

IHBAA

SCHOOL DISTRICT CRITERIA FOR EVALUATION OF STUDENTS UNDER IDEA

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

The 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 district has established the following list of criteria for all special education evaluations the district conducts, obtains or funds. Unique circumstances may justify deviation from these criteria. If a parent or district staff member is aware of such unique circumstances, they should inform the student's case manager or the district's special education director immediately.

1. The evaluation must comply with the relevant provisions of the State and Federal special education laws, including 34 C.F.R. §§ 300.530-300.536 and N.H. Code of Administrative Rules Ed 1107.
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 in New Hampshire.
3. The evaluator must hold a valid license from the State of New Hampshire in the field related to the known or suspected disability. The evaluator must have extensive training and experience in evaluation in the area(s) of concern and be able to interpret the instructional implications of the evaluation results. In instances where no "valid license" exists, the district must be satisfied that the evaluator has extensive training and experience related to the known or suspected disability.
4. If the parent of a student with a suspected or confirmed disability under the Individuals with Disabilities Education Act (IDEA) disagrees with the results of an evaluation conducted by the Rochester School Department or provided by the Rochester School Department, said parent may request an independent evaluation at public expense.
5. If the district believes that its evaluation is appropriate and that an independent evaluation unjustified, it may file for a due process hearing through the New Hampshire Department of Education to defend the appropriateness of its own evaluation. If the decision of the hearing officer supports the district's contention that its evaluation is appropriate, the parent may still obtain an independent evaluation at his or her own expense (see Ed 1107.03)
6. The amount the Rochester School Department pays for any special education evaluation that qualifies for public funding shall not exceed reasonable and customary fees as charged by evaluators licensed/certified and practicing in New Hampshire. Annually, the district's Business Administrator will create a fee schedule reflecting reasonable and customary hourly rates in the following assessment areas:

<u>Assessment area</u>	<u>Maximum Time</u>
Academic achievement	8.5 hours
Cognitive ability	11.5 hours
Intelligence.....	7.0 hours
Social/emotional	11.5 hours
Speech/language	10.0 hours
Occupational therapy	8.5 hours
Physical therapy	7.0 hours
Medical	2.0 hours

The time estimate is based on the average time needed to conduct a reasonably thorough assessment in the assessment area. Maximum time limits may be extended by the Superintendent should circumstances warrant such an extension. Maximum time includes time for writing of reports.

Exceptions to the schedule of hourly rates may be granted by the Superintendent if it is determined that an appropriate evaluation cannot be obtained for a specific child within the confines of the approved schedule.

7. The Rochester School Department will not pay for the evaluation until it receives the evaluator's report.
8. The evaluator must review relevant educational records.
9. Unless otherwise determined by the members of the child's IEP team, the evaluator must either:
 - a) observe the child in one or more educational settings; or b) make at least one contact with the child's general education teacher for the purpose of determining how the student is progressing 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.
10. The evaluator must be permitted to directly communicate and share information with members of the IEP team, the district's special education director, and the director's designees. The evaluator must also release the assessments and results, including any parent and teacher questionnaires, to members of the IEP team, the district's special education director, and the director's designees.
11. The Rochester School Department shall be entitled to inspect and obtain copies of the evaluator's records, 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.

Legal References:

NH Code of Administrative Rules, Section Ed 1107.02(b), Evaluation Requirements for Children With Specific Learning Disabilities

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