



Independent Evaluations Lorain City Schools

INDEPENDENT EDUCATIONAL EVALUATIONS (IEE) CRITERIA

Parents of a student with a disability have the right to obtain an independent educational evaluation subject to the provisions of this policy. Parents have the right to an independent educational evaluation at public expense if they disagree with an evaluation completed by the school district. Parents may request one independent educational evaluation in response to each evaluation completed by the district. If the request for an independent evaluation comes one year or more from the date of completion of the district's evaluation, the district may seek to complete a reevaluation prior to purchase of an independent educational evaluation.

Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the education of the student in question.

Public expense means that the school district either pays for the full cost of the evaluation or evaluation components or ensures that the evaluation or evaluation components are otherwise provided at no cost to the parent.

If parents request an independent educational evaluation at the expense of the school district, the parent may be asked for a reason why he or she objects to the district's evaluation. However, the explanation by the parent may not be required and the district may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend its evaluation. There is no requirement that the parents specify areas of disagreement with the district's evaluation as a prior condition to obtaining the independent educational evaluation. Unless the school district chooses to initiate a due process hearing in accordance with this policy, the district must respond to the parents' request by ensuring an independent educational evaluation is provided at public expense in a timely manner.

If parents request an independent educational evaluation at public expense, the school district will, without unnecessary delay:

- Provide information to parents about where an independent educational evaluation may be obtained and the district criteria applicable for independent educational evaluation, and
- Either initiate a hearing to show that its evaluation is appropriate, or
- Ensure an independent educational evaluation is provided at public expense.

If the school district initiates a hearing and the final decision is that the district's evaluation is appropriate, the parents still have the right to an independent educational evaluation, but not at public expense.



PARENT INITIATED EVALUATIONS

If the parents obtain an independent educational evaluation at private expense, the results of the evaluation:

- Must be considered by the school district in any decision made with respect to the provision of free appropriate public education (FAPE) to the student, and
- May be presented as evidence at a due process hearing regarding that student.

If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation will be at the hearing office's expense.

AGENCY CRITERIA

If an independent education evaluation is at the school district's expense, the criteria under which the evaluation is obtained, including the location of the evaluation, the qualifications of the examiner, and cost limits must be the same as the criteria that the school district uses when it initiates an evaluation.

Except for the criteria described in this policy, the school district shall impose no other conditions related to obtaining an independent educational evaluation at district expense.

Legal Authority: IDEA: Section 300.502 Independent Educational Evaluation.

(20 U.S.C. 1415(b)(1))

REIMBURSEMENT CRITERIA

The following criteria must be met in order for reimbursement to be provided for an IEE. Arrangements can also be made in many cases for the district to make payment directly to the evaluator(s).

1. Location Limitation for Evaluators- The offices of the independent educational evaluator must be within the same geographic area that the district would use for its independent evaluation, should it request one. The evaluation itself must include observations in a natural setting (e.g., local classroom, or home/daycare for a preschool child). These requirements may be waived or modified in special circumstances when unique diagnostic expertise is warranted, providing the parents can demonstrate the necessity of using an evaluator outside the specified geographic area.

2. Qualifications of evaluator are outlined below. A list of evaluators who meet the minimum qualifications is available from the Office of Teaching and Learning, Lorain City Schools. In all cases the IEP team must determine that results of the assessment demonstrate the following:



- a. Impairment adversely affects the pupil's educational performance, and
 - b. Degree of impairment requires special education and related services which cannot be provided with modification of the regular school program.
3. **Cost Limitations:** An independent multidisciplinary or single disciplinary evaluation arranged by the district shall reflect reasonable and customary rates for services in Cuyahoga County. Unreasonable costs for travel, lodging, etc., will not be reimbursed. Costs above customary amounts will be approved only if the parent can demonstrate that the costs reflect a reasonable and customary rate for such evaluative services or if the parents can demonstrate that there are other factors that make the extraordinary costs necessary.
4. **Approved assessment instruments:** All instruments must be administered by a qualified examiner, be age appropriate to the child, and be administered and scored in conformance with the publisher's instructions. The evaluation instruments are to be chosen on the basis of their relevancy to the educational questions to be addressed by the evaluation. This means that the instruments should be those which are commonly known to, and used by, public school professionals.
5. **Test interpretations and conclusions** stated in the written report must be directly and clearly supported by the data. Recommendations made as a result of the evaluation must be educationally relevant and realistic within an educational setting.
6. As part of the contracted evaluation, independent evaluators must agree to release their assessment information and results directly to the school district prior to the receipt of payment for services. The results of the independent evaluation will be considered in making educational decisions as required by the Individuals with Disabilities Education Act and/or Section 504 of the Rehabilitation Act of 1973.
7. The proposed evaluation must be free of any conflict of interest, and the independent assessment must not be of benefit to any particular public, non-public, or private school, agency or institution.