

Raymond School District Policy – IHBAA

EVALUATION REQUIREMENTS FOR CHILDREN

WITH SPECIFIC LEARNING DISABILITIES

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 Procedural Safeguards Handbook*.

In making determinations regarding whether a student has a specific learning disability under state and federal special education rules, the District shall use:

A. The “pattern of strengths and weaknesses” model as set forth in New Hampshire State Board of Education rule Ed 1107.02(a)(1) and in federal regulation 34 C.F.R. §§ 300.307(a)(1) and 300.309(a)(2)(ii).

B. The “response to intervention” (RTI) model as set forth in Ed rule 1107.02(a)(2) and federal regulation 34 C.F.R. §§ 300.307(a)(2) and Ed rule 1107.02(a)(2).

The District will find the child eligible if the child satisfies either model, and shall evaluate for specific learning disabilities in a manner consistent with the procedures and standards included in N.H. Department of Education rule 1107 and 34 C.F.R. §§300.301 - .311, as applicable.

~~Consistent with its child find and parent/guardian consent obligations, the district responds promptly to requests initiated by a parent/guardian or public agency for an initial evaluation to determine if a child is a child with a disability.~~

~~A full and individual evaluation of a student’s educational needs that meets the criteria established in state and federal law will be conducted before determining eligibility and before the initial provision of special education and related services to a student with a disability. The district implements an ongoing system to locate, identify and evaluate all children from birth to age 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education or special education services. The district will seek to identify all children with disabilities, regardless of the severity of their disabilities.~~

~~The district is responsible for evaluating and determining eligibility for special education services for school age children. The district is responsible for evaluating children who may be eligible for Early Intervention/Early Childhood Special Education (EI/ECSE) services. The district’s designated referral and evaluation agency is responsible for determining eligibility.~~

~~Before conducting any evaluation or re-evaluation, the district:~~

- ~~1. Plans the evaluation with a group that includes the parent/guardian(s);~~
- ~~2. Provides prior written notice to the parent/guardian(s) that describes any proposed evaluation procedures the agency proposes to conduct as a result of the evaluation planning process; and~~
- ~~3. Obtains informed written consent for evaluation.~~

~~The district conducts a comprehensive evaluation or re-evaluation before:~~

- ~~1. Determining that a child has a disability;~~
- ~~2. Determining that a child continues to have a disability;~~
- ~~3. Changing the child's eligibility;~~
- ~~4. Providing special education and related services;~~
- ~~5. Terminating the child's eligibility for special education, unless the termination is due to graduation from high school with a regular diploma or exceeding the age of eligibility for a free appropriate public education.~~

~~Upon completion of the evaluation, the district provides the parent/guardian or eligible child a copy of the evaluation report at no cost. The evaluation report describes and explains the results of the evaluation. Upon completion of the eligibility determination, the district provides the parent/guardian or eligible child documentation of eligibility determination at no cost.~~

~~The district ensures that assessments and other evaluation materials, including those tailored to assess specific areas of education need, used to assess a child:~~

- ~~1. Are selected and administered so as not to be racially or culturally discriminatory;~~
- ~~2. Are provided and administered in the child's native language or other mode of communication and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally unless it is clearly not feasible to do so;~~
- ~~3. Are used for purposes for which assessments or measures are valid and reliable;~~
- ~~4. Are administered by trained and knowledgeable personnel; and~~
- ~~5. Are administered in accordance with any instructions provided by the producer of such assessments.~~

~~Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.~~

~~A student must meet the eligibility criteria established in the New Hampshire Administrative Rules.~~

~~The district conducts re-evaluations:~~

- ~~1. When the educational or related services needs, including improved academic achievement and functional performance of the children warrant a re-evaluation;~~
- ~~2. When the child's parent/guardians or teacher requests a re-evaluation; and~~
- ~~3. At least every three years, unless that parent/guardian and the district agree that a re-evaluation is unnecessary.~~

~~The district does not conduct re-evaluation more than once a year, unless the parent/guardian and district agree otherwise.~~

~~Legal References:~~

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

34 C.F.R. §§ 300.307-.309

Appendix IHBAAR

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