No. 5360
SECTION: STUDENTS
TITLE: SPECIAL EDUCATION EVALUATIONS AND REQUESTS FOR INDEPENDENT EDUCATIONAL EVALUATIONS

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OXFORD AREA SCHOOL DISTRICT

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.

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, 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-based instruction or, in the absence thereof or in addition thereto, shall include such assessments as part of his or 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 or 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 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 he or she 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 (a) a clear explanation of the testing and assessment results; (b) 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 subject scores reported in standard, scaled or T-score format; (c) a complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator; and (d) specific recommendations for educational programming and, if possible, placement.

A parent who disagrees with the results or content of an evaluation performed or obtained by the school district 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 that the request must be in writing. If the native language of the parent is other than English, the requirement that the parent make his or her request in writing shall be conveyed by whatever means practicable in the native language of the parent. A written request for an independent educational evaluation at public expense shall be immediately forwarded to the Office of Special Education.

The Office of Special Education may, upon receipt of the request for an independent educational evaluation at public expense, request that the parent state his or her reasons for disagreement with the evaluation conducted or proposed by the school district. It may not require the parents to do so, however, and the refusal of the parent to do so shall not delay the process required as outlined below:

Within fourteen (14) calendar days of receipt of a request for an independent education evaluation in writing from a parent, the Office of Special Education shall either –

1) Initiate a due process hearing and notify the parent in writing that it has been done so; or

2) Issue to the parents 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 paragraph one of this policy; (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 paragraph one of this policy; (c) a request that the parents 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 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 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 that the school district will not reimburse the parent 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 paragraph one, and (b) documentation substantiating that the parents 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 by certified mail or by other independently verifiable means of conveyance and enclose therewith such a copy of this policy.

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 who requests it.