

## School District Criteria for Evaluation of Students Under IDEA

State and Federal special education laws require that MSAD #59 evaluate children with disabilities who are in need of special education and related services. Madison evaluates children upon referral for special education and reevaluates educationally disabled children at least once every three years or when conditions warrant a reevaluation.

Madison is committed to ensuring that each child's IEP team bases its decision on high quality, reliable and educationally sound special education evaluations.

As a result, Madison has established the following list of criteria for all special education evaluations that Madison conducts, obtains or funds. 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 34 C.F.R. §§ 300.530-300.536 and Maine Unified Special Education Regulations ("MUSER") V.2-6 (2013).
2. The evaluation must be conducted in Maine, by an evaluator whose principal office is located in Maine, unless there is no qualified evaluator in Maine.
3. The evaluator must hold a valid license or certification from the State of Maine to undertake the evaluation being proposed, have experience in administering the evaluation, and be able to interpret the instructional implications of the evaluation results.
4. If the parent of a student with a suspected or confirmed disability under the Individuals with Disabilities Education Act (IDEA) disagrees with the results of an evaluation provided or conducted by MSAD #59, said parent may request an independent evaluation at public expense.
5. If Madison believes that its evaluation is appropriate and that an independent evaluation unjustified, it may file for a due process hearing through the Maine Department of Education to defend the appropriateness of its evaluation. If the decision of the hearing officer supports Madison's contention that its evaluation is appropriate, the parent may still obtain an independent evaluation at his or her own expense (see MUSER V.6)
6. If Madison approves payment for evaluations conforming with the above requirements, and Payment of evaluations that are conducted by evaluators not regularly employed by MSAD #59 shall be at rates that are up to the reasonable and customary fees charged

by evaluators licensed/certified and practicing in Maine. Annually, MSAD #59 will create a fee schedule reflecting reasonable and customary hourly rates in the following assessment areas:

<b>Assessment area</b>	<b>Maximum</b>
<b>Time</b>	
● Academic achievement .....	8.5 hours
● Cognitive ability .....	9.5 hours
● Social/emotional .....	11.5 hours
● Speech/language .....	10.0 hours
● Occupational therapy .....	8.5 hours
● Physical therapy .....	7.0 hours
● Medical .....	2.0 hours

The time estimate is based on the average time needed to conduct a reasonably thorough assessment in the assessment area. Maximum time limits may be extended by the Superintendent should circumstances warrant such an extension. Maximum time includes time for writing of reports.

Exceptions to the schedule of hourly rates may be granted by the Director of Special Education if it is determined that an appropriate evaluation cannot be obtained for a specific child within the confines of the approved schedule.

7. MSAD #59 will not pay for the evaluation until it receives the evaluator's report.

8. The evaluator must review relevant educational records.

9. Unless otherwise determined by the members of the child's IEP team, the evaluator must either: a) observe the child in one or more educational settings; or 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. In addition, evaluators are encouraged to make additional contacts with other involved general and special education teachers and related service providers.

The evaluator will attend IEP meetings if request by MSAD #59 Special Education Director.

10. The evaluator must be permitted to directly communicate and share information with members of the IEP team, Madison's special education director, and the director's designees. The evaluator must also release the assessments and results, including any parent and teacher questionnaires, to members of the IEP team, the special education director, and the director's designees.

11. MSAD #59 shall be entitled to inspect and obtain copies of the evaluator's records, including any records created by third parties. However, those records will not be deemed

accessible to any school district personnel other than the evaluator, unless and until MSAD #59 exercises its right to inspect or obtain copies of those records from the evaluator.

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