

INSTRUCTIONCURRICULUMIndependent Educational Evaluations

If a parent of a student with a disability disagrees with an evaluation obtained by the District, the parent has the right to obtain an independent evaluation at public expense unless the District initiates and prevails at an impartial hearing to show that its evaluation is appropriate or that the evaluation obtained by the parent does not meet the District criteria.

Public expense means that the District either pays for the evaluation or ensures that it is conducted at no cost to the parent. The District will not pay incidental costs, such as meals, travel, and lodging.

The Superintendent of Schools shall implement procedures to ensure that, upon request, a parent may be provided information about where an independent educational evaluation may be obtained and the District's criteria for independent educational evaluations.

Update
Presentation: 7/5/06

First
Vote: 8/2/06

Second
Vote: 8/16/06

INSTRUCTION
CURRICULUM
Independent Educational Evaluations

Defined

An independent educational evaluation ("IEE") means an evaluation conducted by a qualified examiner(s), as defined in 34 CFR 300.15 who is not employed by the School District responsible for the education of the disabled child or child who is thought to be educationally disabled.

If the parent disagrees with the evaluation conducted by the School District, the parent has a right to request an independent educational evaluation at public expense. The independent evaluation shall be of the same type as that evaluation with which the parent disagrees. For example, if the parent disagrees with the psychological evaluation obtained by the District, the parent may request an independent psychological evaluation. If the parent disagrees with the occupational therapy evaluation obtained by the District, the parent may request an independent occupational therapy evaluation. If the parent disagrees with a neuropsychological evaluation obtained by the District, the parent may request an independent neuropsychological evaluation. The District may, in turn, request the parent to specify the areas of disagreement with the District's evaluation. The School District may initiate an impartial hearing to show that its evaluation is appropriate, and if the hearing officer determines that the school's evaluation is appropriate, the parent would not have the right to an independent educational evaluation at public expense or the right to reimbursement for an independent educational evaluation they may have already obtained.

Public Expense

Public expense means that the District either pays for the cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent provided that the cost does not exceed the District's criteria for payment. The School District has established reasonable reimbursement rates for independent evaluators that do not exceed the costs which the District would be required to pay to its own employees.

Criteria

- 1) The District will not pay more than \$1700 under a comprehensive IEE that would meet the requirements under Commissioner's Regulations which may require an individual psychological evaluation, a physical examination, a social history and other appropriate assessments and evaluations as may be necessary to ascertain the physical, mental, and emotional factors which contribute to a suspected educational disability under the condition delineated.

- 2) The School District has established a comprehensive list of qualified professionals in private practice or employees of other public agencies to whom parents may go to secure an IEE.
- 3) The District will pay for an IEE only if conducted by an individual who possesses current license or certification from the New York State Education Department in the area of the evaluation. The School District will permit parents to select any independent evaluator who is in the public phone book within 150 mile radius at the time the parent makes the request of the School District, as long as the qualified professional selected by the parent is a New York State certified and/or licensed evaluator.
- 4) IEE's may be presented as evidence at a hearing conducted by the District or requested by the parent.
- 5) The above criteria shall not apply to the extent that they are not consistent with a parent's right to an IEE at public expense. If a parent believes that there are unique circumstances warranting a departure from the criteria, the parent must notify the Director of Special Education and request exception to the criteria.

Responsibilities

When an IEE is requested and approved by the District and an independent evaluator who meets the District's criteria is selected by the parent, it then becomes the responsibility of the independent evaluator to contact the District to arrange for payment, dates of classroom visitations and discussions with District staff.

If denial for reimbursement is indicated, the reason(s) for that denial, as well as any intention of the District to initiate a hearing to defend this refusal, will be addressed to parents in writing. Conversely, if the District agrees to pay for an IEE, the parents will be notified by letter.

Payment shall be made to the evaluator after the District's receipt of the evaluation report.