

SHARED SERVICES INDEPENDENT EDUCATIONAL EVALUATION REGULATIONS

INTRODUCTION

Shared Services has established the following procedure for obtaining an Independent Educational Evaluation (IEE) for children with educational disabilities or for children who are referred to the Planning and Placement Team (PPT) for a suspected educational disability who may, therefore, be in need of special education services.

Parents/guardians of disabled children, as identified in the foregoing paragraph, have the right under federal and state law to obtain an IEE at public expense under certain conditions. The State of Connecticut's regulations are outlined in §10-76d-9(a) of the Connecticut Agency Regulations. Additionally, the Federal Regulations (34 CFR §300.502) specify requirements for independent evaluations. These regulations are available from the Special Education Office for parents/guardians who desire additional information.

These procedures have been developed in order to explain the rights of parents/guardians and the responsibilities of the school district with regard to IEE's.

DEFINITION

An Independent Educational Evaluation (IEE) is an evaluation conducted by a qualified examiner who is not employed by the school district responsible for education of the disabled child or child thought to be educationally disabled.

PROCEDURE

If the parent/guardian disagrees with a specific evaluation initiated, conducted and/or obtained by the district, the parent/guardian may exercise their right to obtain an IEE at district expense. Such request must be made either at a Planning and Placement Team (PPT) meeting, or made in writing and should be submitted to the Executive Director of Shared Services (who may then schedule a PPT meeting to consider the request, if necessary). The district may ask that the parent/guardian specify the specific areas of disagreement with the district's evaluation. If the district refuses to fund the IEE requested by the parent/guardian (as set forth in these regulations), then the district must initiate an impartial hearing to show that its evaluation is appropriate. If the hearing officer determines that the district's evaluation is appropriate, the parent would not have the right to a publicly funded IEE or the right to reimbursement for an IEE they may have already obtained.

If the district has not first conducted or had the opportunity to conduct an evaluation of a child, the parent does not have a right to an independent evaluation at public cost. The district has the right to conduct the first evaluation, subject to the parent's right to contest any failure or refusal by the district to conduct an evaluation. A parent/guardian may request only one independent evaluation at public expense for each evaluation conducted by the district.

PUBLIC EXPENSE

Public expense means that the district either pays for the full cost of the IEE, up to the amount indicated on the attached fee schedule, or ensures that the evaluation is otherwise provided at no cost to the parents/guardians. The rates set forth on the district's fee schedule are based on the average professional

rate in the community and the rates that the district pays for an evaluation that it initiates, conducts and/or obtains, and will be reviewed on an annual basis.

PAYMENT

The district, upon receiving a request for payment or reimbursement for an IEE, will forward an acknowledgement letter to the parent/guardian within ten (10) business days, along with this regulation. Any further information needed by the district to reach a decision regarding payment will be requested in the letter, and as may be required/permitted by law. A copy of the evaluation report, if completed, must be attached to the bill for reimbursement. The bill should also include a breakdown of dates and costs (e.g., record review, client interview, test administration, etc.).

The district will notify the parent in writing with respect to the district's decision as to payment or reimbursement. A PPT may need to be scheduled, if one has not already been convened, to discuss the request for the IEE.

RESPONSIBILITIES

Parents/guardians may select any qualified professional who meets the criteria established in this procedure. This criteria is the same as that of the district when it initiates an evaluation.

The district will pay for an Independent Educational Evaluation (IEE) only when conducted by an individual who possesses an appropriate and current license and/or certification in the area of the evaluation, consistent with its standards for evaluations that it initiates, conducts and/or obtains. The district will make available a list of qualified professionals who are deemed qualified to conduct an IEE in a specific area.

It is the responsibility of the independent evaluator to contact the building principal, school psychologist, or Executive Director of Shared Services to arrange dates of classroom observations and discussions with school staff. The independent evaluator must send a copy of their state certification/licenses to the Executive Director of Shared Services prior to the initiation of the evaluation, if the district does not already have such information on file. The evaluator must use a variety of assessment tools and strategies, not a single procedure, to gather relevant functional and developmental information, including a review of prior school based evaluative information when such information exists. The evaluation must be provided and administered in the child's native language, if feasible, and may not be selected or administered so as to be discriminatory on a racial or cultural basis. If standardized tests are used, they must be validated for the purpose for which they are used, administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of such tests. A portion of the evaluation must consider the student's natural educational environment, content of the child's Individualized Educational Program (IEP) (if an IEP has been drafted for the student) and must consider school district staff's input.

