



WISCONSIN DEPARTMENT OF **Public Instruction**

Indicator 12 Reporting Reason Selection Guidance

The descriptions below correspond to data elements within the Preschool Transition application that require a response from a dropdown selection. The descriptions are organized based on a child's eligibility determination (Eligible/Not Eligible, Not Determined).

Eligibility Determination – Eligible/Not Eligible

A reason will be required to be provided for a child found **not eligible** if the eligibility determination date is after the child's third birthday.

A reason will be required to be provided for a child found **eligible** if the eligibility determination date, the meeting date to develop the IEP, or the projected IEP implementation date is after the child's third birthday.

Below are the possible reasons to select:

- **Child determined eligible for Birth to 3 Program services less than 90 days before 3rd birthday**
Select this reason if the child was found eligible for Birth to 3 Program services less than 90 days before the child's third birthday. This information can be found in the Referral Details for the child.

When a child is found eligible for Birth to 3 Program services less than 90 days before the child's third birthday, the LEA may exceed the child's third birthday for determining eligibility, and, if eligible developing and implementing the IEP.

In these situations, the LEA must conduct an initial evaluation within 60 days of receiving parental consent for the evaluation or sending notice that no additional testing is needed. If eligible, the meeting to develop an IEP must be conducted within 30 days of a determination that the child needs special education and related services. (34 CFR §300.301(c)(1)(i) and 34 CFR §300.323(c)(1))

The LEA, however, is encouraged to make every effort to complete the evaluation, determine eligibility, and, if eligible, develop and implement an IEP by the child's third birthday or as soon after the third birthday as possible.

- **Parent reversed Opt Out decision after age 2 years, 9 months**
Select this reason if the child's parents reversed their Opt Out decision after age 2 years, 9 months. This information can be found in the Referral Details for the child.

When a child's parents reverse their Opt Out decision after age 2 years, 9 months, the LEA may exceed the child's third birthday for determining eligibility, and, if eligible developing and implementing the IEP.

In these situations, the LEA must conduct an initial evaluation within 60 days of receiving parental consent for the evaluation or sending notice that no additional testing is needed. If eligible, the meeting to develop an IEP must be conducted within 30 days of a determination that the child needs special education and related services. (34 CFR §300.301(c)(1)(i) and 34 CFR §300.323(c)(1))

The LEA, however, is encouraged to make every effort to complete the evaluation, determine eligibility, and, if eligible, develop and implement an IEP by the child's third birthday or as soon after the third birthday as possible.

- **School not in session on 3rd birthday**

Select this reason if the child's third birthday fell on a day when school was not in session and the child's IEP does not include extended school year (ESY) services (i.e., during the summer, a holiday, LEA inservice, or on a weekend). In these situations, the projected IEP implementation date will be the **first day school is in session** following the child's third birthday.

This reason is only available for a child found to be eligible for special education services and then only when both the eligibility determination date and the meeting date to develop the IEP occurred by the child's third birthday.

- **Child moved into district after initial referral made; new timeline established**

Select this reason if the referral was transferred to the LEA and the LEA and the parent have agreed to a specific time when the evaluation will be completed.

In these situations, the LEA may exceed the child's third birthday for determining eligibility, and, if eligible, developing and implementing the IEP. The new timeline is documented on the Notice of Agreement to Extend Time Limit to Complete Evaluation for Transfer Student.

- **Parent did not provide timely consent for evaluation**

Select this reason if the parent did not provide timely consent for evaluation after the LEA attempted to contact the family multiple times. State law requires the LEA to send a request for parental consent, if needed, within 15 business days of receiving a referral.

This reason does require that the date consent to evaluate was received be provided.

This reason is only available if the referral was received at least 90 days prior to the child's third birthday and the consent to conduct the additional testing was received less than 30 days prior to the child's third birthday.

- **Parent refused/failed to produce child for evaluation after repeated attempts**

Select this reason if after receiving consent to conduct the additional testing, the parent refused or failed to produce the child for evaluation in a timely manner after the LEA attempted to accommodate the family's situation. This could occur for reasons such as the parent wanted the evaluation at a later date, the child was ill or hospitalized, the family had an emergency, or a family vacation.

This reason does require that the date the child was made available for evaluation be provided.

This reason is only available if the referral was received at least 90 days prior to the child's third birthday and the child was made available for evaluation less than 30 days prior to the child's third birthday.

- **Referral not made at least 90 days prior to child's 3rd birthday**
Select this reason if the LEA was not able to determine eligibility, develop the IEP or implement the IEP by the child's third birthday because the Birth to 3 Program did not make the referral at least 90 days prior to the child's 3rd birthday.

In these situations, the LEA is still responsible for ensuring that the evaluation is completed and the IEP, if eligible, is developed and implemented by the child's third birthday.

This reason is not available when the referral was made less than 90 days prior to the child's third birthday due to the parent reversing their Opt Out decision or the child being found eligible for Birth to 3 Program services less than 90 days prior to the child's third birthday.

Prior to selecting this reason, it is suggested the Birth to 3 Program be contacted to ensure no other reason more accurately describes the referral.

- **Staff not available**
Select this reason if staff was unavailable to conduct the evaluation or develop and implement the IEP due to staff vacations, vacancies, conflicting duties or illness.
- **Other**
Select this reason if no other available reason applies. Please enter as much detail as possible to explain the circumstances.

Eligibility Determination – Not Determined

A reason will be required to be provided for a child for whom the LEA was unable to determine eligibility.

Below are the possible reasons to select:

- **Parent denied consent for evaluation**
Select this reason if the LEA requested parental consent to evaluate the child and the parent denied consent, in writing, for the evaluation. State law requires the LEA to send a request for parental consent to evaluate, if needed, within 15 business days of receiving the referral.

Maintain documentation of the denial of consent for evaluation. If the child's parent does not consent to the evaluation, the LEA may pursue an evaluation through mediation or a due process hearing.

- **Parent failed to provide consent for evaluation after repeated attempts**
Select this reason if the LEA requested consent to evaluate the child and the parent failed to respond to the request. State law requires the LEA to send a request for parental consent to evaluate, if needed, within 15 business days of receiving the referral.

At least three reasonable attempts should be made to obtain consent from the parent. Maintain documentation of the three reasonable attempts. If the child's parent does not consent to the evaluation, the LEA may pursue an evaluation through mediation or a due process hearing.

- **Parent refused/failed to produce child for evaluation after repeated attempts**
Select this reason if after receiving consent to conduct the additional testing, the parent refused or failed to produce the child for evaluation.

- **Child transferred to another district in-state after initial referral made**
Select this reason if the child moved to another district within the state of Wisconsin **prior to the LEA determining eligibility**. The LEA should have documentation that the child has moved, such as undeliverable mail or written notice from the parent or the Birth to 3 Program.

Note: If the LEA receives a transfer request from the new LEA, the referral should be transferred to the new LEA. When a LEA knows that a family will be moving prior to the LEA determining eligibility, the family should be encouraged to continue the evaluation with the new LEA and provide written consent to transfer the referral.

- **Child transferred out of state after initial referral made**
Select this reason if the child moved to a LEA outside of the state of Wisconsin **prior to the LEA determining eligibility**. The LEA should have documentation that the child has moved, such as undeliverable mail or written notice from the parent or the Birth to 3 Program.
- **Other**
Select this reason if no other available reason applies. Please enter as much detail as possible to explain the circumstances.