

## 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.

If the parents/guardians disagree with the evaluation conducted by the school district, they may have the right to obtain an IEE at public expense. The district may request the parents/guardians specify the areas of disagreement with the district's evaluation. The school district may initiate an impartial hearing to show that if the school's evaluation is appropriate, the parents/guardians would not have the right to a publicly funded independent evaluation or the right to reimbursement for an IEE they may have already obtained.

### Timeline

The district has established a 45 calendar day timeline for parents/guardians to request independent evaluations. Upon completion of the evaluation conducted by the school district, the parents/guardians will have 45 calendar days from the date of receipt of the school district's evaluation as a time limit to request an independent evaluation. Requests received more than 45 calendar days after the parents/guardians have received the results of the evaluation prepared by the school district will not be considered for payment by the school district.

### Public Expense

Public expense means that the school district either pays for the full cost of the independent evaluation or ensures that the evaluation is otherwise provided at no cost to the parent. The district has established reasonable reimbursement rates for independent evaluators that do not exceed the costs, which the school district would be required to pay to its own employees. The school district will not pay more than \$750 for 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 suitable examinations and evaluations as may be necessary to ascertain the physical, mental and emotional factors which contribute to a suspected educational disability.

### Responsibilities

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 arrange dates of classroom visitations, discussions with staff, and payment.

A school district has the responsibility to designate a geographic area within which the parents would be limited in their search for an independent evaluator. The Chenango Valley School District will not consider at public expense independent evaluators outside Broome County, New York. Requests for exception to this policy should be forwarded in writing to the Director of Special Education of the district.

### Reimbursement

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 evaluation. The Chenango Valley School District will permit parents/guardians to select any independent evaluator who is within the confines of Broome County at the time the parents/guardians make the request of the school district, as long as the qualified professional selected by the parents/guardians is a certified and/or licensed evaluator.

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.

An IEE requested by parents/guardians (which does not relate to the district's responsibility and which would typically not be conducted by school certified/licensed staff members) requires parents/guardians to demonstrate that unique circumstances justify an IEE that does not fall within the district's responsibility to provide a free, appropriate public education.