

ENSURING PARENTS RECEIVE AND UNDERSTAND THE REQUEST FOR EVALUATION

The Board of Education, in accordance with the IDEA and Part 200 of the Commissioner's regulations, will ensure that the parents of preschool and school-age children receive and understand the consent for evaluation and re-evaluation. The district will provide this information in the parent's native language or other mode of communication.

Upon receipt of a referral for initial evaluation or prior to conducting a re-evaluation, the parents will receive prior written notice which includes the following:

- An explanation of why the district proposes to conduct the evaluation;
- A description of other options considered and the reasons why those options were rejected;
- A description of the proposed evaluation or re-evaluation and the uses to be made of the information obtained through the evaluation;
- A description of each evaluation procedure, test and/or report the district used as a basis of the proposed action;
- For preschool students, a list of Suffolk and Nassau evaluators;
- A description of other factors that are relevant to the proposed evaluation;
- A statement that the parent may submit evaluation information which, if submitted, must be considered by the CSE or CPSE as part of its evaluation or review;
- A request for the parent's written consent for the initial evaluation, and for any additional tests or assessments that will be conducted as part of the re-evaluation;
- A statement that the parent has protections under the procedural safeguards of Part 200 and is provided a copy of the procedural safeguards notification.

4321.25

Parents must provide written consent for the initial evaluation and for any additional tests or assessments that will be conducted, except when the district makes documented efforts to obtain parental consent for a re-evaluation and the parent fails to respond; when the District review existing information as part of an initial evaluation or re-evaluation; when a test is administered to all students (unless consent is required of parents of all students); and when a functional behavior assessment is conducted to meet regulatory requirements.

In the event the parent of a student does not grant consent for an initial evaluation, the parent shall be informed by the CSE/CPSE Chairperson that, upon request, the parent and/or any other person that the parent chooses, will be given an opportunity to attend an informal conference with the Committee or designated professional most familiar with the proposed evaluation and the person who referred the student for evaluation. If at this meeting the parent and the person initiating the referral agree in writing that the referral is not warranted, the referral shall be withdrawn. In the case of a school-age child (5-21 years of age), if the parent does not request or attend such conference, and/or continues to withhold consent for a period of 30 days after the date of receipt of a referral, the Board of Education shall initiate an impartial hearing for the purpose of determining whether an evaluation should be conducted without parental consent.

Ref: Education Law § 4401 et seq. (Article 89)
20 U.S.C. §§1400 et seq. (IDEA)
34 CFR Part 300
8 NYCRR Part 200

Adoption date: February 4, 2009