

SECTION: PROGRAMS

TITLE: SPECIAL EDUCATION
EVALUATIONS AND
INDEPENDENT
EDUCATIONAL
EVALUATIONS

ADOPTED: May 17, 1999

REVISED: April 27, 2009

MIDDLETOWN AREA SCHOOL DISTRICT

113.3. SPECIAL EDUCATION EVALUATIONS AND INDEPENDENT EDUCATIONAL EVALUATIONS

1. Purpose

The purpose of this policy is to define the minimum requirements for educational evaluations conducted for the purpose of determining eligibility for special education services and the instructional levels and programming requirements of individual learners, and to determine the requirements for independent educational evaluations.

2. Definition

Title 22
Sec. 14.123
20 U.S.C.
Sec. 1414
34 CFR
Sec. 300.301-
300.311,
300.502

An **appropriate evaluation**, whether conducted by school district staff or persons not employed by the school district, shall consist of the administration of all testing and the use of all assessment procedures required to rule in or rule out the existence of all legally-defined disabilities that school staff, parents/guardians, or the evaluator reasonably suspect the child might have.

The evaluation need include only that testing and those assessment techniques that are required in light of information already available from previous evaluations, information from school staff familiar with the performance of the child, and education records concerning the child. The evaluator shall review all such sources of information prior to conducting testing and assessment. The evaluator shall either review assessments conducted by others that indicate how the child is responding to scientific research-based instruction or, in the absence thereof or in addition thereto, shall include such assessments as part of his/her evaluation. To the extent that the results of such instructional assessments are inconsistent with the results of norm- or criterion-referenced testing and assessments that the evaluator has administered, the evaluator shall explain in his/her report, if possible, the reason for the inconsistency.

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<p>34 CFR Sec. 300.508</p>	<p>The Office of Special Education may, upon receipt of the request for an independent educational evaluation at public expense, request that the parent/guardian state his/her reasons for disagreement with the evaluation conducted or proposed by the school district. It may not require the parents/guardians to do so, however, and the refusal of the parent/guardian to do so shall not delay the process required by this procedure.</p> <p>Within ten (10) school days of receipt of a request for an independent education evaluation in writing from a parent/guardian, the Office of Special Education shall either:</p> <ol style="list-style-type: none">1. Initiate a due process hearing and notify the parent/guardian in writing that it has done so.2. Issue to the parents/guardians correspondence containing: (a) an assurance that the school district will pay for an independent educational evaluation as long as the evaluation meets all of the requirements of an appropriate evaluation identified in this procedure; (b) a statement that the school district shall not pay for the evaluation until it receives directly from the evaluator a complete copy of a report of that evaluation and determines that the evaluation meets all of the requirements of this procedure; (c) a request that the parents/guardians consider accessing reimbursement for all or part of the evaluation from public or private sources of insurance or reimbursement, together with a clear assurance that the parent/guardian is not required to do so and that the school district would pay any cost not covered by such sources; (d) directions that the parent/guardian is responsible for arranging for the evaluation and for ensuring that the evaluator contacts the Office of Special Education to arrange for payment of the evaluation. If the evaluation has already been conducted and paid for, the correspondence shall advise the parent/guardian that the school district will not reimburse the parent/guardian for the reevaluation until it receives: (a) a complete and unredacted copy of the report of the evaluation and determines that the evaluation meets all of the requirements of this procedure, and (b) documentation substantiating that the parents/guardians paid for or incurred the obligation to pay for the evaluation without reimbursement from a public or private source of insurance or reimbursement. The Office of Special Education shall send the correspondence to the parent/guardian by certified mail or by other independently verifiable means of conveyance and enclose therewith such a copy of this policy. <p>The Office of Special Education shall maintain a list of qualified independent evaluators in each of the various disciplines commonly relied upon to provide education-related evaluations and assessments and shall make that list available promptly to any parent/guardian who requests it.</p>
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References:

State Board of Education Regulations – 22 PA Code Sec. 14.123

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34
CFR Part 300

Board Policy – 113