

INDEPENDENT EDUCATIONAL EVALUATIONS REGULATION

Administrative Procedures

1. The district has established a forty-five (45) calendar day time period for parents or guardians to request independent educational evaluations. Upon completion of an evaluation conducted by the district and appropriate notice having been given to the parent or guardian, the parent or guardian has forty-five (45) calendar days from the date of receipt of the district's evaluation and notice to submit a request for an independent educational evaluation in writing. Parents must include rationale for the request.
2. The district will not pay more than \$1000 for a comprehensive independent educational evaluation that meets the requirements under the Commissioner of Education's applicable regulations, which may require an individual psychological evaluation, a physical examination, a social history, and other suitable examinations and evaluations as may be necessary to ascertain the physical, mental and emotional factors which may contribute to the suspected disability.
3. The district has established a list of specific rates of qualified professionals in private practice or employees of other public agencies who may perform independent educational evaluations. The attached list of independent educational evaluators includes professionals in all areas of a child's suspected disability. In addition, the district will pay for an evaluation performed by an employee of any other public school district or BOCES within the State of New York whom the parent chooses to employ as an independent educational evaluator to be paid at the then-current hourly rate paid to that licensed or certified individual by their respective public school district or BOCES.
4. The district will pay for an independent educational evaluation or assessment only if conducted by an individual who possess current license or certification from the New York State Education Department in the area of the evaluation or otherwise meets the qualification requirements as set by the New York State Education Department for evaluators within public schools. The district may reject and exclude any independent evaluator who does not possess any necessary license or credential by the New York State Education Department or other applicable State agency or who has been found to engage in unethical or improper professional practices, or whose fee is excessive.
5. The independent educational evaluation must be conducted in accordance with the federal and State regulations, which require at a minimum that:

- (a) tests and other evaluation materials -
 - (1) are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so;
 - (2) have been validated for the specific purpose for which they are used; and
 - (3) are administered by trained personnel in conformance with the instructions provided by their producer.
 - (b) tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
 - (c) tests are selected and administered to ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).
 - (d) no single procedure is used as the sole criterion for determining an appropriate educational program for a child.
 - (e) the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
6. Upon the district's receipt of a request for reimbursement for an independent educational evaluation, the district will provide a written response to the request within thirty (30) days of receipt of the request. Any information needed by the district to reach a decision regarding payment will be set forth in the letter.

The district's written response will indicate either the district's acceptance of the request for an independent education evaluation or the district's notification of its intent to initiate a due process hearing to reject the request.

Reimbursement of expenses of a scheduled independent educational evaluation must be requested in writing, complete with an itemization of the expenses, within four (4) calendar months of the date of completion of the independent educational evaluation.

7. If denial of reimbursement is indicated, the reason(s) for that denial, as well as the district's intention to initiate a hearing regarding such denial, will be forwarded to the parent or guardian in writing with a copy also being forwarded to the evaluator. If the district agrees to pay for the evaluation, the parent and the evaluator will be notified by letter.

Maximum Fees

The following schedule of maximum fees for each type of evaluation shall be applied:

Psychologist	\$ 600
Psychiatrist	\$ 910
Neuropsychologist	\$1000
Developmental Pediatrician	\$ 800
Speech/Language Pathologist	\$ 200
Occupational Therapist	\$ 200
Physical Therapist	\$ 200
Visual Perceptual Specialist	\$ 200
Neurologist	\$ 400

If a parent or guardian selects an evaluator whose fees do not conform to the district's fee criteria, the parent or guardian must demonstrate that unique circumstances justify the selection, or that the fees charged are reasonable under the circumstances. In the absence of such demonstration, the evaluation will be reimbursed up to the maximum allowable indicated. Parents or guardians who desire an exception to the fees set forth herein should forward such request in writing to the Chairperson of the Committee on Special Education (CSE) or the Chairperson of the Committee on Preschool Special Education (CPSE), as appropriate.

Geographic Area

The district has the responsibility to designate a geographic area within which the parents or guardians are limited in their search for an independent educational evaluator. The district has designated this area to independent evaluators within public or private agencies or entities located in Clinton, Essex, Warren, Saratoga, Washington, Schenectady, Albany, Rensselaer, Franklin, and St. Lawrence Counties in the State of New York and in the greater Burlington area of the State of Vermont. A parent or guardian who desires for an exception to the geographic area set forth herein should forward such request in writing to the Chairperson of the Committee on Special Education (CSE) or the Chairperson of the Committee on Preschool Special Education (CPSE), as appropriate.

Responsibility of Independent Evaluator

When a parent or guardian requests an independent education evaluation and the request is approved by the district, the parent or guardian selects an evaluator from a list of approved evaluators. It is the responsibility of the evaluator chosen to contact the district and submit a written evaluation proposal, which shall include:

- (1) a detailed description of the services to be performed;
- (2) the anticipated cost;
- (3) the proposed method of payment;
- (4) the dates of classroom or school visitations;
- (5) the dates of discussions with school staff; and
- (6) when a written report of the evaluation will be submitted to the district.

An independent evaluator will be permitted to conduct observations of the child on school property during normal school hours, as is appropriate.

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