

INDEPENDENT EDUCATIONAL EVALUATION ADMINISTRATIVE PROCEDURES  
4321.3-R

1. Upon completion of the evaluation conducted by the school district and appropriate notice being given to the parent, the parent is requested but not required to send written notice of a request for an independent educational evaluation within forty-five (45) calendar days from the date of receipt of the school district's evaluation.
2. The school district will not pay more than \$750 for a comprehensive independent educational evaluation that would meet the requirements under Commissioner's regulations, which may require an individual psychological evaluation, a physical examination, a social history and other suitable examinations and evaluations as may be necessary to ascertain the physical, mental and emotional factors which may contribute to the suspected disability.
3. The school district has established a list, maintained by the Student Services Office, of specific rates and qualified professionals in private practice in this county and adjoining counties or employees of other public agencies to whom parents may go to secure an independent educational evaluation. The school district will pay for an evaluation performed by an employee of any other public school district or BOCES within the county or any adjoining county who the parent chooses to employ as an independent educational evaluator at the then-current hourly rate paid to that licensed or certified individual which the school district would pay were it to request such an evaluation.
4. The school district will pay for an independent educational evaluation or assessment only if conducted by an individual who possesses current license or certification from the New York State Education Department in the area of the evaluation. The school district will permit parents to select any independent educational evaluator who is in the county in which the school district is located or within any adjoining county at the time the parent makes the request, as long as the individual selected by the parent is appropriately certified or licensed by the State of New York.
5. An independent educational evaluation requested by a parent which typically would not be conducted by school certified-licensed personnel would require the parent to demonstrate that unique circumstances justify such an evaluation.
6. The independent educational evaluation must be conducted in accordance with the federal and State regulations, which require that, at a minimum:
  - (a) tests and other evaluation materials -
    - (1) are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so;
    - (2) have been validated for the specific purpose for which they are used;  
and
    - (3) are administered by trained personnel in conformance with the instructions provided by their producer.
  - (b) tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

(c) tests are selected and administered so as best to ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

(d) no single procedure is used as the sole criterion for determining an appropriate educational program for a child.

(e) the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

7. The school district, upon receiving a request for reimbursement for an independent educational evaluation, will forward an acknowledgment letter to the parent with a copy to the evaluator within ten calendar days after receipt of the request. Any information needed by the school district to reach a decision regarding payment will be set forth in the letter.

8. If denial for reimbursement is indicated, the reason(s) for that denial, as well as the school district's intention immediately to initiate a hearing regarding such denial, will be forwarded to the parent in writing with a copy also being forwarded to the evaluator. If the district agrees to pay for the evaluation, the parent and the evaluator will be notified by letter.