

## NEWTOWN 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 Newtown Public School District has established the following procedure for obtaining an Independent Educational Evaluation (IEE) and criteria for the selection 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 Newtown Public School District.

#### Definitions

An **Independent Educational Evaluation (IEE)** is an evaluation conducted by a qualified examiner who is not employed by the Newtown 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, upon request, 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.

Parent will be expected to contact the evaluator they have selected to conduct the IEE in a timely manner to schedule any necessary appointments.

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

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

A. Minimum Credential 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.) in Psychology, Neuropsychology or Clinical Psychology from an accredited university.
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. Be able to schedule an evaluation in a timely manner and produce a written report within forty-five (45) school days of evaluation, subject to any contractual arrangement with the district or unusual circumstances which justify an extension of this timeline.

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

1. Fulfill the following requirements:
  2. Have attained a minimum of a Master's degree; ***and***
  3. 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***  
(a) Have experience in teaching and evaluating students in the area of suspected disability.
- Or***
4. Fulfill the requirements of the psychologist above.

Psychiatric Evaluation:

- (a) Medical degree (M.D.) from an accredited university; and
- (b) Clinical training in child and adolescent psychiatry; and
- (c) Valid license by the State of Connecticut Department of Public Health in good standing; and
- (d) Board certified by the American Board of Psychiatry and Neurology in the specialty area of Child and Adolescent Psychiatry.

Medical Evaluation:

- (a) Medical degree (M.D.) from an accredited university; and
- (b) Clinical training in field of specialty required for evaluation or pediatrics, as applicable; and

- (c) Valid license issued by the State of Connecticut Department of Public Health in good standing; and
- (d) Board certified by the appropriate agency in pediatrics or the appropriate field of specialty in which the evaluation is sought.

Occupational Therapy Evaluation:

- (a) Minimum Bachelor's degree from an accredited university and has graduated from an educational program accredited by the American Occupational Therapy Association; and
- (b) Valid license issued by the State of Connecticut Department of Public Health in good standing; and 4
- (c) Clinical experience in evaluating and treating children and/or adolescents in the area of disability under evaluation.

Physical Therapy Evaluation:

- (a) Graduate of a school of physical therapy approved by the Board of Examiners for Physical Therapists; and
- (b) Valid license issued by the State of Connecticut Department of Public Health in good standing; and
- (c) Clinical experience in evaluating and treating children and/or adolescents in the area of disability under evaluation.

Speech and Language Evaluation:

- (a) Minimum of master's degree and appropriate specialist level training (e.g. Sixth Year Degree) in speech and language pathology from a program accredited by the American Speech-Language Hearing Association; and
- (b) Valid license issued by the State of Connecticut Department of Public Health in good standing; and
- (c) Clinical experience in evaluating and treating children and/or adolescents in the area of disability under evaluation; and
- (d) Current Certificate of Clinical Competence (CCC) in good standing from the American Speech-Language Hearing Association (ASHA).

Audiological Evaluation:

- (a) Minimum of master's degree and appropriate specialist level training (e.g. Sixth Year Degree) in audiology from a program accredited by the American SpeechLanguage Hearing Association; and
- (b) Valid license issued by the State of Connecticut Department of Public Health in good standing; and
- (c) Clinical experience in evaluating and treating children and/or adolescents in the area of disability under evaluation; and
- (d) Current Certificate of Clinical Competence in Audiology (CCC) in good standing from the American Speech-Language Hearing Association (ASHA).

#### Educational Evaluation

- (a) Master's degree from an accredited university and appropriate specialist level degree (e.g. Sixth Year Professional Diploma) in Special Education from an accredited university; and
- (b) Professional Educator Certificate in Special Education from the State of Connecticut Department of Education; and
- (c) Minimum three years full-time supervised professional experience beyond any internship or practicum experience in a public school setting.

#### Functional Behavioral Assessment: *Must meet one of the following:*

- (a) Minimum requirements above for Psychological or Psycho-Educational Evaluation; or 5
- (b) Hold current certification in good standing as Board Certified Behavior Analyst (BCBA), including attaining a minimum of a master's degree in Applied Behavior Analysis (ABA) from an accredited university.

#### **COST REQUIREMENT**

Evaluators must charge fees for evaluations which are reasonable and customary in the community, as judged by the school district. Evaluators will be asked to provide an estimate of evaluation costs and if necessary, to conform them to the expectations of the school district for fees that are reasonable and customary in the community. Refusal to comply will disqualify the evaluator. In the event that the school district is providing reimbursement to a parent or guardian for an evaluation already conducted, the school district shall not be responsible for reimbursement of any costs in excess of a reasonable fee for the service provided

- B. The evaluator must not be an employee of the school district.
- C. The evaluator must be permitted to directly communicate with school staff who work with the child in school and the members of the Planning and Placement Team, including the Special Education Director, as well as to obtain information from the school and share information with the school.
- D. 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.
- E. 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

evaluation, subject to any contractual arrangement with the district or unusual circumstances which justify an extension of this timeline.

- F. The evaluator must comply with all guidelines required 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.

### **Location Limitations for Evaluators**

Evaluators who will be considered for approval must be located within a radius of sixty miles. 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 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.