

CHESTER COUNTY
INTERMEDIATE
UNIT 24

SECTION: PROGRAMS

TITLE: SPECIAL EDUCATION
EVALUATIONS AND
INDEPENDENT EDUCATIONAL
EVALUATIONS

ADOPTED: January 18, 2012

REVISED:

<p>1. Purpose Title 22 Sec. 14.121, 14.122, 14.123, 14.124, 14.125 20 U.S.C. Sec. 1414 34 CFR Part 300 Pol. 113, 113.1, 113.2</p> <p>2. Guidelines</p>	<p style="text-align: center;">113.3. SPECIAL EDUCATION EVALUATIONS AND INDEPENDENT EDUCATIONAL EVALUATIONS</p> <p>To define, in circumstances when the Intermediate Unit (IU) is the responsible local education agency under state and federal law, the minimum requirements for educational evaluations conducted to determine eligibility for special education services and the instructional levels and programming requirements of individual learners, and to establish the requirements for independent educational evaluations.</p> <p><u>Appropriate Evaluation</u></p> <p>An appropriate evaluation, whether conducted by IU staff or persons not employed by the IU, 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.</p> <p>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,</p>
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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.

Testing and assessment procedures shall be selected and administered to yield valid measurement or assessment of the construct or quality they purport to measure or assess. The evaluator shall administer any testing or assessment procedures in a manner consistent with the requirements and recommendations of the publisher of the test or procedure, if any, and in compliance with applicable and authoritatively recognized professional principles and ethical tenets and shall report any factor that might affect the validity of any results obtained.

The evaluation shall include an observation of the student in an educational setting, unless the student is not then in such a setting, and the evaluator shall obtain information concerning the performance of the student directly from at least one (1) current teacher of the child, unless the child does not have a current teacher.

The evaluator shall hold an active certification from the Pennsylvania Department of Education that qualifies the evaluator to conduct the type of evaluation that s/he is conducting of the student. If certification from the Pennsylvania Department of Education is not issued for the particular area of professional practice in which the evaluator is otherwise lawfully engaged, the evaluator shall hold such license or other credentialing as is required for the area of professional practice under Pennsylvania law.

The evaluator shall prepare and sign a full report of the evaluation containing:

1. A clear explanation of the testing and assessment results.
2. A complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores, domain or composite scores, and subtest scores reported in standard, scaled, or T-score format.
3. A complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.
4. Specific recommendations for educational programming and, if possible, placement.

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<p>34 CFR Sec. 300.502</p>	<p><u>Independent Educational Evaluations</u></p> <p>A parent/guardian who disagrees with the results or content of an evaluation performed or obtained by the IU may request an independent educational evaluation at public expense. If the request is received verbally, the staff member who receives the request shall immediately inform the parent/guardian that the request must be in writing. If the native language of the parent/guardian is other than English, the requirement that the parent/guardian make his/her request in writing shall be conveyed by whatever means practicable in the native language of the parent/guardian. A written request for an independent educational evaluation at public expense shall be immediately forwarded to the responsible IU administrator.</p> <p>The responsible IU administrator 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 IU. 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 policy.</p> <p>Within ten (10) school days of receipt of a request for an independent educational evaluation in writing from a parent/guardian, the responsible IU administrator shall either:</p> <ol style="list-style-type: none">1. Initiate a due process hearing and notify the parent/guardian in writing that s/he has done so; or2. Issue to the parent/guardian correspondence containing:<ol style="list-style-type: none">a. An assurance that the IU will pay for an independent educational evaluation as long as the evaluation meets all of the requirements of an appropriate evaluation identified in this policy.b. A statement that the IU 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 policy.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 IU would pay any cost not covered by such sources.
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d. Directions that the parent/guardian is responsible for arranging for the evaluation and for ensuring that the evaluator contacts the responsible IU administrator 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 IU will not reimburse the parent/guardian for the re-evaluation until it receives:

- 1) A complete and unredacted copy of the report of the evaluation and determines that the evaluation meets all of the requirements of this policy.
- 2) 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 responsible IU administrator 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.

The responsible IU administrator 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.

References:

State Board of Education Regulations – 22 PA Code Sec. 14.122, 14.123, 14.124, 14.125, 14.152, 14.153

Early Intervention Services – 11 P.S. Sec. 875-305 et seq.

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

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

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

Board Policy – 113, 113.1, 113.2, 209