

Students

SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS

It is the policy of the Board of Education to provide the parents of all students referred to the Committee on Special Education ("CSE") or the Committee on Preschool Special Education ("CPSE") with notice of their due process rights. Included in the due process notice to parents at the time of the CSE/CPSE initial referral, annual review or reevaluation, the District will inform parents regarding their 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. Parents 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.

"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. The parameters of this policy apply to IEEs conducted at both public and private expense. An IEE at public expense must challenge an existing School District evaluation. If a parent requests an IEE at public expense, the District may ask, but cannot require, the parent's reason as to why s/he objects to the public evaluation. The District will provide public funding of IEEs only under the following conditions:

- a) Parents disagree with an evaluation conducted by the District; or
- b) The School District was unable to comply with mandated timelines for conducting its own evaluations; or
- c) The IEE is conducted at the request or direction 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 and that no further evaluation of the type in dispute is warranted or that the parents have 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 parents does not meet stated minimum District qualifications.

(Continued)

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3. The parents' request for reimbursement exceeded stated District timelines for such requests.
 4. The amount of the parents' 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.

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

It shall be the policy of the District that whenever an IEE is conducted, either at parental or 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. The criteria shall be as follows:

- a) **Location:** Geographic location is defined as an evaluation which takes place within a 50-mile radius of the District.
- b) **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.
- c) **Reasonable Costs of an IEE:** Reasonable costs are defined as no more than ten percent (10%) above the evaluation costs through the Student Adjustment Center of Western Suffolk BOCES or of any teaching university hospital within the 50-mile radius of the District (such as North Shore University Hospital, Long Island Jewish Medical Center or Stony Brook University Hospital). Except that, parents may demonstrate that unique circumstances justify selection of an evaluator whose fees fall outside these reasonable cost parameters.

20 USC Section 1415(b)(1)
34 CFR Section 300.502
8 NYCRR Section 200.5(g)(1)

Adopted: 5/19/15