

CONSIDERATION OF OUTSIDE PSYCHOLOGICAL EVALUATION REPORTS

THE SCHOOL DISTRICT HAS A RESPONSIBILITY TO ENSURE THAT WHEN PSYCHOLOGICAL EVALUATIONS ARE USED AS A SOURCE OF DATA FOR DECISIONS RELATED TO A STUDENT'S ELIGIBILITY FOR EXCEPTIONAL STUDENT EDUCATION (ESE), SECTION 504 OR GIFTED PROGRAMS, THE EVALUATIONS RELY ON VALID TESTS, ADMINISTERED AND INTERPRETED BY TRAINED PROFESSIONALS, IN CONFORMANCE WITH THE INSTRUCTIONS PROVIDED BY THE PUBLISHERS (SBER 6A-6.0331[1][B]). ELIGIBILITY DECISIONS ARE MADE BY A PROPERLY CONSTITUTED ELIGIBILITY COMMITTEE, WHICH INCLUDES AN EVALUATION SPECIALIST. A SCHOOL PSYCHOLOGIST SERVES AS THE EVALUATION SPECIALIST WHEN A PSYCHOLOGICAL EVALUATION IS A SOURCE OF INFORMATION THAT THE ELIGIBILITY COMMITTEE CONSIDERS.

IF PARENTS CHOOSE TO OBTAIN AN INDEPENDENT PSYCHOLOGICAL EVALUATION AT THEIR OWN EXPENSE, THE RESULTS SHALL BE CONSIDERED BY THE SCHOOL DISTRICT IN ANY DECISION REGARDING THE STUDENT, IF THE EVALUATION MEETS SCHOOL DISTRICT CRITERIA (SEE *SPECIAL PROGRAMS AND PROCEDURES FOR EXCEPTIONAL STUDENTS*). THE PURPOSE OF THIS POLICY IS TO PROVIDE PUBLIC NOTICE OF THE DIRECTION THAT THE DISTRICT PROVIDES TO ELIGIBILITY COMMITTEES WHICH USE OUTSIDE PSYCHOLOGICAL EVALUATIONS AS ONE SOURCE OF DATA IN MAKING DECISIONS RELATED TO A STUDENT'S ELIGIBILITY FOR ESE, SECTION 504 OR GIFTED PROGRAMS.

AUTHORITY: 34 C.F.R. § 300.503
 F.S. 490.012
 F.S. 1003.57
SBER 6A-6.0331

Adopted: 3/16/2004

RULES

SECTION I: DEFINITIONS

A. Outside Evaluation Report

An outside psychological evaluation report is one produced by a professional who is licensed or credentialed as defined in SBER 6A-6.0331(1)(a) and who is not employed by the school district. The report represents an assessment of a student's functioning in areas that may include but are not limited to intellectual functioning, academic achievement, information processing, emotional/social adjustment, motivation, or other attributes that relate to learning or adjustment needs.

B. Eligibility Committee

A committee, comprised of the representatives required by law, and charged with the responsibility of reviewing and/or collecting information pertaining to students' eligibility for services through ESE, 504 accommodations, or gifted programming. (See the current Special Programs and Procedures for Exceptional Students for further description.)

SECTION II: PURPOSE

- A. To ensure that school-based eligibility and programming decisions about students are based on evaluations that are conducted by licensed or credentialed practitioners using instruments and procedures in keeping with professional standards.
- B. To assist the eligibility committee in its responsibility to assure that valid data are used in making eligibility and programming decisions for students.

SECTION III: GENERAL PROVISIONS

A. Determination of Eligibility

The eligibility criteria vary from one ESE classification to another. When a psycho-educational evaluation is performed, the student is assessed in all areas of suspected eligibility, requiring the collection of comprehensive data from multiple sources. The evaluation should identify all of the student's special education and related service needs, whether or not commonly linked to the eligibility category for which the student is identified (see Special Programs and Procedures for Exceptional Students). Most ESE classifications also require that parent conferences, observations, and interventions be documented prior to referral for eligibility determination.

B. Criteria for Consideration of Outside Evaluation Reports

In order to consider the results of an outside evaluation report in the eligibility determination process, the eligibility committee is responsible for assuring that:

1. The evaluation was conducted by an appropriately licensed or credentialed professional. The evaluator must meet the credentialing requirements set forth in SBER 6A-6.0331 (1)(a). Exceptions include an intern, trainee, or resident working under the supervision of a licensed practitioner. In these cases, documentation of supervision must be provided by the supervising licensed practitioner also signing the report.
2. Valid tests and evaluation materials were administered and interpreted by trained personnel, in conformance with instructions provided by the producer of the tests or evaluation materials (SBER 6A-6.0331 [1][b]). Whenever the same evaluation instrument is used more than once, the eligibility committee should consider the likelihood of practice effects as they relate to the reported scores and the impact this might have on eligibility decisions.
3. The most recent versions of all test instruments were used.

A school-based eligibility committee determines eligibility (in relation to IDEA requirements, Section 504 requirements or gifted program requirements) based on review and consideration of **all** pertinent information available. The eligibility committee considers an outside evaluation report (in conjunction with other relevant information) in making an eligibility determination, if the criteria set forth in Section B are met.

SECTION IV: PROCEDURES

The following procedural steps shall be used in reviewing outside evaluation reports that are submitted to the school district.

A. Step 1

As a member of the school's eligibility committee, a school psychologist shall review the outside evaluation report to determine whether it meets the criteria set forth in this policy (B 1 through 3). Each report is considered independently. (The district does not maintain a list of qualified or "approved" psychologists in the community.) Also, the reviewing school psychologist shall consider whether the outside evaluation report addresses all of the areas required by the district's Special Programs and Procedures document for eligibility determination (see also IDEA 300.533).

B. Step 2

The reviewing school psychologist shall communicate the results of the review, including any identified concerns, to the eligibility committee and, where appropriate, make recommendations regarding collection of additional information.

C. Step 3

The parents should be afforded reasonable notice (at least 10 days) in any case where the eligibility committee identifies a concern regarding the outside evaluation. The notice allows for the possibility of the outside evaluator to participate with the parents in any related meetings with school staff members.

D. Step 4

In those cases where the review of the outside evaluation report produces questions about whether it meets the criteria set forth in this policy (B 1 through 3) or in the district's current Special Programs and Procedures document, the eligibility committee shall attempt to resolve the identified concerns through additional steps such as obtaining a signed parent release of protected health information and having a staff member communicate with the outside evaluator. In those cases where the eligibility committee determines that additional evaluation data are needed, the eligibility committee shall inform the parent(s) regarding the types of additional data being requested.

E. Step 5

The school's eligibility committee shall schedule a meeting at which the outside evaluation report will be considered along with any additional information obtained in Step 3.

SECTION V: PARENTAL RIGHTS

This policy does not limit or govern a parent's right to obtain an independent educational evaluation if the parent disagrees with the district's evaluation. That right is generally governed by 20 U.S.C. § 1415 (b)(1), 34 C.F.R. § 300.503, and SBER 6A-6.03311(4).