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SPECIAL EDUCATION EVALUATIONS

The State and Federal special education laws require that the Timberlane Regional School District evaluate children with disabilities who are in need of special education and related services. The district evaluates children upon referral for special education and re-evaluates educationally disabled children at least once every three years or when conditions warrant a re-evaluation.

The Timberlane Regional School District is committed to ensuring that each child's IEP team bases its decision on high quality, reliable and educationally sound special education evaluations. As a result, the Timberlane Regional School District has established the following list of criteria for all special education evaluations the district conducts, obtains or funds. Any deviation from these criteria may occur only with the approval of the superintendent or his/her designee.

1. The evaluation must comply with the relevant provisions of the State and Federal Special Education Laws.
2. The evaluation must be conducted in New Hampshire, by an evaluator whose principal office is located in New Hampshire, unless there is no qualified evaluator available in New Hampshire.
3. The evaluator must hold a valid license or certification from the State of New Hampshire in the field related to the known or suspected disability. The evaluator must have training and experience in evaluation in the area(s) of concern and be able to interpret the instructional implications of evaluation results. In instances where no "applicable license or certification" exists, the district must be satisfied with the evaluator's training and experience related to the known or suspected disability.
4. All tests administered will be the current version of the test. The test must be norm referenced for the individual evaluation appropriate for the age and educational level of the child and measure the same cognitive, motoric and achievement skills as district tests, and meet the same standards of technical adequacy for reliability and validity.
5. The cost of the evaluation shall not exceed the usual and customary rate for such evaluations. If the Timberlane Regional School District agrees to pay for an independent evaluation, it will not pay for the evaluation until it receives the evaluator's report.
6. The evaluator must either: a) observe the child in one or more educational settings; or b) Contact the child's general education teacher or obtain and review information relative to the child's functioning and/or progress in the general curriculum. In addition, evaluators are encouraged to make additional contacts with other involved general and special education teachers and related service providers.

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7. The evaluator must be permitted to directly communicate and share information with members of the IEP team, the district's Special Education Administrator or the administrator's designees. The evaluator must also release the assessments and results, including any parent and teacher questionnaires, to members of the IEP team, the Special Education Administrator or the administrator's designee.
8. All evaluation reports will include the appropriate standardization and reporting methods as designed by the test publishers.
9. The district shall be entitled to inspect and obtain copies of the evaluator's records directly pertaining to the student being evaluated, including any records created by third parties. However, those records will not be deemed accessible to any school district personnel other than the evaluator, unless and until the district exercises its right to inspect or obtain copies of those records from the evaluator.

Parents have a right to request an independent educational evaluation at school district expense when the parent disagrees with the school district's evaluation. The provision for independent educational evaluation cannot be invoked by a parent who has refused to consent to a district evaluation.

The Timberlane Regional School District may deny a request for an independent educational evaluation at public expense and initiate a due process hearing to demonstrate that the district's evaluation was appropriate.

A parent always has the right to get an independent educational evaluation at his or her own expense. The team must consider the results of any independent educational evaluation, regardless of who pays for it, if the evaluation meets the district's criteria in decisions about the provision of a free and appropriate public education for the child.

Law Reference:

*Part Ed 1107 Evaluation and 34 CFR 300.301-34 CFR 300.311, relative to evaluations.
Ed 1107.03 and 34 CFR 300.502, relative to independent educational evaluations.*