

SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS

In accordance with Commissioners Regulations 200.1(r) and 200.4(6) it is the policy of the Board of Education to provide the parent/guardian of all students referred to the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE) with notice of the due process rights. Included in the due process notice to parent/guardian at the time of the CSE/CPSE initial referral, annual review or triennial evaluation, the Office of Pupil Services will inform parent/guardian regarding the right to an independent educational evaluation (IEE) and the circumstances under which such evaluations will be at District expense.

The names, addresses and telephone numbers of appropriate public and private agencies, and other professional resources where IEEs may be obtained will be provided upon request. The parent/guardian may select professionals to conduct evaluations from the list provided by the District or may select others who meet District criteria. However, the District will not be responsible for the quality of such IEEs. In addition, the District will not be responsible for the cost of such IEEs which do not meet the criteria listed below.

Definition

Independent educational evaluation means an individual evaluation of a student who has, or who is thought to have, a disability conducted by a person who is not employed by the District. It shall be the policy of the District that whenever an evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria which the School District uses when it initiates an evaluation. That criteria shall be as follows:

Location

Geographic location is defined as an evaluation which takes place within a 50 mile radius of the District.

Minimal Qualifications

Minimal qualifications are defined by the District as New York State Education Department certification or licensure within the specific area of the evaluation.

Timeline for IEE and Reimbursement

Timeline for the IEE used to contest an evaluation performed by the District, is defined as being within one year of the District's evaluation. The request for IEE reimbursement must be made within one year of the date of the IEE.

(Continued)

SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS (Cont'd.)Reasonable Cost of an IEE

Reasonable costs are defined as up to 20% above the average evaluation costs available through the Student Adjustment Center of the Western Suffolk BOCES.

Public Funding of an IEE

The School District will provide public funding of IEE's only under the following conditions:

- a) Parent/guardian disagrees with the evaluation conducted by the School District, and the resulting IEE provides information that shows that the District evaluation was inappropriate.
- b) The School District was unable to comply with mandated timelines for conducting its own evaluations.
- c) If such IEE is made at the request of an Impartial Hearing Officer as part of a duly convened impartial hearing.

The School District may deny reimbursement for an IEE under the following conditions:

- a) The District either had initiated, or shortly intends to initiate, a due process hearing to show that its evaluation of the child is appropriate or that the parent/guardian has not complied with other District criteria, such as:
 1. The criteria under which the IEE was conducted, including the location of the evaluation, does not meet stated District or other legal criteria.
 2. The independent evaluator selected by the parent/guardian does not meet stated minimum District qualifications..
 3. The parent/guardians' request for reimbursement exceeded stated District timelines for such requests.
 4. The parent/guardians' request for reimbursement exceeded stated District guidelines for such requests.
- b) The IEE was not obtained because of a disagreement with the District's evaluation.
- c) The District has already funded an IEE and has conducted no subsequent evaluation.

(Continued)

POLICY

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Students

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If the District concludes that it is not required to reimburse the parent/guardian for the IEE, it will notify the parent/guardian in writing of the receipt of the request, the basis for the denial and whether the District intends to initiate an impartial hearing.

8 New York Code of Rules and Regulations
(NYCRR) Sections 200.1(u) and 200.5(a)
34 Code of Federal Regulations (CFR)
Sections 300.12 and 300.503

Adopted: 6/16/99