

Pre-placement Psychoeducational Evaluation

Children between ages three and twenty-one who have disabilities have a right to a free appropriate public education under both the Individuals with Disabilities Education Act (IDEA 2004) and Section 504 of the Rehabilitation Act of 1973.

STEP ONE: CHILD FIND

Each local school district has the duty to identify, locate, and evaluate all students with disabilities living in the district, including homeless children and wards of the state, who need special education or related services under IDEA, or who need accommodations under 504. These students must be located regardless of the seriousness of their disability. This requirement is called "child find."

STEP TWO: DUTY TO PROVIDE FULL EVALUATION ON REQUEST

IDEA 2004 requires that the school district must provide a full and individualized evaluation of the child upon a parent's request, within 60 calendar days of the parent's consent.

The district must use evaluation materials that are in the language and form most likely measure what the child knows. The evaluation is to measure what the child can do academically, developmentally, and functionally. These evaluations should not be racially or culturally discriminatory. If it is suspected that your child has a learning disability (the student does not achieve as expected according to his/her age and ability), the evaluation may include checking whether the child responds to certain classroom interventions. A sample letter requesting an evaluation is attached.

STEP THREE: EXPLANATION OF RESULTS

The school district staff must explain the evaluation results to you. The district has a responsibility to you as a parent to make sure that your child receives an appropriate evaluation. The district also has a responsibility to help you understand the evaluation, the special education process, the Individualized Education Program (IEP) process, and all of your due process (legal) rights. This includes the district providing an interpreter for their meetings, phone calls, and correspondence with you if you have limited English ability or you use American Sign Language.

STEP FOUR: DECISION OF ELIGIBILITY FOR SERVICES

Based on the evaluation results, the IEP or 504 team will determine whether your child is eligible for special education or for 504 accommodations. If so, either an IEP for special education, or a 504 plan for 504 accommodations, will be developed. You and the school people are equal members of the IEP or 504 team and you should be invited to all meetings.

INDEPENDENT EDUCATIONAL EVALUATION (IEE)

If you do not agree with the evaluation results done by the district, you have the right to request an IEE at public expense. This means that the district must pay for an outside evaluator to test your child. If they do not wish to pay for such an evaluation, they must request a due process hearing in which they must prove that their evaluation was sufficient.

RE-EVALUATION

Students in special education should be evaluated at least every three years. However, a reevaluation should not be conducted more than once a year, unless the parent and the school district agree it is needed. The IEP team determines what methods will be used (i.e., formal or informal evaluation) to make sure that enough information is available to properly decide on the student's IEP. However, if there is no question that the student will continue to qualify for special education, a formal evaluation need not be performed.

You, the parent or guardian, can request a re-evaluation at any time that you have a good reason to believe another evaluation is necessary, such as a change in your child's behavior, performance, or medical status.

WHEN YOU DISAGREE

Both the parent and the district have a right to request an impartial due process hearing if they disagree about the identification, evaluation, or educational placement of the child.

Sources for the information in this Fact Sheet:

Individuals with Disabilities Education Act 2004, 20 USC §1412(a)

Individuals with Disabilities Education Act 2004, 20 USC §1414 and §1415