

INDEPENDENT EDUCATIONAL EVALUATIONS - REGULATIONS

The East Ramapo Central School District ("District") has established the following procedures for requesting and obtaining an Independent Educational Evaluation ("IEE") for children who have or are thought to have an educational disability.

Parents or legal guardians of a student with a disability or a student suspected of having an educational disability have the right under Federal and State Regulations to request an IEE at public expense under certain conditions. Regulatory standards are outlined in New York State Regulations of the Commissioner of Education, Sections 200.5(g). Additionally, the Federal Regulations 34 CFR 300.502 specify requirements for IEEs.

1. Definition:

An Independent Educational Evaluation ("IEE") means an evaluation conducted by a qualified examiner(s) as defined in 34 CFR 300.15 and 34 CFR 300.304 & 305, who is not employed by the school district responsible for education of the child.

Public expense means that the District either directly pays for the IEE or ensures that it is otherwise provided at no cost to the parent or legal guardian.

2. Procedure:

When a parent or legal guardian disagrees with a District-conducted Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) evaluation, the parent or legal guardian has the right to request one IEE per District evaluation at public expense. Requests must be made in writing, specifying what evaluation or evaluations are sought, and sent to the Assistant Superintendent for Pupil Personnel Services, East Ramapo Central School District, 105 South Madison Avenue, Spring Valley, New York, 10977. Information pertaining to the specific reasons for disagreement with the District's evaluation(s) is helpful in the District's review, but the parent or legal guardian is not required to provide a reason.

The District, upon receiving a request for an IEE, will render its decision to the parent or legal guardian by letter within 30 calendar days. If further information is needed by the District to reach a decision, it will be requested prior to that time. The proposed evaluator or parent or legal guardian must provide the Office of Pupil Personnel Services with a list of the evaluator's qualifications, the testing location (city and state), the cost for the evaluation for review and approval prior to the District agreeing to fund the IEE. The IEE will not be funded until the District receives a copy of the final evaluation report and an invoice from the evaluator.

If the District agrees to pay for the IEE, the parent or legal guardian will be informed in writing. Conversely, if the District denies the request for an IEE or reimbursement for an IEE, the reason(s) for the denial, as well as the District's intention to initiate due process, will be addressed to the parent or legal guardian.

In response to a request for an IEE at public expense, the District may initiate an Impartial Due Process Hearing to demonstrate that its evaluation was appropriate and/or that there are other reasons why it is not responsible for the cost of the IEE, such as the IEE evaluator not conforming with the District's credential, fee, or geographic criteria.

The District has established rates for IEEs based upon reasonable and customary rates in this geographic area.

To be at public expense, the IEE must meet the criteria that the District uses for an evaluation, including the cost of the evaluation based on the local geographic rate, the location of the evaluation, and the qualifications of the examiner. Should a parent or legal guardian choose an examiner who does not meet the District's location, cost, or credential criteria, the parent or legal guardian will be provided the opportunity to demonstrate that their child's unique circumstances justify an IEE outside of the District's criteria prior to the District making a final determination about whether to grant the IEE request or initiate due process to challenge the IEE request. If the hearing officer determines that the District evaluation is appropriate and/or upholds the District's IEE criteria, the parent or legal guardian has the right to an IEE, but not at public expense.

3. Criteria:

a) Location

An evaluation must be conducted within Rockland, Orange, or Westchester County, or within fifty (50) miles of the District;

b) Qualifications and Credentials

The examiner must possess, at a minimum, a current license or certification from the New York State Education Department (NYSED) in the area of evaluation and possess the requisite expertise in the content area of the subject matter of the evaluation at issue. In the case of a psychiatric evaluation, the examiner must be certified by the American Board of Psychiatry and Neurology in either child and adolescent psychiatry or other appropriate psychiatric specialty. A psychological or psychoeducational IEE must be conducted by a New York State certified school psychologist or a New York State licensed psychologist.

c) Reasonable Cost

The specified amount is based on a review of fees charged by providers of such testing within the region of the District. A parent or legal guardian's intent to use a specific evaluator does not necessarily justify the District granting a waiver to the fee cap. The District established the following fee cap based on its geographic location:

- Educational Evaluation \$ 650
- Speech Evaluation \$ 480
- Occupational Therapy Evaluation \$ 400
- Physical Therapy Evaluation \$ 350
- Psychological Evaluation \$ 1200
- Neuropsychological Evaluation \$ 4200
- Psychiatric evaluation \$ 830
- Assistive Technology Evaluation \$ 1800

4. Responsibilities:

The District has established a comprehensive list of qualified professionals in private practices or employees of other public agencies who meet the District's location and qualification criteria to whom parents or legal guardians may go to secure an IEE. This list will be provided to parents or legal guardians upon request.

If the District's list is not exhaustive in terms of those minimally qualified to evaluate the specific needs of all students in the District, parents or legal guardians are free to select an evaluator of their own choosing, provided the evaluator meets the District's geographic, qualification, and reasonable cost criteria.

Whenever an IEE has been obtained by the parent or legal guardian, the results of the evaluation will be considered by the CSE or the CPSE when making any decision with respect to the provision of a free appropriate public education to the child. The evaluation will not necessarily be provided with more weight than other information and evidence considered by the CSE or CPSE. While the District must consider the results of an IEE, it has no obligation to adopt the evaluator's recommendations or conclusions.

If an impartial hearing officer requests an IEE as part of an impartial hearing, the cost of the evaluation must be at public expense.

5. Further Information:

Parents or legal guardians can obtain further information on IEEs, including where independent evaluations may be obtained and the District's criteria for IEEs, by contacting the Office of Pupil Personnel Services at 845-577-6040. Parents can also contact NYSED for additional information on IEEs or speak with the Regional Associate assigned to Rockland County.

Ref: 20 USC § 1415(d)(2)(A)
 34 CFR § 300.502
 8 NYCRR §200.5(g)

Adopted: 10-13-15

Amended: 01-27-26

INDEPENDENT EDUCATIONAL EVALUATIONS - EVALUATION CRITERIA

Payment for specific services will not exceed fees typically paid by the District for similar services. In the absence of unusual circumstances, cost will be deemed reasonable and allowable in accordance with the following fee schedule:

Educational Evaluation (\$650)

- Achievement in Reading, Writing and Mathematics
- Credentials: New York State Licensed Clinical Psychologist or New York State Certified School Psychologist or New York State Special Education Teacher

Speech/Language Evaluation (\$480)

- Receptive/expressive language, Articulation, Fluency and Pragmatics
- Credentials: Speech Language Pathologist or Teacher of the Speech & Hearing Handicapped

Occupational Therapy Evaluation (\$400)

- Credentials: New York State Licensed Occupational Therapist

Physical Therapy Evaluation (\$350)

- Credentials: New York State Licensed Physical Therapist

Neuropsychological Evaluation (\$4200)

- Cognitive functioning, Processing, Social-Emotional, Behavior, and Achievement
- Credentials: New York State Licensed Clinical Psychologist or New York State Certified School Psychologist

Psychiatric Evaluation (\$830)

- Mental Health Status, Thought Processes, and Cognitive Abilities
- Credentials: New York State Licensed Psychiatrist, Certified by the American Board of Psychiatry and Neurology in either child and adolescent psychiatry or other appropriate psychiatric specialty

Assistive Technology Evaluation (\$1800)

- AT evaluations are often completed by a multidisciplinary team and may include: Occupational Therapists, Speech Language Pathologists, Physical Therapists, or Special Education Teachers