

Introduction

The Burnt Hills-Ballston Lake Central School District has established the following procedures for Independent Educational Evaluations (IEE's) for children with educational disabilities or for children who are referred to the Committee on Special Education because they are suspected of having an educational disability and may, therefore require Special Education.

Parents of children with educational disabilities have the right under Federal and State regulations to obtain an Independent Evaluation, at school district expense, under certain conditions. Regulatory standards are outlined in New York State Regulations of the Commissioner of Education Part 200.5(a)(1)(vi). Additionally, Federal Regulations 34CFR 300.503 specific the requirements for Independent Evaluations. These documents, in addition to A Parents Guide to Special Education: Your Child's Right to an Education in New York State, detail Independent Evaluation requirements. These documents will be available from the district for parents who desire additional information.

Independent Evaluations Defined

An Independent Evaluation means an evaluation conducted by a qualified examiner(s) as defined in 34CFR 300.12, who is not employed by the Burnt Hills-Ballston Lake Central School District.

The process requires that if the parent disagrees with the evaluation conducted by staff of the school district, they have the right to obtain an Independent Educational Evaluation at school district expense. The district may ask the parent to specify the areas of disagreement with the District's evaluation. The District may initiate an Impartial Hearing to show that its evaluation is appropriate, and if the Hearing Officer determines that the District's evaluation is appropriate, the parent would not have the right to a publicly funded Independent Evaluation or the right to reimbursement for an Independent Educational Evaluation they may have obtained without District approval.

Procedural Time Requirements

Upon completion of an evaluation conducted by the District, parents should file a written request within 90 days from the date of their receipt of the District's evaluation to formally request an Independent Educational Evaluation.

Public Expense

Public expense means that the district either pays for the full cost of the Independent Evaluation or ensures that the evaluation is otherwise provided at no cost to the parent. The Burnt Hills-Ballston Lake Central School District has established reasonable reimbursement rates for independent evaluators. These rates are comparable to the costs that the District would pay its own employees. The District will not pay more than \$2,500 for a comprehensive Independent Educational Evaluation. In order to meet the requirements of such an Independent Educational Evaluation under Commissioner's Regulations, the Independent Educational Evaluation may require an individual psychological evaluation, neuropsychological 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 contribute to a suspected educational disability.

District and Parental Responsibilities

When an Independent Educational Evaluation is requested by a parent and approved by the District and an evaluator is selected by the parent, it then becomes the responsibility of that professional to contact the district to arrange for payment, dates and times of classroom visitations and discussions with district personnel.

The district will designate a geographic area within which the parents would be limited in their obtaining an Independent Evaluator. Burnt Hills-Ballston Lake Central School District will not consider, at public

expense Independent Evaluators outside of Saratoga, Schenectady, Albany, Fulton, Montgomery, Washington or Warren Counties in New York State. Any requests for exception to these geographic locations must be made in writing to the Chairperson of the Committee on Special Education, Burnt Hills-Ballston Lake Central School District.

Listing of Qualified Professionals

The Burnt Hills-Ballston Lake Central School District has established a comprehensive list of persons qualified to provide Independent Education Evaluations. These professionals are either in private practice or are employees of other public agencies. Parents may go to any professional on the list to obtain an Independent Educational Evaluation. The attached list of independent evaluators includes professionals in all areas of a child's suspected disability. In addition, the Burnt Hills-Ballston Lake Central School 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 Evaluator at the hourly rate paid to such licensed or certified individual by their respective school district or BOCES.

Payment

The Burnt Hills-Ballston Lake Central School District may pay for an Independent Educational Evaluation only if conducted by an individual who possesses a current license or certification from the New York State Education Department in the area of the evaluation. The District will permit parents to select any Independent Evaluator who is in the public phone book within the counties named above at the time the parent makes the request of the District, subject to the condition that the qualified professional selected is a certified or licensed evaluator. Such Independent Evaluations may also be presented as evidence at a Hearing conducted by the District or as requested by the parent.

Independent Education Evaluations requested by parents which would typically not be conducted by school certified/licensed staff members would require parents to demonstrate that unique circumstances justify an Independent Educational Evaluation that does not fall within the District's responsibility to provide a free, appropriate public education.

The Burnt Hills-Ballston Lake Central School District, upon receiving a request for an Independent Educational Evaluation, will forward an acknowledgement letter to the parent and /or Independent Evaluator within 10 calendar days. Any further information needed by the District to reach a decision regarding payment will be requested in the letter.

If denial of reimbursement is the decision, the reason(s) for that denial, as well as the intention of the District to initiate a Hearing to support this refusal will be communicated to parents in writing. Conversely, if the district agrees to pay for an IEE, the parents will also be notified by letter.

Further Information

The Burnt Hills-Ballston Lake Central School District has developed this policy on Independent Educational Evaluations in order to avoid any misunderstandings and to ensure that the District is following its responsibility to provide Independent Educational Evaluations at parent request. Parents can obtain further information by contacting the Chairperson of the Committee on Special Education, or the school psychologist in each of the District's schools. Parents can also contact the New York State Education Department for additional information on Independent Educational Evaluations through the Office for Special Education Services and speaking to the Regional Associate assigned to the Capital District, or to the office Supervisor.

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