evaluación administrada individualmente, incluyendo el resultado de la observación del niño y los resultados pertinentes a las áreas indicadas en los casilleros. Incluya las áreas más desarrolladas del niño y las características relativas a la incapacidad de la que se sospecha. Este resumen y la documentación acerca de los resultados de la evaluación debe ser entregados a todos los miembros del Comité de Educación Especial Pre-escolar y al representante municipal. Los padres deben recibir una copia del resumen de los resultados de la evaluación antes de la reunión con el Comité de Educación Especial Pre-escolar. El resumen de los resultados de la evaluación debe estar escrito en Inglés y cuando sea necesario en el idioma que los padres dominan, u otro modo de comunicación de los padres.

1. Cognoscitivo
2. Social/Emocional

3. Desarrollo Motriz

4. Lenguaje y Comunicación

5. Evaluación de Conducta de Adaptación/Funcional

Por favor indique la fecha en que los resultados de la evaluación, incluyendo el resumen de los resultados de la misma, fueron enviados al Comité de Educación Especial Pre-escolar y al Representante Municipal.
