

## Parents Rights for Evaluations

Evaluations determine whether your child qualifies for Special Education services and Re-evaluations determine if your child is making adequate progress in school.

In general, NYS regulations provide certain rights to parents regarding evaluations. Therefore, knowing your rights regarding evaluations can greatly affect your child's success at school.

NYS Regulations at 200.4 provide that parents are entitled to:  
Evaluations at no cost to the parent in all suspected areas of disability.

**The initial evaluation must include at minimum:**

- A physical examination
- An individual psychological evaluation
- A social history
- An observation of the student in the student's learning environment.

The school district may conduct other appropriate evaluations based on each individual student's needs that include:

- Functional Behavioral Assessment (FBA) – for a student whose behavior interferes with his or her learning or that of others.
- Psychiatric
- Neuropsychological
- Reading
- Speech and Language evaluation

**A parent may request additional tests believed to be necessary.**

## Parents Rights for Evaluations

### Regulations also require that a parent is entitled:

- To have evaluations performed in the student's native language
- To consent or refuse recommended assessments.
- To have the student assessed in all areas of suspected disability .
- To be actively involved in the meeting and crafting of the IEP.
- To have anyone present at the meeting who has knowledge of the student and his/her specific needs.
- To request an Independent Educational Evaluation (IEE), if dissatisfied with results of the district's findings.
- To appeal a finding of "No eligibility"

### Requesting an Independent Educational Evaluation (NYS Regulation 220.5 (g))

A Parent has the right to request an IEE when they disagree with an evaluation obtained by the school district;

- An IEE request must be put in writing by the parent;
- The IEE is paid for by the school district but the parent chooses the evaluator;
- The evaluator chosen by the parent must have similar credentials as the school evaluator and cost the same amount.
- The evaluation is paid for by the School District;
- The school district is required to consider the information yielded from evaluations performed as a result of IEE.