

CONSIDERATION OF ~~OUTSIDE/INDEPENDENT PSYCHOLOGICAL EVALUATIONS~~ REPORTS

THE SCHOOL DISTRICT HAS A RESPONSIBILITY TO ENSURE THAT WHEN ~~OUTSIDE/INDEPENDENT PSYCHOLOGICAL~~ 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, TESTS, ADMINISTERED AND INTERPRETED BY TRAINED PROFESSIONALS, IN CONFORMANCE WITH THE INSTRUCTIONS PROVIDED BY THE PUBLISHERS (~~F.A.C. SBER 6A-6.0331(5)(1)(B)~~). ~~EDUCATIONAL ELIGIBILITY DECISIONS ARE TO BE MADE BY A PROPERLY CONSTITUTED ELIGIBILITY TEAM 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 ~~OUTSIDE 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 ~~REGARDING OF~~ THE DIRECTION ~~THAT~~ THE DISTRICT PROVIDES TO COMPREHENSIVE PROBLEM SOLVING, INDIVIDUAL EDUCATION PLAN (IEP), SECTION 504, AND/OR GIFTED ELIGIBILITY TEAMS COMMITTEES IN THE WHICH USE OF ~~OUTSIDE PSYCHOLOGICAL~~ EVALUATIONS AS ONE SOURCE OF DATA IN MAKING DECISIONS RELATED TO A STUDENT'S GENERAL EDUCATION INTERVENTIONS, ELIGIBILITY FOR ESE, SECTION 504 OR GIFTED PROGRAMS.

RULES

SECTION I: DEFINITIONS:

A. Outside Evaluations Report:

~~An Outside psychological evaluations report is one must be conducted produced~~ by a professional who is licensed or credentialed in the State of Florida as defined in SBER 6A-6.0331(1)(a) in the professional's field of expertise and who is not employed by the Broward County 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. 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.

~~CB.~~ Educational Eligibility Team Committee:

An outside evaluation report will be presented to a school-based team committee, 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 for services through ESE, Section 504 accommodations, and/or gifted programming. (See the current Special Programs and Procedures for Exceptional Students for further description.) 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 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 educational planning and programming eligibility teams committee in their its responsibility to assure that valid data are used in making educational eligibility and programming decisions for students.

SECTION III: CRITERIA FOR OUTSIDE EVALUATIONS TO BE CONSIDERED BY THE SCHOOL DISTRICT 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 educational planning and/or eligibility determination process, the eligibility Team committee is responsible to for ensure that:

- A-1. The evaluation was conducted by an appropriately licensed or credentialed professional. The evaluator must meet the credentialing requirements set forth in Rule F.A.C. SBER 6A-6.0331(3)(e) 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-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.~~

- ~~C.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.~~

- 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:

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

- A. For students who **are** currently ESE, Section 504 and/or Gifted eligible:

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). 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.

- ~~B.~~ Step 23: 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. 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.

- ~~C.~~ Step 34: 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. 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. Evaluation specialists include but are not limited to: school psychologist who would review psychological, psychiatric and neuro-

~~psychological evaluations; and speech and language pathologist who would review speech and/or language evaluations.~~

- ~~D. Step 5: 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. The school-based professional 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.~~
- ~~E. Step 56: 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. 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 ~~(b)~~ (d), 34 C.F.R. § 300.503~~2~~, and ~~Rule Florida Administrative Code~~ 6A-6.0331(46), ~~Florida Administrative Code~~.

AUTHORITY: 20 U.S.C. § 1415 ~~(b)~~ (d)
 34 C.F.R. § 300.~~301503~~, 300.304, 300.305
~~F.S. 490.012~~
 F.S. 1003.57
~~Florida Administrative Code (F.A.C.) SBER Rule~~ 6A-6.0331

POLICY ADOPTED: 03/16/2004

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