The evaluator shall make recommendations that address educational interventions and strategies that will assist the student to achieve appropriate educational progress. **The evaluator shall not make recommendations concerning the educational placement of the child.**

As part of the post-evaluation process, a meeting with the parent/guardian and a school district representative should take place to review the evaluation report. If the parent/guardian is invited to a

post-evaluation meeting to review the evaluation, school district staff must also participate in such a meeting.

A school district has the responsibility to designate a geographic area within which the parent/guardian would be limited in their search for an independent evaluator. Shared Services has established that the geographic area for an independent evaluator must be within a 75 mile radius of the school that the child attends. If the parent/guardian seeks to go outside the geographic area designated, there shall be prior approval and consideration by the Executive Director of Shared Services that is consistent with any past practice of the school district, Shared Services and/or the unique circumstances involved in the request. Evaluators outside of this geographic area will be approved only on an exceptional basis, provided that the parent can demonstrate the necessity of using personnel outside of this geographic area. The district shall not be responsible for providing transportation, nor pay any travel expenses, to and from the location of the evaluator. In the case of low incidence or severe disabilities where qualified evaluators may not exist in the geographic area, this requirement may be reconsidered by the district.

1. The evaluator must hold a valid license from the State of Connecticut in the field related to the known or suspected disability. The evaluator must have extensive training and experience in evaluating the area(s) of concern and be able to interpret instructional implications of the evaluation results. In instances where no “applicable license” exists, the district must be satisfied the evaluator has extensive training and experience related to the known or suspected disability.
2. The evaluator must be permitted to directly communicate, consult, and share information with members of the PPT team and the Executive Director of Shared Services. The evaluator must also release the assessments and results, including any parent and teacher surveys, to the members of the PPT team and the Executive Director of Shared Services.
3. The evaluator must obtain and consider school information and observations of the child in the school setting in the evaluation process and the written report. Unless otherwise determined by the members of a child’s PPT team, the evaluator must observe the child in one or more educational settings. The evaluator shall make at least one contact with the child’s general education teacher for the purpose of determining how the student is progressing in the general curriculum. In addition, evaluators are encouraged to make additional contacts with other involved general or special education teachers, and related service providers, as appropriate.
4. The evaluator must agree to provide the assessment information and results, including the results of teacher and parent checklists and surveys, in a written report to the district prior to receipt of payment for services. The evaluator will be expected to produce his/her written report within forty-five (45) school days of the provision of consent, subject to any contractual arrangement with the district or unusual circumstances which justify an extension of this timeline.
5. The evaluator must comply with all guidelines required under the Individuals with Disability Education Act (IDEA) and the Connecticut State Department of Education regulations regarding the evaluation of children with disabilities. The evaluator must also comply with all applicable confidentiality requirements under state and federal law.
6. Absent unique circumstances, evaluations must not exceed the district’s applicable maximum allowable costs. A schedule of maximum allowable costs for particular evaluations is attached.

OUTSIDE EVALUATIONS WHICH ARE NOT IEEs

Evaluations and/or assessments obtained by parents/guardians which do not meet the criteria for an IEE under these regulations or the law, are considered outside evaluations for which parents/guardians are not entitled to reimbursement or payment from a public school district. Nonetheless, if a parent/guardian decides to unilaterally obtain such an outside evaluation and to share the results of such evaluation with the district, the district will consider the evaluation at a PPT meeting, as appropriate.

FURTHER INFORMATION

Parents/guardians can obtain further information on IEEs by contacting the Executive Director of Shared Services at 860-379-8583.

SHARED SERVICES
MAXIMUM ALLOWABLE EVALUATION COSTS SCHEDULE

- Neuropsychological Evaluation ~ \$2,500 - \$3,000
- Psychiatric Evaluation ~ \$1,000
- Psychological Evaluation ~ \$2,000
- Communication Evaluation ~ \$1,500
- Central Auditory Processing Evaluation ~ \$ 750
- Assistive Technology Evaluation ~ \$1,250