

## Independent Educational Evaluations (IEEs)

### Introduction

The Chenango Valley School District has established the following policy on Independent Educational Evaluations (IEE) for children with educational disabilities or for children who are referred to the Committee on Special Education because they are suspected of having an educational disability and may, therefore, be in need of special education.

An IEE means an evaluation conducted by a qualified examiner(s), as defined in federal regulations 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.

Parents/guardians of disabled children have the right under Federal and State regulations to obtain an independent evaluation at public expense under certain conditions. Regulatory standards are outlined in New York State Regulations of the Commissioner of Education. Additionally, federal regulations specify requirements for independent evaluations. These documents, in addition to *A Parent's Guide to Special Education: Your Child's Right to an Education in New York State*, detail independent evaluation requirements. These documents are available from the district for parents/guardians who desire additional information. The school district has adopted this policy on independent evaluations in order to explain the rights of parents/guardians and the responsibilities of school districts with regard to independent evaluations, and also to avoid any misunderstandings.

### Rights of Parents/Guardians to Request an IEE

If the parents/guardians disagree with an evaluation of their disabled student conducted by the school district, they have the right to request and obtain an IEE at public expense. The district may request the parents/guardians specify the areas of disagreement with the district's evaluation. Note, however, that if the district believes, despite the parents'/guardians' objection, that its evaluation of the student is appropriate, the district may initiate an administrative proceeding before an impartial hearing officer to prove the same. If, after a hearing, the independent hearing officer finds in favor of the district, the parents/guardians would be precluded from obtaining an IEE at public expense.

### Responsibilities

A school district has the responsibility to designate a reasonable geographic area within which the parents/guardians would be limited in their search for an independent evaluator. Accordingly, the Chenango Valley School District will not approve an IEE at public expense if the requested independent evaluator is located outside Broome County, New York, provided that an appropriately qualified evaluator is located within Broome County. If no appropriately qualified evaluator is located within Broome County, the district shall consider all reasonable requests for qualified evaluators located within New York State. Requests for exception to this policy should be forwarded in writing to the Director of Special Education of the district.

When an IEE is requested and approved by the school and an independent evaluator is selected by the parents/guardians, it then becomes the responsibility of that professional to contact the school to discuss details and payment.

Required Qualifications of Independent Evaluators

The district may pay for an independent evaluation or assessment only if conducted by an individual who possesses a current license or certification from the NYS Education Department in the area of the requested evaluation.

In addition, the district will pay for an evaluation performed by an employee of any other public school district or BOCES within the State of New York whom the parents/guardians choose to employ as an independent evaluator. Such evaluations may also be presented as evidence at a hearing conducted by the public school district or requested by the parents/guardians.