

## INDEPENDENT EDUCATIONAL EVALUATION

### *Introduction*

The Board of Education of the Plattsburgh City School District (the “District”) has established the following policy on independent educational evaluations for children with disabilities 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.

The District recognizes that parents or guardians of children with disabilities have the right under Federal and State law and regulations to obtain an independent educational evaluation (IEE) at public expense under certain conditions. Parents or guardians do not have the right to obtain an independent evaluation if the district has not conducted and completed its evaluation of the child.

The district has adopted this policy in order to restate the rights of parents or guardians and the responsibilities of the District with regard to independent education evaluations and to avoid any misunderstandings.

### *Definition of Independent Educational Evaluation*

The term “independent educational evaluation” means an evaluation conducted by a qualified person who is not employed by the school district responsible for the education of the child. The purpose of such an evaluation is to determine the child’s eligibility for special education or related services and to develop a plan to meet the child’s educational needs.

If the parent or guardian disagrees with the evaluation obtained by the District’s Committee on Special Education (“CSE”) or Committee on Preschool Special Education (“CPSE”), the parent or guardian has a right to request an independent educational evaluation at public expense. The District may, in turn, request that the parent or guardian specify the areas of disagreement to demonstrate that an IEE is appropriate. The district may initiate an impartial formal hearing if it believes the District’s evaluation is appropriate, or that the evaluation obtained by the parents does not meet legal criteria, and the District does not intend to pay for the evaluation requested by the parent.

### *Public Expense*

Public expense means that the District either pays for the cost of the independent evaluation within the established limits set forth in this policy or ensures that the evaluation is otherwise obtained without cost to the parent or guardian.

The District has established reasonable reimbursement rates for independent evaluators that permit parents to choose among qualified professionals in the area. A parent or guardian whose request for an exception to the rates set forth herein should forward such requests in writing to the Chairperson of the Committee on Special Education or the Chairperson of the Committee on Preschool Special Education, as appropriate.

If a parent or guardian selects an evaluator whose fees do not conform to the District's fees criteria, the parent or guardian must demonstrate that unique circumstances justify the selection, or that the fees charged are reasonable under the circumstances. In the absence of a demonstration of such information, the evaluation will be reimbursed up to the maximum allowable charge provided for in this policy.

### *Responsibilities*

If requested by the parent or guardian, the school district shall provide to them information about where an IEE may be obtained from an approved list of evaluators from the District. If the parents request an IEE at public expense, the District will ask for the parent's or guardian's reasons, stated in writing, why he/she objects to the public evaluation.

Once an evaluator has been selected from the list of approved evaluators, it is the responsibility of the evaluator chosen to contact the district and submit a written evaluation proposal, which shall include:

1. a detailed description of the services to be performed;
2. the anticipated cost;
3. the proposed method of payment;
4. the dates of classroom or school visitations;
5. the dates of discussions with school staff; and
6. when a written report of the evaluation will be submitted to the district.

An independent evaluator will be permitted to conduct observations of the child on school property during normal school hours, as is appropriate.

The District has the responsibility to designate a geographic area within which the parents or guardians are limited in their search for an independent educational evaluator. The District has designated this area to independent evaluators within public or private agencies or entities located in Clinton, Essex, Warren, Saratoga, Washington, Schenectady, Albany, Rensselaer, Franklin, and St. Lawrence Counties in the State of New York and in the greater Burlington area of the State of Vermont. A parent or guardian who desires for an exception to the geographic area set forth herein should forward such request in writing to the Chairperson of the Committee on Special Education or the Chairperson of the Committee for Preschool Special Education, as appropriate.

*District Use of the Independent Educational Evaluation*

The District will consider an independent educational evaluation in determining a child's educational program. Such consideration shall be reflected in the CSE or CPSE minutes, showing that the results of an independent educational evaluation were reviewed and any disagreements with the evaluation. Results of all evaluative information will be considered by the school district in any decision made to the provision of a Free Appropriate Public Education for a student.

The Board of Education directs the Superintendent of Schools to develop regulations establishing maximum allowable fees for evaluations; the minimum qualifications of the professionals who administer and interpret various tests; and a reasonable time line for seeking reimbursement. The Superintendent shall also maintain a list of the independent evaluators. All of this information should be reviewed annually, and modified as necessary.

*Further Information*

The district has developed a policy on independent educational evaluations in order to avoid misunderstandings and to ensure that the District meets its responsibility to provide an independent educational evaluation. Parents or guardians may obtain further information on independent educational evaluations by contacting the Chairperson of the Committee on Special Education or Chairperson of the Committee on Preschool Special Education at the district and also by contacting the Regional Associate assigned to the District at the State Education Department Office for Special Education Services.

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