

Developmental Delay and Turning Seven: Reevaluation During COVID-19

Children qualify for special education under various disability categories; some children qualify under the category of Developmental Delay (DD). This category indicates that while there is not a specific identified disability, a child is not meeting developmental milestones in at least two of five specific areas. This category helps provide supports to children who need special education and related services. However, Minnesota legislation special education statutes and rules do not allow the category to be used past the age of seven. At that time, the child will be reevaluated and will need to qualify under one of the other 12 categories listed in Minnesota legislation in order to continue with special education services.

Suppose your child is on an Individualized Educational Program (IEP) under Developmental Delay and is turning seven during this time of distance learning due to COVID-19. What happens to the necessary reevaluation?

A team meeting will need to be held to decide if the evaluation can be done in these unique circumstances. Remember, you are an equal member of the IEP team, and if you feel that doing the reevaluation in this manner will not provide an accurate picture of your child, you can voice your concerns to the team.

Some possibilities from that meeting include:

- The IEP team agrees that the reevaluation can be completed using videoconferencing or video observations. If this is true, the reevaluation can proceed using whatever forms of distance learning are already in place and the assessments you agree to.
- The IEP team agrees that the reevaluation can not be completed, as there are observations and assessments that can only be done in person. In this case the team agrees to delay the reevaluation until the distance learning period is over. By making this decision, the team is also agreeing to serve the child under the category of Developmental Delay beyond your child's seventh birthday. The good news is that your child will continue receiving special education services until such time that the reevaluation can be completed.
- If you had agreed to a reevaluation plan before the school closure and transition to distance learning, ask for a team meeting to discuss continuing with the evaluation. After meeting with the team, you have the right to withdraw your consent or ask that the evaluation be delayed due to the fact that the methods that are going to be used to do the reevaluation have changed.

As always, if you are in disagreement in any way you can disagree with the school staff using the formalized Prior Written Notice and consent form.

For additional information, see PACER's handout, "Help for Parents: How to Prepare for a Special Education Evaluation Planning Meeting" at [PACER.org/parent/php/PHP-c249.pdf](https://www.pacer.org/parent/php/PHP-c249.pdf), or contact PACER Center at (952) 838-9000 or PACER@PACER.org.