

INDEPENDENT EDUCATIONAL EVALUATIONS POLICY

Introduction

The Town of Webb UFSD has established the following policy on independent educational evaluations (IEE) for students 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.

Parents 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 part 200.5 (g)(1). Additionally, the Federal Regulations 34 CFR 300.503 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 parent(s) who desire additional information.

The school district has adopted this policy on independent evaluations in order to explain the rights of parents and the responsibilities of school districts with regard to independent evaluations and also to avoid any misunderstandings.

Defined

An independent educational evaluation means an evaluation conducted by a qualified examiner(s), as defined in 34 CFR 300.12, 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 obtain an independent educational evaluation at public expense. The district may 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 publicly funded independent evaluation or the right to reimbursement for an independent educational evaluation they may have already obtained.

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.

Responsibilities

When an IEE is requested and approved by the school the parent will be provided with the approved list for their consideration of an independent evaluator, it then becomes the responsibility of that professional to contact the school to arrange for payment, date of classroom visitations, and discussion with school staff.

A school district has the responsibility to designate a geographic area within which the parents may search for an independent evaluator. The Town of Webb UFSD will consider at public expense independent evaluators Oneida, Onondaga, Herkimer, Hamilton, Jefferson or Lewis Counties, New York. Exceptional circumstances may justify a parent seeking an evaluation from outside the above counties.

Listing of Qualified Professionals

The Town of Webb UFSD 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 independent educational evaluation. The attached list of independent evaluators includes professionals in all areas of a child's suspected disability. In addition, the Town of Webb UFSD will pay for an evaluation performed by an employee of any other public school district or BOCES within Jeff-Lewis BOCES whom the parent chooses to employ as an independent evaluator at the then current hourly rate paid to that licensed or certified individual by their respective public school district or BOCES.

Payment

The Town of Webb UFSD may pay for an independent evaluation or assessment only if conducted by an individual who possesses a current license or certification from the New York State Education Department in the area of evaluation.

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

The Town of Webb UFSD, upon receiving a request for reimbursement for an independent evaluation, will forward an acknowledgment letter to the parent and/or independent evaluator within ten calendar days. Any further information needed by the school district to reach a decision regarding payment will be requested in the letter.

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

Further Information

The Town of Webb UFSD has developed a policy on independent evaluation in order to avoid any misunderstanding and ensure that the district is following their responsibility to provide independent evaluation at parent request. Parents can obtain further information on independent evaluations by contacting the Chairperson of the Committee on Special Education at the Town of Webb UFSD. Parents can also contact the State Education Department for additional information on independent evaluations by contacting the Office for Special Education at (315) 423-2941 and speaking to the Regional Associate assigned to our area.

APPROVE: BOARD OF EDUCATION
January 29, 2002

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