

CONSIDERATION OF OUTSIDE/INDEPENDENT EVALUATIONS

THE SCHOOL DISTRICT HAS A RESPONSIBILITY TO ENSURE THAT WHEN OUTSIDE/INDEPENDENT EVALUATIONS ARE USED AS A SOURCE OF DATA FOR DECISIONS RELATED TO A STUDENT'S IDENTIFICATION, EVALUATION, PLACEMENT, ELIGIBILITY AND/OR THE PROVISION OF A FREE APPROPRIATE PUBLIC EDUCATION (FAPE) FOR EXCEPTIONAL STUDENT EDUCATION (ESE), SECTION 504, OR GIFTED PROGRAMS, THE EVALUATIONS RELY ON A VARIETY OF ASSESSMENT TOOLS AND STRATEGIES THAT ARE VALID, ADMINISTERED AND INTERPRETED BY TRAINED PROFESSIONALS, IN CONFORMANCE WITH THE INSTRUCTIONS PROVIDED BY THE PUBLISHERS (F.A.C. 6A-6.0331(5)). EDUCATIONAL DECISIONS ARE TO BE MADE BY A PROPERLY CONSTITUTED TEAM, WHICH INCLUDES AN EVALUATION SPECIALIST.

IF PARENTS CHOOSE TO OBTAIN AN OUTSIDE 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. THE PURPOSE OF THIS POLICY IS TO PROVIDE PUBLIC NOTICE REGARDING THE DIRECTION THE DISTRICT PROVIDES TO COMPREHENSIVE PROBLEM SOLVING, INDIVIDUAL EDUCATION PLAN (IEP), SECTION 504, AND/OR GIFTED TEAMS IN THE USE OF OUTSIDE EVALUATIONS AS ONE SOURCE OF DATA IN MAKING DECISIONS RELATED TO A STUDENT'S GENERAL EDUCATION INTERVENTIONS, ESE, SECTION 504 OR GIFTED PROGRAMS.

RULES

SECTION I: DEFINITIONS:

A. Outside Evaluations:

Outside evaluations must be conducted by a professional who is licensed or credentialed in the State of Florida in the professional's field of expertise and who is not employed by the Broward County School District. Professions include but are not limited to: physicians, school psychologists, clinical psychologists, speech-language pathologists, Board Certified Behavior Analysts, audiologists, physical therapists and/or occupational therapists.

Outside evaluations must include a variety of assessment tools and strategies to gather relevant functional, developmental and/or academic information, which may assist in determining the student's educational needs including whether the student is eligible for ESE, Section 504 and/or gifted programs.

B. Outside Evaluation Report:

The outside evaluation report represents the written assessment of a student's functioning in areas of the professional's expertise. Upon receipt of an outside evaluation report the School District will consider the report a request for assistance.

C. Educational Team:

An outside evaluation report will be presented to a school-based team, charged with providing appropriate educational planning for a student. The team could be a Comprehensive Problem Solving Team (CPST), an IEP team, a Section 504 disability determination team, and/or a gifted team (Team). The respective Team must be comprised of the representatives required by law, and charged with the responsibility of reviewing and/or collecting information pertaining to general education interventions and/or to a students' identification, evaluation, placement, eligibility and/or the provision of FAPE through ESE, Section 504, and/or gifted programming. A School District evaluation specialist who has the same or similar professional expertise/credentials as the evaluator who completed the Outside Evaluation will be a member of the school-based Team.

D. Consideration:

The School District has an affirmative obligation to *consider* the results of a parent-initiated outside evaluation at private expense in any decision regarding the provision of general education interventions and/or the identification, evaluation, placement, eligibility and/or the provision of FAPE through ESE, Section 504 and/or gifted programming to a student, if the outside evaluation meets School District criteria. The obligation to *consider* an outside evaluation does not obligate the School District to accept the results and/or recommendations of the outside evaluation.

SECTION II: PURPOSE:

- A. To ensure that school-based educational planning 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 educational planning and programming teams in their responsibility to assure that valid data are used in making educational and programming decisions for students.

SECTION III: CRITERIA FOR OUTSIDE EVALUATIONS TO BE CONSIDERED BY THE SCHOOL DISTRICT

In order to consider the results of an outside evaluation in the educational planning and/or eligibility determination process, the Team is responsible to ensure that:

- A. The evaluation was conducted by an appropriately licensed or credentialed professional. The evaluator must meet the credentialing requirements set forth in F.A.C. 6A-6.0331(3)(e). 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.
- B. 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.
- C. The most recent versions of all test instruments were used.
- D. The parent(s) provide an Authorization for Release of Information for the evaluation specialist to consult with the private evaluator(s). This release **must** indicate that copies of test protocols may be requested by the District.

