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SECRETARY OF EDUCATION

BILL RICHARDSON  
Governor

January 27, 2009

MEMORANDUM

**TO:** District Directors of Special Education  
Regional Education Cooperative Directors  
Charter School Coordinators of Special Education

**FROM:** Denise Koscielniak  
State Director, Special Education

**RE: INDICATOR 11 60-DAY TIMELINE FROM PARENT CONSENT TO INITIAL  
EVALUATION: STARS DATA ENTRY**

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The purpose of this guidance memo is to update reporting guidelines for the State Performance Plan (SPP) Indicator 11, 60-day timeline from parental consent to initial evaluation. This guidance aligns with the 2008-2009 Student Teacher Accountability Reporting System's (STARS) User Guide.

Indicator 11 is a compliance Indicator. The U.S. Secretary of Education established the rigorous Target of 100% compliance for Indicator 11. The New Mexico Public Education Department (NMPED) and the Local Education Agencies (LEA) are required to meet the 100% compliance with this Indicator.

The 60-day timeline begins when the LEA receives written consent from the parent for an initial multidisciplinary team evaluation. The 60-day timeline ends when the evaluation(s) is completed. The dates are based on the actual number of calendar days between consent to evaluate and the evaluation completion.

The information for Indicator 11, (60-day timeline) must be recorded in STARS in the Special Education Events Template. See page 141 of the STARS 2008-2009 User Guide, field number five "Event Type Code." Event type codes for this field are on page 89 in the STARS Volume Two Reference Materials Manual. The following codes must be used to ensure accuracy in data reporting:

Code 30 = Part B – Parental Consent Initial Evaluation Only  
Code 31 = Part B – Initial Evaluation Date

LEAs are required to report the number of students who were determined eligible for Part B services who were evaluated within 60-days and the number of students determined not eligible for Part B services that were evaluated within the 60-days. The following codes must be entered on the Special Education Events Template, under field number five.

Code 32 = Part B – Eligibility Determination – Yes  
Code 33 = Part B – Eligibility Determination – No

In addition to reporting data in STARS field number five of the Special Education Events Template, the dates for parent consent, evaluation completion, and eligibility determination must be entered in field number six on page 143.

In accordance with 34 CFR § 300.301(d) and Subsection D(1)(d) of 6.31.2.10 NMAC there are two exceptions to the 60-day timeline. Enter the exceptions in field number 20:

- If the parent repeatedly fails or refuses to produce the child for an evaluation- Code 17
- If the child enrolls in a school of another LEA after the timeline begins and prior to the determination by the child's previous LEA as to whether the child is a child with a disability- Code 6 or 11

If the LEA did not meet the 60-day timeline and none of the above codes are applicable the LEA must enter Code 2, the LEA missed the timeline. The reporting of the exceptions and reasons for delay are part of the State's reporting requirements under 20 U.S.C. 1416(a)(3)(B). The 60 day timeline pertains to students receiving special education services under IDEA, not gifted.

The SEB hopes you find this information helpful. If you need further assistance, please call (505) 827-1457 and asked to speak to the Education Administrator assigned to your district.

DK/sg

cc: District Superintendents  
Catherine Cross Maple, Ph.D., Deputy Secretary, Learning and Accountability  
Sue Gronewold, Deputy Director, Special Education Bureau  
Cynthia Romero, Data Supervisor, Special Education Bureau  
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