

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 evaluation 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 independent examination means an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the child's education. The purpose 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.

The Board 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.

If the parent or guardian disagrees with the evaluation obtained by the district's CSE or CPSE, the parent or guardian has a right to request an independent educational evaluation at public expense. The district requests that parents or guardians tell why they disagree with the district's evaluation. The district has the right to initiate an impartial hearing to demonstrate that its evaluation is appropriate. If the hearing officer determines that the district's evaluation was appropriate, a parent or guardian still has the right to an IEE but not at public expense.

Upon request, parents will be provided with a list of public and private agencies and professional resources where independent evaluations may be obtained. These publicly-funded independent evaluations shall be limited to the same geographic and fiscal limitations as used by the district when it initiates an evaluation.

The Board directs the Superintendent of Schools to develop regulations establishing maximum allowable fees for specific tests, the geographic area in which such evaluations may take place, and minimum qualifications of the professionals who administer and interpret various tests.

Cross-ref: 4321, Programs for Students with Disabilities

Ref: 20 USC §1415(d)(2)(A)
34 CFR §300.502
8 NYCRR §§200.1(z); 200.5(a); 200.5(b); 200.5(c); 200.5(g)

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