

The school district has established the following policy on independent educational evaluations for children with 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, be in need of special education.

Parents of children with disabilities have the right under Federal and State laws and regulations to obtain an independent educational evaluation at public expense under certain conditions. (Commissioner of Education Regulations, Part 200.5(a)(1)(vi); Federal Regulations 34 CFR 300.503) A parent does not have the right to an independent evaluation if the school district has not conducted and completed its evaluation of the child. In addition, the State Education Department Publication *A Parent's Guide to Special Education: Your Child's Right to an Education in New York State*, discusses independent evaluation requirements. This document is available from the district upon request.

The school district has adopted this policy in order to explain the rights of parents and the responsibilities of the school district with regard to independent educational evaluations and to avoid any misunderstandings.

#### DEFINED

An independent educational evaluation means an evaluation conducted by a person who is not employed by the school district responsible for the education of the child. Such an evaluation is for the purpose of determining a child's eligibility for special education or related services, and for planning to meet the child's educational needs.

If the parent disagrees with the evaluation conducted by the school district, the parent has a right to request an independent educational evaluation at public expense. The district may, in turn, request the parent to specify the areas of disagreement with the evaluation to show that its evaluation is appropriate, and may initiate an impartial formal hearing if it believes its evaluation is appropriate and does not intend to pay for the evaluation requested by the parent.

#### PUBLIC EXPENSE

Public expense means that the school district either pays for the cost of the independent educational evaluation or ensures that the evaluation is otherwise provided at no cost to the parent provided that the cost does not exceed the monetary amount established in this policy by the district. The amounts set forth in this policy are also those amounts which the district will pay when scheduling its own outside evaluations. Requests for an exception to the rates set forth should be forwarded in writing to the Chairperson of the Committee on Special Education (CSE) or Chairperson of the Committee on Preschool Special Education (CPSE).

## RESPONSIBILITIES

When an independent educational evaluation is requested and approved by the school district and an evaluator is selected by the parent from the attached list, it becomes the responsibility of the person chosen to contact the school district to set forth in writing the services to be performed, the cost involved, the method of payment, dates of classroom visitations and discussions with school staff, and when a written report will be submitted.

The school district has the responsibility to designate a geographic area within which the parents would be limited in their search for an independent educational evaluator. The school district will not consider at public expense independent educational evaluators outside the county in which it is located or any adjoining county. Requests for an exception to the geographic area set forth should be forwarded in writing to the Chairperson of the CSE or CPSE as appropriate.

## FURTHER INFORMATION

The school district has developed a policy on independent educational evaluations in order to avoid any misunderstanding and to ensure that the district is meeting its responsibility to provide an independent educational evaluation. Parents can obtain further information on independent educational evaluations by contacting the Chairperson of the CSE or CPSE at the school district, and also the State Education Department by contacting the Office for Special Education Services, requesting to speak to the Regional Associate assigned to this area.