

281—41.303(256B,34CFR300) Reevaluations.

41.303(1) General. A public agency must ensure that a reevaluation of each child with a disability is conducted in accordance with rules 41.304(256B,34CFR300) to 41.311(256B,34CFR300):

- a.* If the public agency determines that the educational or related services needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or
- b.* If the child's parent or teacher requests a reevaluation.

41.303(2) Limitation. A reevaluation conducted under subrule 41.303(1):

- a.* May occur not more than once a year, unless the parent and the public agency agree otherwise; and
- b.* Must occur at least once every three years, unless the parent and the public agency agree that a reevaluation is unnecessary.