



Kim Davis  
Director of Special Services

## **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. East Lyme Public Schools 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 East Lyme Public Schools.

### **Definitions**

An **Independent Educational Evaluation (IEE)** is an evaluation conducted by a qualified examiner who is not employed by East Lyme 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 a due process hearing to show that the evaluation of the child conducted by the district is appropriate; or (b) provide an IEE at public expense unless the school district demonstrates through a due process hearing that the evaluation obtained by the parent did not meet the district's criteria. 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 IEE, 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.

Parents 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 East Lyme 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. ***Licensure or Certification:***

Psychologists must either hold a valid Connecticut Department of Health license as a psychologist and have achieved a Doctor of Philosophy (Ph.D.) or Doctor of Psychology (Psy.D.) in Psychology, Neuropsychology or Clinical Psychology from an accredited university; OR hold an appropriate and valid certificate in school psychology from the Connecticut, Massachusetts or Rhode Island State Departments of Education.

2. ***Additional Requirements:***

***Psychologists must:***

1. Have training and experience in evaluating students of the same age level.
2. Have clinical background, advanced training, and recent experience in the areas of disability being evaluated.
3. Be able to schedule an evaluation in a timely manner and produce a 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.

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.

***Or***

2. Fulfill the requirements of the psychologist above.

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, be Board Certified in the appropriate specialty area (pediatrics, care of children and adolescents, etc.)
- B. Cost: Evaluators must charge fees for evaluation services which, in the judgment of the school district, are reasonable and customary for such evaluations.
- C. The evaluator must not be an employee of the school district.
- D. 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.
- E. 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.
- 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 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.
- G. 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 seventy-five 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.

### 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 conduct its evaluation first. A parent/guardian may request only one independent evaluation at public expense for each evaluation conducted by the district.

### Outside Evaluations That are Not IEEs

Evaluations and/or assessment obtained by parents/guardians that 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.

### Evaluators Meeting Criteria

A list of evaluators meeting district criteria will be provided upon request.

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