

**Special Education Evaluation**  
**School Board Revision: October 29, 2018**  
**Approved: November 19, 2018**

The District will ensure that all evaluation requirements for children with learning disabilities are evaluated consistent with applicable state and federal laws and regulations. All staff, students, parents and other interested persons are directed to the New Hampshire Department of Education Special Education Policies and Procedures Manual.

The Jaffrey-Rindge Cooperative School District will consider Developmental Delay as a potential category for an educationally handicapping condition within the eligibility process. “Child with a developmental delay” means a child with a developmental delay as defined in RSA-186-C:2 I-a who: Is experiencing developmental delays in one or more of the following areas :a. physical development; b. cognitive development; c. communication development; d. social or emotional development; or e. adaptive development; and by reason thereof, needs special education and related services, as measured by appropriate diagnostic instruments and procedures consistent with Ed 1107 and identified in compliance with 34 CFR 300.111(b).

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, 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 34C.F.R §§300.301-300.311, and N.H. Code of Administrative Rules Ed 1107.
2. The evaluator must hold a license from the State of New Hampshire (unless otherwise approved by the Director of Student Services) in the field related to the known or suspected disability. The evaluator must have extensive training and experiences 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.
3. The cost of the evaluation shall not exceed the usual and customary rate for such evaluations.
4. The school district will not pay for the evaluation until it receives the evaluator’s report.
5. The evaluator must review relevant educational records.
6. Unless otherwise determined by members of the child’s IEP team, the evaluator must either:
  - a) Observe the child in one or more educational settings;
  - 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.
7. 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 designee.



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8. The district shall be entitled to inspect and obtain copies of the evaluator's record(s), including any records created by third parties. However, for purposes of the federal Family Education 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 record(s) from the evaluator.

**Legal References:**

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