



“Parents’ Rights to a Publicly-Funded Evaluation of Their Child”

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Parent(s) have a right to a publicly funded evaluation of their child in order to determine whether their child has a learning disability or other special education needs, and therefore requires “specially designed instruction” and/or “related services”. Additionally, special education needs may include social and emotional needs, particularly if the child already has been diagnosed with a psychological disorder which includes symptoms of behavioral and/or emotional disturbance that impact the child’s ability to learn. Furthermore, “learning” is not limited to academic learning, but also extends to social and emotional growth.

Should a parent suspect that their child may have a learning disability or other special education needs, the parent should submit a request for an evaluation, in writing, to the Supervisor or Director of Special Education of their child’s school. Typically, the name of this individual is located on the school’s website. Of course, a parent could merely inquire the name of such individual through the school’s secretary or the child’s teacher. However, such requests for evaluations are not required to be submitted to the Supervisor or Director of Special Education and may be submitted to the child’s teacher or school principal. Moreover, requests are not required to be in writing; however, it is highly recommended so that documentation of the request exists. It is also recommended to include specific areas of difficulty that the child is demonstrating so that the school district is provided with information necessary to determine the academic, social/emotional, and behavioral issues that need to be assessed.

Once the school receives a request from a parent to evaluate their child, the school should issue a “Permission to Evaluate”, which should include the specific areas that will be assessed. Parent will need to complete the Permission to Evaluate, providing their consent for the evaluation, and return it to the school district. Once the school district has received parental consent, they have sixty (60) days to conduct the evaluation. If a parent requests an evaluation, they should assertively pursue the school district for a Permission to Evaluate.

The school district’s evaluation must include a variety of assessment tools and strategies to gather relevant information, including information provided by the parent, in order to determine whether the child has a disability and the content of the child’s individualized education program. No single measure or assessment should be used to determine whether a child has a disability or

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an appropriate educational program, and the child must be assessed in every area of suspected disability. Further, assessments must not be culturally biased, must be administered in the language most likely to yield accurate information, and must be administered by trained and knowledgeable personnel.

Upon completion of an evaluation, school districts must provide a copy of the evaluation report to parent(s). Should a parent disagree with the school district's evaluation, they should request an Independent Educational Evaluation.

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