

SECTION: PROGRAMS

TITLE: SCREENING AND EVALUATIONS FOR  
STUDENTS WITH DISABILITIES

ADOPTED: AUGUST 5, 2010

REVISED: October 1, 2015

## ***DERRY AREA SCHOOL DISTRICT***

No. 113.3 Screening and Evaluations for Students with Disabilities	
<p>1. Purpose Title 22 Sec. 14.122, 14.123, 14.124, 14.125, 14.133 20 U.S.C. Sec. 1414 34 CFR Sec. 300.266, 300.301- 300.311, 300.502, 300.530 Pol. 113, 113.2</p>	<p>The Board adopts this policy to define the minimum requirements for screening; educational evaluations conducted to determine eligibility for special education services, instructional levels and programming requirements for students with disabilities, including functional behavioral assessments; and requirements for independent educational evaluations.</p>
<p>2. Authority Title 22 Sec. 14.122 34 CFR Sec. 300.226 Pol. 209</p>	<p>The Board shall adopt a system of screening that may include early intervening services and must be designed to accomplish identification and initial screening for students prior to district referral for a special education evaluation. The system shall provide support to staff to improve working effectively with students in the general education curriculum, identify students who require additional support and students who may require special education services and programs. The system must include hearing and vision screening and screening at reasonable intervals to determine whether students are performing at grade appropriate levels in core academic subjects.</p>
<p>34 CFR Sec. 300.226</p>	<p>Early intervening services shall comply with the requirements of state and federal law and regulations in order to address academic concerns or behaviors that may be impeding success, but which can be resolved through research-based intervention programs in the regular education setting.</p>

<p>Title 22 Sec. 14.133 34 CFR Sec. 300.530 Pol. 113,113.1, 113.2</p>	<p style="text-align: center;">No. 113.3 Screening and Evaluations for Students With Disabilities</p> <p>The Board authorizes the use of functional behavioral assessments (FBAs) as an evaluation to gather information to understand the purpose of the student's behaviors and to assist with developing a positive Behavior Support Plan. FBAs are generally to be conducted when:</p> <ol style="list-style-type: none"> <li>1. A student's behavior interferes with his/her learning or the learning of others and information is necessary to provide appropriate educational programming.</li> <li>2. A student's behavior violates the Code of Student Conduct and is determined to be a manifestation of a student's disability.</li> <li>3. A student is placed in an interim alternative educational placement for a qualifying reason permitting such placement for up to forty-five (45) school days for certain offenses.</li> <li>4. The school contacts law enforcement regarding a student who already has a positive Behavior Support Plan.</li> </ol> <p>FBAs may also constitute part of the initial evaluation to determine eligibility for special education.</p> <p>Title ss Sec. 14.123 20 U.S.C. Sec. 1414 34 CFR Sec. 300.300 300.311, 300.502</p> <p>The district shall comply with requirements of state and federal laws and regulations when conducting evaluations.</p> <p>An appropriate evaluation of a student, whether conducted by district staff or individuals not employed by the district, shall consist of the administration of all testing and the use of all assessment procedures required to determine the existence of all legally defined disabilities reasonably suspected by district staff, parents/guardians, or the evaluator. An appropriate evaluation shall assist in determining the content of the IEP to enable a student with a disability to be involved in and progress in the general curriculum.</p> <p>A student shall be assessed in all areas related to the suspected disability including, as appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.</p> <p>Title 22 Sec. 14.124 20 U.S.C. Sec. 1414 34 CFR Sec. 300.303 300.306</p> <p>A reevaluation of a student who currently has an IEP shall be conducted as required by state and federal law and regulations.</p>
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<p>3. Guidelines</p> <p>Title 22 Sec. 14.122, 14.123</p> <p>Title 22 Sec. 14.123 20 U.S.C. Sec. 1414 34 CFR Sec. 300.301 300.311, 300.502</p> <p>Title 22 Sec. 14.125 34 CFR Sec. 300.307 300.311</p>	<p style="text-align: center;">No. 113.3 Screening and Evaluations for Students With Disabilities</p> <p><u>Parent/Guardian Requests</u></p> <p>Parents/Guardians may request an evaluation at any time. The parent/guardian request must be in writing. If a request is made orally to any professional employee or administrator, that individual shall notify the Director of Special Services of the oral request. The Director of Special Services shall provide a copy of the Evaluation Request form to the parent/guardian within ten (10) calendar days of the oral request. When any Permission to Evaluate form is signed, the evaluation shall be completed and a copy of the evaluation report presented to parents/guardians no later than sixty (60) calendar days after receipt of written parent/guardian consent for an evaluation, exclusive of the period following the last day of the spring school term to the first day of the subsequent fall term.</p> <p><u>Appropriate Evaluations</u></p> <p>An appropriate evaluation shall use a variety of assessment tools and strategies to gather relevant cognitive, functional, developmental and academic information about a student.</p> <p>An appropriate evaluation shall include:</p> <ol style="list-style-type: none"> <li>1. Testing and assessment techniques required in light of information currently available from previous evaluations.</li> <li>2. Information from parents/guardians and school staff familiar with the performance of the student.</li> <li>3. The student's education records.</li> </ol> <p>The evaluator shall review all such sources of information prior to conducting testing and assessment. The evaluator shall review assessments conducted by others that indicate how the student is responding to early intervening services and scientific research-based instruction and/or include such assessments as part of his/her evaluation.</p> <p>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 the reason for the inconsistency in his/her report, if possible.</p> <p>When assessing the presence of a specific learning disability, the evaluation shall be consistent with procedures adopted by the district and comply with state and federal law and regulations.</p>
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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 and in compliance with applicable and authoritatively recognized professional principles and ethical tenets. S/He shall report any factor that might affect the validity of any results obtained.

