

## **Simsbury Public Schools**

### **Guidelines for Independent Educational Evaluations (IEE)**

According to state and federal special education laws, parents/guardians have the right to an independent educational evaluation of their child at public expense if they disagree with an evaluation of the child conducted by the district. The Simsbury Public Schools has established the following procedure for obtaining an Independent Educational Evaluation (IEE) and criteria for the selections of an appropriate evaluator. In accordance with applicable law, these criteria also apply to outside evaluations performed by an outside evaluator selected by, and/or, at the request of the Simsbury Public Schools.

#### **Definitions**

An Independent Educational Evaluation (IEE) is an evaluation conducted by a qualified examiner who is not employed by the Simsbury Public Schools, which is the public agency responsible for the education of the child.

An **evaluation** means the formal testing and/or assessment procedures used to determine whether a child has a disability and the nature and extent of the special education and related services the child needs.

**Public expense** means the district either pays for the full cost of the evaluation or ensures the evaluation is otherwise provided at no cost to the parents/guardians.

#### **Procedure**

Upon receipt of a request for an IEE by a parent/guardian, the school district will either: (a) initiate due process and a hearing to show that the evaluation conducted by the district of the child is appropriate; or (b) provide an independent educational evaluation at public expense. If the school district requests a hearing and the final decision is that the district's evaluation of the child is appropriate, the parent/guardian still has the right to an independent educational evaluation, but not at public expense.

If, in response to the parent/guardian request for an IEE, the district decides to procure an independent evaluation, the district will provide names, addresses, and phone numbers of possible IEE evaluators who meet the district's criteria (*as set forth below*). The list will identify those evaluators, who, in the district's judgment, are qualified to perform the evaluation requested by the parents. Parents may also select evaluators not included on the district's list, provided they fully satisfy all of the criteria set forth below.

#### **Criteria for Outside Evaluators** (*Independent Evaluators and Outside Evaluators Selected by the Simsbury Public Schools*)

Evaluators chosen to conduct independent evaluations must meet ***all of*** the criteria established by the district as follows:

##### **A. Minimum Credentials for Evaluators**

- For Psychologists:

1. Hold a valid Connecticut Department of Health license as a psychologist.
2. Have achieved a Doctor of Philosophy (Ph.D.) or Doctor of Psychology (Psy.D.).
3. Have training and experience in evaluating students of the same age level.
4. Have clinical background, advanced training, and recent experience in the areas of disability being evaluated
5. If assessment is utilized to report standard scores as a measure of IQ, the evaluator must practice standard protocols adhering to all testing procedures established in the assessment tool's administrative guidelines. This assures test reliability and validity.

- For individuals conducting academic achievement testing, the individual must **either:**

1. Fulfill the following requirements:
  - (a) Have attained a minimum of a Master's degree; **and**
  - (b) Hold an appropriate and valid special education or other academic specialization (such as reading or mathematics) certificate from the Connecticut, Massachusetts or Rhode Island State Departments of Education; **and**
  - (c) Have experience in teaching and evaluating students in the area of suspected disability
2. If assessment is utilized to report standardized scores as a measure of academic achievement, the evaluator must demonstrate standard practice of ensuring validity, reliability in scores by adhering to all specified testing procedures established in the assessment tool's specific administration guidelines.

**Or:**

3. Fulfill the requirements of the psychologist above.
4. If assessment is utilized to report standardized scores as a measure of academic achievement, the evaluator must demonstrate standard practice of ensuring validity, reliability in scores by adhering to all specified testing procedures established in the assessment tool's specific administration guidelines.

- For Speech Pathologists, Audiologists, Occupational Therapists, Physical Therapists and Physicians:

1. Hold a valid Connecticut Department of Health license to practice.
2. Have clinical pediatric experience in evaluating and treating children in the area of disability being evaluated.
3. In the case of physicians, is Board Certified in the appropriate specialty area (pediatrics, care of children and adolescents, etc)
4. If assessment is utilized to report standardized scores as a measure of achievement, the evaluator must demonstrate standard practice of ensuring validity, reliability in scores by adhering to all specified testing procedures established in the assessment tool's specific administration guidelines.

- For other areas considered for independent evaluation (neuropsychological, transition, assistive technology, psychiatric, social cognitive, etc.) specialists in the field will be considered and mutually agreed upon by both parties. Again, if standardized evaluation measures are utilized to report standardized scores as a measure of achievement, the evaluator must demonstrate standard practice of

ensuring validity, reliability in scores by adhering to all specified testing procedures established in the assessment tool's specific administration guidelines.

- B. Cost: Evaluators must charge fees for evaluation services which, in the judgment of the school district, are reasonable and customary for such evaluations. Any evaluation expected to cost beyond these reasonable and customary expenses (typically \$2,000 to \$3,000) this additional expense must be approved by the Director of Special Services before initiating said evaluation.
- C. The evaluator must not be an employee of the school district.
- D. The evaluator must directly communicate with school staff members who work with the child in school and the members of the Planning and Placement Team, including the Special Education Director, in order to obtain information from the school and share information with the school.
- E. The evaluator must obtain and consider school information as well as conduct **observations of the child in the school setting in the evaluation process** and include such information regarding such observations the written report.
- F. 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 and for services. The district, as the fiscally responsible party, will make the evaluation report available to parent and appropriate district staff. One copy of the report is to be sent to the attention of the Director of Special Services, Simsbury Public Schools.
- G. The evaluator must comply with all guidelines under the Individuals with Disabilities 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.

#### Evaluation Report and Parental/School District Feedback Information

If the evaluator intends to provide parents with an individual session to review evaluation results, that same opportunity must be extended to district personnel either at the same time or prior to the parental meeting.

If such opportunity for a feedback session is not accepted/or deemed appropriate by the district, a full report of the evaluation must be provided to the district prior to the scheduled parent meeting.

The evaluator may be asked to present evaluation findings at a PPT in lieu of any of the meetings above.

#### Location and Limitations for Evaluators

Evaluators who will be considered for approval must be located within a radius of seventy-five miles. Evaluators outside of the 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 to provide 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.

#### Additional Information

**If the district has not conducted 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 first evaluation. A parent/guardian may request only one independent evaluation at public expense for each evaluation conducted by the district.**

#### Outside Evaluations Which Are Not IEES

Evaluations and/or assessments obtained by parents/guardians which do not meet the criteria for an IEE 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 an outside evaluation and to share the results of such evaluation with the district, the school district will consider the evaluation at an IEP meeting, as appropriate.

The results of an independent evaluation procured by the district will be considered at a Planning and Placement Team meeting.

#### Questions

Please contact the Director of Special Services with any questions regarding the criteria for independent educational evaluations.