

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: IHB
To Policy Committee: July 10, 2013 School Board First Read: July 17, 2013 School Board Second Read/Adoption: August 14, 2013 Policy Committee Review: September 9, 2015 NO CHANGE	Page 1 of 2

## SCHOOL BOARD POLICY

### ESTABLISHING CRITERIA FOR SPECIAL EDUCATION EVALUATIONS IN THE OYSTER RIVER COOPERATIVE SCHOOL DISTRICT

The State and Federal special education laws require that the Oyster River Cooperative 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 reevaluates educationally disabled children at least once every three years or when conditions warrant a re-evaluation.

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.

The district has established the following criteria for all special education evaluations. These criteria consequently apply to all evaluations conducted by school district personnel, all evaluations the district asks outside contractors to conduct, and all independent evaluations parents expect the school district to review, consider, and/or fund.

***Unique circumstances may justify deviation from these criteria. If a parent or district staff member is aware of such unique circumstances, it is expected that they 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. §§ 300.301–300.311, 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 “applicable license” exists, the district must be satisfied that the evaluator has extensive training and experience related to the known or suspected disability.
4. The cost of the evaluation shall not exceed the usual and customary rate for such evaluations.
5. The school district will not pay for the evaluation until it receives the evaluator's report.
6. The evaluator must review relevant educational records.

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7. 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.

8. 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.

9. The district shall be entitled to inspect and obtain copies of the evaluator’s records, including any records created by third parties. However, for purposes of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g(a)(4)(B)(i), 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.

Cross Reference:

ACE – New Hampshire Special Education Procedural Safeguards Handbook  
New Hampshire Rules for the Education of Children with Disabilities