

# APPENDIX AA

## INDEPENDENT EDUCATIONAL EVALUATIONS

### INTRODUCTION

The Scotia-Glenville Public School District has established the following policy on independent educational evaluations (IEEs) 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.

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 (a) (1) (vi). Additionally, the Federal Regulations 34CFR 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 misunderstanding

### DEFINED

An independent educational evaluation means an evaluation conducted by a qualified examiner(s), as defined in 34CFR 300.12, who is not employed by the school district responsible for the education of the disabled child or 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 a right to a publicly funded independent evaluation or the right to reimburse for an independent educational evaluation that may have already obtained.

### TIMELINE

The Scotia-Glenville Central School District has established a 45-day timeline for parents to request independent evaluations. Upon completion of the evaluation conducted by the school district, the parent 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 parent received the results of the evaluation prepared by the school district will not be considered for payment by the school district.

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### 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. Scotia-Glenville Central School 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 independent evaluation 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 parent from the approved list, it then becomes the responsibility of that professional to contact the school to arrange for payment, dates of classroom visitations and discussion with school staff.

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 Scotia-Glenville School District will not consider at public expense independent evaluators outside Schenectady County, New York.

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## **LISTING OF QUALIFIED PROFESSIONALS**

The Scotia-Glenville Central 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 independent evaluation. The list of independent evaluators is available from the Pupil Personnel Services office. In addition, the Scotia-Glenville School 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 parent chooses to employ as an independent evaluator at the then current hourly rate paid to that licensed or certified individuals by their respective public school district or BOCES.

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## **PAYMENT**

The Scotia-Glenville Central School District may pay for an independent evaluation or assessment 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 Scotia-Glenville Central School District will permit parents to select any independent evaluator who is in the public phone book within the confines of Schenectady County at the time the parent makes the request of the school, as long as the qualified professional selected by the parent is certified and/or licensed evaluator. Such independent evaluations may also be presented as evidence at a hearing conducted by the public school district or requested by the parent.

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.

The Scotia-Glenville School District, upon receiving a request for reimbursement for an independent educational evaluation, will forward an acknowledgement letter to the parent and/or independent evaluator within 10 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 the reimbursement is indicated, the reason(s) for that denial, as well as any intention of the Scotia-Glenville Central School 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, te parents will be notified by letter.

### **FURTHER INFORMATION**

The Scotia-Glenville Central School District has developed a policy on independent evaluations in order to avoid any misunderstanding and ensure that the district is following its responsibility to provide independent evaluations by contacting the Chairperson of the Committee on Special education. Parents can also contact the State Education Department for additional information on independent evaluations by contacting the Office for Special Education Services at (519) 474-5356 and speaking to the Regional Associate assigned to the Schenectady County area.

Adopted November 8, 1993