

Universal Screenings: General Information

The Federal Register/Vol. 71, No. 156/Monday, August 14, 2006/Rules and Regulations:

Parent Consent is **not** required:

- Before administering a test or other evaluation to all children
300.300(d)(1)(ii)
- Before reviewing existing data
300.300(d)(1)(i)
- When screening for instructional purposes
300.302

Specific wording:

Regulations: Part [300](#) / [D](#) / [300.300](#) / [d](#) / 1

[\(1\)](#) Parental consent is not required before--

[\(i\)](#) Reviewing existing data as part of an evaluation or a reevaluation; or

[\(ii\)](#) Administering a test or other evaluation that is administered to all children unless, before administration of that test or evaluation, consent is required of parents of all children.

Regulations: Part [300](#) / [D](#) / 300.302

Sec. 300.302 Screening for instructional purposes is not evaluation.

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services.

(Authority: 20 U.S.C. 1414(a)(1)(E))

When is a Formal Assessment Plan Necessary?

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When student(s) are observed, interviewed or tested, school staff must consider whether parental informed consent for these procedures is required.

IDEA 2004 allows “screening” procedures without parental permission, such as determining phonemic awareness proficiency and other progress monitoring activities necessary to inform instructional programming.

Many schools are beginning to use academic and behavioral RtI.

Assessment plans are not necessary for all RtI activities.

General Principles

- If educators are *collecting new data* for the purpose of determining disability, an assessment plan is necessary.
- If educators are *reviewing existing data*, such as how a student is responding to behavior supports or academic instruction for the purpose of assisting the teacher in instruction components or instructional methods, no assessment plan is required.