

INDEPENDENT EDUCATIONAL EVALUATIONS – REGULATIONS

The East Ramapo Central School District has established the following procedure for obtaining Independent Evaluations (IEE) for children with disabilities or for children who are referred to the CSE because they are suspected of having an educational disability.

Parents of a student with a disability or student suspected of having an educational disability have the right under Federal and State Regulations to request an IEE at public expense under certain conditions. Regulatory standards are outlined in New York State Regulations of the Commissioner of Education, Sections 200.5(g). Additionally, the Federal Regulations 34 CFR 300.502 specifies requirements for IEEs. These documents, in addition to A Parent's Guide to Special Education: Your Child's Right to an Education in New York State, detail IEE requirements. These documents are available from the East Ramapo Office of Special Student Services for parents who desire additional information.

1. Definition:

An Independent Education Evaluation (IEE) means an evaluation conducted by a qualified examiner(s), as defined in 34 CFR 300.15 and 34 CFR 300.304 & 305, who is not employed by the school district.

If the parent disagrees with the evaluation conducted by the CSE or CPSE, the parent has the right to request one IEE per district evaluation at public expense. The district may request that the parent specify the areas of disagreement with the district's evaluation; however, the parent's explanation or refusal to explain the reason(s) for the objection to the District's evaluation shall not provide the basis for the District to unreasonably delay providing or paying for the IEE or initiating an impartial hearing to defend its evaluation. The school district may initiate an impartial hearing to defend its evaluation and if the hearing officer determines that the school's evaluation is appropriate or that the parent's evaluation did not meet school district criteria, the parent still has the right to an IEE, but not at public expense.

2. Procedure:

When a parent disagrees with a district-conducted evaluation considered by the CSE or CPSE, the parent may request an IEE. Requests must be made in writing, specifying what evaluation or evaluations are sought, and sent to the Assistant Superintendent of Special Student Services, East Ramapo Central School District, 105 South Madison Avenue, Spring Valley, New York, 10977. Information pertaining to the specific reasons for disagreement with the district's evaluation(s) is helpful in the District's review.

3. Public Expense:

Public expense means that the school district either directly pays for the IEE or reimburses the parent for the IEE. The East Ramapo Central School District has established reimbursement rates for the independent evaluations based upon reasonable and customary rates in this geographic area. The school district will not pay more than the following rates:

Educational Evaluation	\$ 650
Speech Evaluation	\$ 480
Occupational Therapy Evaluation	\$ 400
Physical Therapy Evaluation	\$ 350
Psychological Evaluation	\$ 1200
Neuropsychological Evaluation	\$ 4200
Psychiatric evaluation	\$ 830
Assistive Technology Evaluation	\$ 1800

Exceptions to this fee schedule will be considered on a case-by-case basis and granted where a student's unique circumstances warrant it.

The school district also has the responsibility to designate a geographic area within which the parents would be limited in their search for an independent evaluator. The East Ramapo Central School District will pay for an IEE conducted in Rockland, Orange or Westchester Counties, or within a 50-mile radius of the District so long as the evaluator otherwise meets the District's criteria. Exceptions to this geographic limitation will be considered on a case-by-case basis and granted where unique circumstances warrant it.

A parent may request an exception to the fee schedule or geographic limitation by writing to the Assistant Superintendent of Special Student Services. If the school district determines that no exception to the school district's cost criteria or geographic limitation is warranted, it will initiate an impartial hearing to demonstrate that there was no rational basis to grant the exception.

4. Payment:

The East Ramapo Central School District may pay for an independent evaluation of assessment only if conducted by an individual who possesses the appropriate current license or certification from the New York State Education Department (NYSED) in the area of evaluation, and in the case of a psychiatric evaluation, certification by the American Board of Psychiatry and Neurology in either child and adolescent psychiatry or other appropriate psychiatric specialty.

The school district, upon receiving a request for an IEE or reimbursement for an IEE, will render its decision to the parent and/or independent evaluator by letter within 30 calendar days. If further information is needed by the school district to reach a decision, it will be requested prior to that time. A copy of the evaluation report and an invoice from the evaluator should be attached to any request for reimbursement for an IEE.

If the school district agrees to provide or pay for the IEE, the parents will be so informed in writing. Conversely, if the school district denies the request for an IEE or reimbursement for an IEE, the reason(s) for the denial, as well as the school district's intention to initiate a hearing to

defend this refusal will be addressed to the parents. Any IEE that meets the school district's criteria, publicly funded or not, will be considered by the CSE or CPSE.

5. Responsibilities:

Parents may select any professional who meets the criteria stated above. Once an independent evaluator who meets the District's criteria is selected, that professional should contact the school district to arrange for payment, dates of classroom visitations and discussions with school staff. The independent evaluator is also responsible for sending a copy of his or her state certification/license, along with a W-9 form, to the Office of Special Student Services.

6. Listing of Qualified Professionals:

A non-exclusive list of appropriately qualified evaluators in the designated geographic area for all evaluations listed in number 3 above is attached.

7. Further Information:

Parents can obtain further information on IEEs, including where independent evaluations may be obtained and the district's criteria for IEEs, by contacting the Office of Special Student Services at 845-577-6040. Parents can also contact NYSED for additional information on IEEs or speak with the Regional Associate assigned to Rockland County.

Ref: 20 U.S.C. § 1415(d)(2)(A)
34 C.F.R. § 300.502
8 N.Y.C.R.R. § 200.5(g)

Adopted: 10/13/15