

# **The Center for Creativity, Innovation and Discovery Independent Educational Evaluation (IEE) Policy**

## **Purpose**

The Governing Board of The Center for Creativity, Innovation and Discovery (“CCID”) has established this policy in recognition of the right of parents of a student with a disability to request an independent educational evaluation (IEE) of the student at public expense if they disagree with the results of an evaluation obtained by CCID (34 CFR § 300.502).

## **Parental Rights and Limitations**

When an evaluation is conducted in accordance with IDEA, and the parent disagrees with the evaluation because a child was not assessed in a particular area, the parent has the right to request an IEE to assess the child in that area to determine whether the child has a disability, and the nature and extent of the special education and related services that the child needs.

A parent is entitled to only one independent educational evaluation at public expense each time the LEA conducts an evaluation with which the parent disagrees.

## **Procedures**

Requests for an IEE should be made in writing to the Director of Special Education. Although not required, CCID requests that a parent identify the evaluation(s) with which the parent disagrees.

If a parent requests an IEE at public expense, CCID will either ensure an IEE is provided or, without unnecessary delay, file a due process complaint to assert that its own evaluation is appropriate.

CCID may also request a due process hearing for the purpose of showing that an evaluation obtained by the parent did not meet CCID’s criteria set forth below.

## **Criteria for Independent Educational Evaluations**

- Evaluations must be conducted by individuals with appropriate licensure in the areas to be evaluated.
- Evaluations must be conducted by individuals with training in the administration of test instruments to be used.
- Evaluations must be conducted by individuals with professional experience in public education.
- Evaluations must be conducted according to the standards and procedures described in Utah State Rules and Federal regulations.
- Evaluations must be conducted by qualified individuals within a reasonable distance of CCID (within Cache, Box Elder, Rich or Weber Counties).
- Parent lodging and travel expenses attendant to conducting the evaluations will not be reimbursed.

- The total cost of the IEE may not exceed 125% of the Medicaid reimbursement rate for an equivalent evaluation and / or \$1,000.
- The Director of Special Education will review requests from parents for an evaluator not on CCID's list, and parents must demonstrate the compelling or unique circumstances that justify this selection.

### **Response to Requests**

Upon the receipt of an appropriate request for an IEE, the Director of Special Education or a designated representative will provide information to the parents regarding the following:

- Independent sources where such an evaluation might be obtained;
- A list of qualified individuals who are not employed by CCID but meet CCID's criteria for independent educational evaluators.
- The referenced list will be kept on file and updated annually.

### **Authority and Management**

An IEE conducted at CCID's expense becomes the property of CCID in its entirety. A complete copy of the results of the evaluation must be sent to the Director of Special Education and forwarded to the IEP team.

- The IEP team must consider the results of the IEE, along with other evaluations and observations by teachers and related services providers.
- Using the information that is available, the IEP team must then determine, when appropriate, if the student has a disability, whether that disability has an adverse impact on a student's educational performance, and if the student by reason of that disability needs special education.
- The IEP team will make other determinations as dictated by the circumstances. For example, the team may determine whether a disability exists, the present level of performance and educational needs of the child, whether the student needs special education and related services, or still needs them, or whether any changes are needed to meet a student's annual goals and enable the student to participate in the general curriculum.

Initial Governing Board Adopted June 18, 2020