

Policy Guidelines for Independent Educational Evaluations (IEE)

1. A parent may request an independent evaluation if there is disagreement with any assessment conducted as part of an initial evaluation or a reevaluation provided by a district board of education.
 - a. The school district shall determine within ten days of receipt of the request for an independent evaluation whether or not to conduct an evaluation.
 - b. If the school district determines to conduct the evaluation, it shall notify the parent in writing and complete the evaluation within 45-calendar days of the date of the request.
 - c. If the school district determines not to conduct the evaluation first, it shall proceed in accordance with 2 b. below.
2. Such independent evaluation(s) shall be provided at no cost to the parent unless the school district initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing.
 - a. Upon receipt of the parental request, the school district shall provide the parent with information about where an independent evaluation may be obtained and the criteria for independent evaluations according to 3 and 4 below. In addition, except as provided in 1 above, the school district shall take steps to ensure that the independent evaluation is provided without undue delay; or
 - b. Not later than 20 calendar days after receipt of the parental request for the independent evaluation, the school district shall request the due process hearing.
3. Any independent evaluation purchased at public expense shall:
 - a. Be conducted according to N.J.A.C. 6A:14-3.4; and
 - b. Be obtained from another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required.
4. An independent medical evaluation may be obtained according to N.J.A.C. 6A:14-5.1(e).
5. Any independent evaluation submitted to the district, including an independent evaluation obtained by the parent at private expense, shall be considered in making decisions regarding special education and related services.
6. If a parent requests an independent evaluation, the school district may ask the parent to explain why he or she objects to the school district's evaluation. However, the school district shall not require such an explanation and the school district shall not delay either providing the independent evaluation or initiating a due process hearing to defend the school district's evaluation.
7. For any independent evaluation, whether purchased at public or private expense, the school district shall permit the evaluator to observe the student in the classroom or other educational setting, as applicable.
8. If an administrative law judge orders that an independent evaluation be conducted, the independent evaluation shall be obtained by the district board of education in accordance with the decision or order of the administrative law judge, and the district board of education shall pay the cost of the independent evaluation.

PROCEDURE TO OBTAIN AN IEE AT PUBLIC EXPENSE

1. The parents/guardians must submit a written request, electronic [e.g. emails, faxes, pdf files, etc.] or verbal requests are not acceptable, for an IEE to the Assistant Superintendents' office directly and may include in such request an explanation of their reasons for objecting to the evaluation obtained by the district. However, the district will not deny parents/guardians a publicly funded IEE because they do not provide reasons for requesting the IEE.
2. Upon receipt of a written request for an IEE, a determination will then be made as to whether the district will either agree to the IEE request or initiate a due process hearing to establish the appropriateness of its evaluation. Decisions resulting from such due process will be implemented in accordance with local, state and federal regulations.
3. When an IEE is requested by parents/guardians, and the district decides to proceed with the IEE, the school district will provide a written response to the parent that shall include following information:
 - a. A listing of the names and addresses of approved IEE Examiners. The list will identify those IEE Examiners who, in the school district's judgment, are qualified to perform the evaluation requested by the parents/guardians. If no qualified examiner is based within the local region, the district will identify qualified examiners located in the state of New Jersey who can perform the evaluation. Parents/guardians may select an examiner who is not on the list; however, parents/guardians must ensure that the selected evaluator(s) meets the district's criteria for IEE Examiners in order to receive public funds for the IEE.
 - b. The specific location of the evaluation. All IEEs will be performed in the school district and/or the school where the child is currently attending unless the parents/guardians demonstrate that unique circumstances warrant a publicly funded IEE outside the school district.
 - c. A description of the school district's criteria for selection of the IEE Examiners, as described below.
4. Criteria for IEE Examiners. The following are the school district's minimum criteria to be approved as an IEE Examiner. Potential examiners with credentials other than those listed below will not be approved unless the parents/guardians can demonstrate unique circumstances which justify a publicly funded IEE by an examiner who does not meet the school district's criteria:
 - a. An IEE examiner must be licensed or eligible to hold a license by the New Jersey Department of Education in the appropriate discipline.
 - b. Physicians, nurses, psychiatrists, neuropsychologists, and other medical personnel must be licensed by the State of New Jersey.
 - c. An IEE will be limited to a total cost of **\$750 per evaluation**. The school district will not be responsible for reimbursement or travel costs or any other related costs incurred by the parents/guardians in connection with their arrangement of, or their attendance at the IEE.
 - d. The independent examiner(s) must be permitted to directly communicate and share information with members of the IEP Team. The independent examiner(s) must also agree to release the assessment and results, including parent and teacher surveys, prior to the receipt of payment and services.

- e. The independent examiner(s) may complete an on-site observation as part of the evaluation. Any evaluation that requires a classroom observation, such as learning disability, must be completed by the Examiner. Prior notice and appropriate communication with building/district is required.
- f. The independent examiner(s) may submit written questions to school district staff in order to obtain information necessary to complete an IEE. However, the independent examiner(s) may not require in-person interviews of school district staff as these interviews may disrupt the operation of the schools and interfere with the instruction and services provided by the staff.