SECTION IV: PROCEDURES:

School-based Teams determine the need for general education intervention and/or eligibility (in relation to IDEA, Section 504, or gifted program requirements) based on review and consideration of **all** pertinent information available, including an outside evaluation report. The Team will consider the outside evaluation report if the criteria set forth in Section III are met.

- A. For students who **are** currently ESE, Section 504 and/or Gifted eligible:
 - Step 1: A parent should provide the outside evaluation report to the ESE Specialist or Section 504 Liaison, whomever is appropriate, depending on the student's eligibility.
 - Step 2: The ESE Specialist or Section 504 Liaison will obtain an Authorization for Release of Information so that the evaluation specialist may consult with the private evaluator. This release **must** indicate that copies of test protocols may be requested by the District.

- Step 3: The ESE Specialist or Section 504 Liaison should consult with the parent to understand the purpose of the parent providing the outside evaluation report. Purposes could include, but are not limited to: determination of a new eligibility, assistance with educational planning and/or review of IEP of 504 plan, and/or discontinuance of an eligibility.
- Step 4: The ESE Specialist or Section 504 Liaison will provide a copy of the outside evaluation report to the appropriate school-based evaluation specialist for review and indicate the purpose of the parent providing the outside evaluation report to the school.
- Step 5: The evaluation specialist will determine if the outside evaluation report meets the criteria as outlined in Section III above. In reviewing the report, the evaluation specialist may consult with the parent, outside evaluator and/or review protocols from the outside evaluation.
- Step 6: After reviewing the outside evaluation report and if the parent is requesting consideration of an additional eligibility, the school-based evaluation specialist will determine if any additional data and/or assessments are needed for the eligibility consideration.
- A. If additional assessments are not needed either because the outside evaluation report provides the required information to determine eligibility or if the purpose of the report is to guide educational planning, the ESE Specialist or Section 504 Liaison should schedule a team meeting to discuss the findings and recommendations of the outside evaluation report and to make appropriate changes, if necessary, to the student's plan. This meeting should be held within 30 calendar days of receiving the outside evaluation report.
 - B. For ESE Eligible Students: If additional assessments are needed, the school-based evaluation specialist will request a reevaluation plan meeting with the student's team to obtain consent for further evaluations. This meeting should also provide the parent with feedback regarding the outside evaluation report. This meeting should be held within 30 calendar days of receiving the outside evaluation report.
 - C. For 504 or Gifted Eligible Students: Once the school-based professional has reviewed the report, the CPST chairperson will schedule a CPST meeting. The CPST meeting **MUST** include the parent so that the school-based evaluation specialist can communicate the results of the review of the outside evaluation report and the team can determine next steps which could include, but is not limited to: referring the student/parent immediately for an ESE or Section 504 eligibility meeting, determine appropriate general education interventions, and/or obtain consent for further assessments.
- Step 7: After additional assessments are completed, the ESE Specialist or Section 504 Liaison will hold an appropriate meeting of the student's team to consider additional eligibilities and/or changes to the student's current plan.
- B. For students who are **NOT** currently ESE, Section 504 and/or Gifted eligible:
- Step 1: A parent should provide the outside evaluation report to School Administration, ESE Specialist, School Counselor, RtI Contact, or CPST chairperson. This person should consult with the parent to determine the purpose of the parent providing the outside evaluation report.
- Step 2: The staff member who was given the outside evaluation report will provide a copy of the outside evaluation report to the appropriate school-based evaluation specialist for

review and indicate the purpose of the parent providing the outside evaluation report to the school.

- Step 3: Once the school-based professional has reviewed the report, the CPST chairperson will schedule a CPST meeting. The CPST meeting **MUST** include the parent so that the school-based evaluation specialist can communicate the results of the review of the outside evaluation report and the team can determine next steps which could include, but is not limited to: referring the student/parent immediately for an ESE or Section 504 eligibility meeting, determine appropriate general education interventions, and/or obtain consent for further assessments.

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 (d), 34 C.F.R. § 300.502, and Florida Administrative Code 6A-6.0331(6).

AUTHORITY: 20 U.S.C. § 1415 (d)
34 C.F.R. § 300.301, 300.304, 300.305
F.S. 1003.57
Florida Administrative Code (F.A.C.) 6A-6.0331

POLICY ADOPTED: 03/16/2004

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