

## **REQUEST FOR INDEPENDENT EVALUATIONS AT PUBLIC EXPENSE REGULATION**

### **Procedures**

Upon receipt of a request for an independent educational evaluation (IEE) at public expense, the director of Special Education and Student Services of the Bethlehem Central School District (the District) shall provide the parent with a copy of the policy of the Board of Education (the Board) for payment of independent educational evaluations, which shall include:

- Specifications on the geographic area where such evaluations may take place, which shall be limited to a 100 mile radius;
- Minimum qualifications for professionals who administer and interpret various tests, which shall be the same as the qualifications required for all evaluators who conduct evaluations for the District;
- The director of Special Education and Student Services is authorized to set maximum allowable fees for such evaluations;
- Notification that the parent/proposed evaluator may request a waiver of any of the criteria under the policy where such criteria preclude the parent from obtaining an appropriate evaluation of the child;
- A list of independent evaluators who meet the criteria established by the policy.

If the District authorizes an independent educational evaluation at public expense, the director of Special Education and Student Services shall:

- Obtain the name and address of the individual the parents select to conduct the IEE and send to the proposed evaluator a contract for the evaluator's signature.
- Inquire as to the availability of any health insurance to offset the cost, or a portion of the cost, of the IEE.
- Failure to have a signed contract between the District and the evaluator selected by the parent may constitute a basis for denying payment for an IEE.

If the District declines a parent's request for an IEE at public expense and the parents do not agree to withdraw their request, the director of Special Education and Student Services shall arrange for an impartial hearing, without delay, to demonstrate that its evaluation was appropriate; that the independent educational evaluation obtained by the parent did not conform to the District's criteria and/or to demonstrate why the District is not otherwise obligated to pay for the parents' IEE.

In the event the District initiates an impartial hearing and an impartial hearing officer determines that the District's evaluation is appropriate, or that the evaluation obtained by the parent did not meet District criteria, the parent has a right to an IEE that the District will consider and review even though it is not at public expense.

**Impartial Hearing Officer Request for Independent Educational Evaluation**

If an impartial hearing officer requests an IEE as part of a hearing, the director of Special Education and Student Services shall arrange, to the extent possible, to have such evaluation completed at public expense in accordance with the criteria established by the Board.

Authority: 8 N.Y.C.R.R. 200.1(z)  
8 N.Y.C.R.R. 200.5(g)

*Adoption date: April 2, 2008*

*Revised date: June 19, 2019*