

## INDEPENDENT EDUCATIONAL EVALUATIONS

The Board of Education recognizes the right of parents or guardians of a student who has or is thought to have a disability to receive an independent educational evaluation (IEE) at public expense if they disagree with the evaluation obtained by the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE).

An IEE means an evaluation conducted by a qualified examiner(s), as defined below 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. An IEE shall be limited to the same geographic and fiscal limitations as used by the District when it initiates an evaluation. Parents or guardians will be provided with information as to where an IEE may be obtained and the District's criteria applicable for IEEs, if requested.

A parent or guardian is entitled to only one IEE at public expense each time the District conducts an evaluation with which the parent or guardian disagrees. A parent or guardian should file a written request for an IEE within ninety (90) days from the date of any meeting at which the results of the District's evaluation are discussed with the parent or guardian. The written request should be addressed to the attention of the CSE Case Manager in the Department of Special Education.

When a parent or guardian requests an IEE, the District may request that the parent or guardian identify the reason(s) he or she disagrees with the District's evaluation and the District shall, without unnecessary delay, either (a) file a due process complaint to request an impartial hearing to demonstrate that its evaluation is appropriate or to demonstrate that the IEE does not meet the District's criteria or (b) ensure that an IEE is provided at public expense.

If a hearing officer determines that the District's evaluation was appropriate or that the IEE does not meet the District's criteria, the parent or guardian is not entitled to the IEE at public expense. If an IEE is granted, either by the District or by a hearing officer, the District will fund the IEE at public expense. Additionally, the parent or guardian should provide the District with information regarding the testing to be performed as well as the approximate date when the District will receive a copy of the evaluation report.

### Qualified Examiner

A "qualified examiner" is an individual who holds a current license or certification from the New York State Department of Education in the particular discipline of the evaluation or a professional license or certification by a recognized accreditation board in the State of New York showing a level of professional expertise in the particular discipline of the evaluation.

### Public Expense

The District has established maximum reimbursement rates for independent evaluations based on the reasonable and customary rates charged by providers within close geographical proximity to the District. These maximum rates shall allow parents or guardians to choose from among qualified individuals in the area. Upon request, the District will provide parents or guardians with a fee schedule for such independent evaluations. The District's fee schedule shall be amended from time to time in order to reflect and account for increases in the reasonable and customary rates charged

by providers within close geographical proximity to the District. The District will not provide payment for an independent evaluation in excess of the amount listed on the District's fee schedule, unless a parent or guardian can demonstrate that their child's unique circumstances warrant payment beyond the District's maximum allowable rate. Requests for exemptions to the District's fee schedule should be provided in writing to the attention of the CSE Case Manager in the Department of Special Education.

#### Geographical Range

The District will not consider at public expense, independent evaluators outside New York State, absent exceptional circumstances. Requests for exemptions to this geographical limitation should be provided in writing to the attention of the CSE Case Manager in the Department of Special Education.

#### Payment and/or Reimbursement

It is the responsibility of the independent evaluator and/or the parent or guardian to provide the District with both an invoice for the IEE and a signed copy of the IEE report. If the District is to provide reimbursement to the parent or guardian, the parent or guardian must provide the District with proof of payment for the IEE. If the District is to provide direct payment to the independent evaluator, the independent evaluator must complete all necessary District forms including, but not limited to, its vendor form and a W-9. Payment will not be provided unless the District has received all required documents. The evaluator and/or parent or guardian, as appropriate, should contact the Office of the Director of Special Education Compliance at 914-376-8209 to arrange for payment and to provide all necessary documentation.

Ref: 34 CFR §§ 300.502; 300.503  
8 NYCRR §§ 200.1(z); 200.1(aa); 200.1(bb); 200.5(a); 200.5(b); 200.5(c); 200.5(g);  
200.5(i); 200.5(j)

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