All assessments and evaluation materials shall be selected and administered so as not to be discriminatory on a racial or cultural basis. Where feasible, assessments and evaluations shall be administered in a language and form most likely to provide accurate information about the student.

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

The evaluator shall hold an active certification that qualifies the evaluator to conduct that type of evaluation. If certification is not issued for the particular area of professional practice in which the evaluator is lawfully engaged, the evaluator shall hold such license or other credentials as required for the area of professional practice under state law.

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

1. Clear explanation of the testing and assessment results.
2. 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. Complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.
4. Identification of all special education and related services needs and relevant information that directly assists persons in determining the educational needs of the student.
5. Specific, individualized recommendations for consideration by the IEP team for educational programming and placement to enable the student to participate as appropriate in the general education curriculum in the least restrictive environment, as defined by federal and state law and regulations.



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The criteria under which the independent educational evaluation at public expense is obtained must be the same as the criteria used by the district in conducting an appropriate evaluation, including the location of the evaluation and the qualifications of the examiner, to the extent those criteria are consistent with the parent's/guardian/s right to an independent educational evaluation at public expense. The qualified examiners who conduct the independent educational evaluation may not be employed by the public agency responsible for the education of the student.

Within ten (10) school days of receipt of a request for an independent educational evaluation in writing from a parent/guardian, the Director of Special Services, shall either initiate a due process hearing to show that the district's evaluation is appropriate and notify the parent/guardian in writing that s/he has done so or issue to the parent/guardian correspondence containing:

1. Agree to provide an IEE at public expense as long as the evaluation meets all of the requirements of an appropriate evaluation and is in compliance with this policy.

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2. Statement that the district will 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 is in compliance with this policy.
3. 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 district will pay any cost not covered by such sources.
4. Directions that the parent/guardian is responsible for arranging for the evaluation and ensuring that the evaluator contact the Director of Special Services to arrange for payment of the evaluation.

Upon request, the district shall provide to parents/guardians information about where an independent educational evaluation may be obtained and about the criteria that apply to IEE's.

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When the evaluation has been conducted and paid for, the district shall issue correspondence advising the parent/guardian that the district will not reimburse the parent/guardian for the evaluation until it receives a complete and unredacted copy of the report of the evaluation and determines that the evaluation is in compliance with this policy. The district shall require 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.

Parent/guardian is only entitled one IEE of the student each time the district conducts an evaluation for which there is disagreement.

The Director of Special Services 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 promptly make that list available 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, 14.133

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

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

Pa. Ass’n for Retarded Children (PARC) v. Com. Of Pa., 343 F. Supp. 279 (E.D. Pa. 1975)

Pennsylvania Training and Technical Assistance Network – [www.pattan.net](http://www.pattan.net)

Board Policy – 113, 113.1, 113.2, 138, 209