



# *Specialized Training of Military Parents*

## *(STOMP)*

*1-800-572-7368 (v/tty)*

### FACT SHEET # 7

### EVALUATION PROCESS

Regulations governing evaluation for special education are contained in is Public Law 108-446 “The Individuals with Disabilities Education Improvement Act (IDEA) of 2004.” In addition, regulations concerning evaluation for services under Section 504 are contained in the Nondiscrimination Rehabilitation Act of 1973 (PL 93-112), Section 504. Section 504 only applies in educational systems within the United States, not within DoDDS.

Any child can be brought to the attention of a school district by Parents, departments of education, state agencies, and school staff may request an initial evaluation.

Before a child may be evaluated a request for evaluation should be in writing (or documented by the person receiving the request), because that sets a timeline in motion. The initial evaluation and eligibility must be completed within **60 days** of receiving parental consent. (Section 1414(a)(1)) **(unless state established timeline).**

Evaluation materials and procedures must be administered in adherence with the developer's instructions and by appropriately trained personnel. If an assessment is not conducted under standard conditions (e.g., qualifications of test administrator or method of test administration), this must be noted in the evaluation report.

Parents must be notified of the time and place of any meeting, which discusses eligibility, evaluation, or identification of their child as a student with a disability

A child must be evaluated in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional functioning, general intelligence, academic performance, communicative status, and motor abilities. In addition, the evaluation must be sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not they are commonly linked to the disability category in which the child is classified.

The school must ensure that assessments “are provided and administered in the language and form most likely yield accurate information on what the child knows and can do academically, developmentally, and functionally...”  
(Section 1414(b))

Evaluation materials and procedures must be administered in adherence with the developer's instructions and by appropriately trained personnel. If an assessment is not conducted under standard conditions (e.g., qualifications of test administrator or method of test administration), this must be noted in the evaluation report.

A written evaluation/eligibility report must be prepared to document that a child is eligible for special education. The report must summarize the information from all the evaluations. A copy of the report must be given to the parent.

If a parent disagrees with the District evaluation, the parent has the right to an independent educational evaluation (see Part VII, Section 7 ). The process for making such a request varies between School Districts who are under the supervision of State Departments of Education and those who are under the responsibility of DODEA (Department Of Defense Education Activity).

A child who has an Individual Education Program (IEP) must be re-evaluated every 3 years. It can be done more often at the request of the parents or school personnel. The school must seek to obtain prior informed consent from parents before each re-evaluation (If a parent does not respond to a request for permission to Re-evaluate a student and the district can document their attempts to get that consent, they can move forward without consent for the Re-evaluation. This is different than with an initial evaluation).

*“Working Together with Military Families of Individuals with DisAbilities!”*



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