

Wabash Miami Area Program For Exceptional Children

Independent Educational Evaluations

Each school corporation within the cooperative shall ensure that parents are informed of their right to obtain an independent educational evaluation for their child. This evaluation may either be at the parent's expense or the school corporation's expense depending upon the circumstances. Parents may request an independent educational evaluation be conducted at the school corporation's expense only if they disagree with the evaluation which has been completed by the school corporation. The parent must submit a written request to the Director of Special Education. The parent may be asked to explain why an independent evaluation is necessary, but such a response cannot be required. Parents may only request 1 publicly funded Independent Evaluation for each evaluation completed by the school district.

When the independent educational evaluation is at the school corporation's expense, the school corporation shall adhere to the same criteria established for when it initiates its own evaluation. Those criteria include the following:

1. Location of the Examiner:

The independent examiner will be from within the North Central Indiana geographic area, unless unique circumstances justify an examiner from outside the area. The examiner may not be an employee of Wabash Miami Area Program for Exceptional Children.

2. Qualifications of the Examiner:

The independent examiner must be appropriately licensed or certified to perform the evaluation according to the standards set forth in the State of Indiana and in conformance with the instructions provided by the producer of the evaluation.

3. Content of the Independent Education Evaluation:

The evaluation instruments chosen by the independent examiner shall meet the criteria for evaluations set forth in Article 7 and Wabash Miami Area Program for Exceptional Children. The results of the independent educational evaluation shall be considered part of the evaluation data which is considered by the case conference committee.

4. Reasonable Cost Guidelines:

Reasonable cost guidelines should be consistent with the prevailing rate of professionals in the North Central Indiana area.

Parents shall have the opportunity to demonstrate that unique circumstances justify an independent educational evaluation that does not fall within the school corporation's criteria regarding location of examiner and the reasonable cost guidelines. If such justification is provided, the independent educational evaluation shall be at the school corporation's expense.

The evaluator must provide an original typed assessment report 5 days prior to any case conference. Protocols must be available for review by school personnel and the evaluation report must include an original signature and title of all assessments and personnel involved in the evaluation.

Reimbursement/payment will be made directly to the evaluator upon receipt of the evaluation, which meets all of Wabash Miami Area programs criteria. Parents obtaining an Independent Evaluation without following these procedures will risk non-payment.

The case conference committee will consider the results of a parent obtained/funded evaluation, but such consideration does not make Wabash Miami Area Program liable for payment of the evaluation.

The school corporation may deny the payment or reimbursement of the independent education evaluation through a due process hearing. If the final hearing decision is that the evaluation obtained by the school corporation is appropriate, the parent may still seek an independent education evaluation, but at the parent's expense.

If the parent obtains an independent educational evaluation at the parent's expense, the results of the evaluation must be considered in any decisions made with respect to the provision of a free appropriate public education to the student and may also be presented by the parent as evidence at a due process hearing.

If an independent hearing officer requests an independent educational evaluation as part of a hearing, the school corporation shall bear the cost of it.

Sources: 511 IAC 7-40-7