

### **342.11 INDEPENDENT EDUCATIONAL EVALUATION**

An independent educational evaluation (“IEE”) is an evaluation conducted by a qualified examiner who is not an employee of a student’s school district. A parent has a right to an IEE at public expense if the parent disagrees with an evaluation that the school district conducted. For purposes of this policy, “evaluation” means the procedures used to determine whether a child has a disability and the nature and extent of the special education and related services the child needs. In the event the district receives a parent request for an IEE, the district must either provide the IEE at school expense pursuant to this policy or request a due process hearing to show that its evaluation is appropriate. The IEE must meet district criteria for IEEs, which is the same criteria that the district uses when it conducts its own evaluations. If the district requests a due process hearing and the hearing officer determines that the district’s evaluation is appropriate, the parent still has a right to an IEE, but not at public expense. Parents may only request one publicly funded IEE for each evaluation completed by the school district.

Procedure to Obtain an IEE at Public Expense:

1. The parents should submit to the school district, a written request for an IEE, and should include in such request an explanation of their reasons for objecting to the evaluation obtained by the district. However, the district will not deny parents a publicly funded IEE because they fail to provide the district with such a written request or to provide reasons for requesting an IEE.
2. If a parent requests an IEE, the district will provide the following information:
  - a. A list of the names and addresses of IEE examiners located in the area. The list will consist of IEE examiners who, in the school district’s judgement, are qualified to perform the evaluation requested by the parents. If a qualified examiner is not located in the area, the district will identify a qualified examiner located elsewhere in the State of Wisconsin.
  - b. A description of the school district’s criteria for selection of IEE examiners.
3. Minimum Qualifications for IEE examiners. The school district will not pay for an IEE unless the IEE complies with the following criteria or the parents can show unique circumstances that justify a publicly funded IEE that does not meet the criteria.
  - a. The prospective IEE examiner (the “Examiner”) must hold a valid license from the State of Wisconsin in the field related to the known or suspected disability. The Examiner must have extensive training in evaluation of the area(s) of concern and be able to interpret instructional implications of the evaluation results. In instances where no “applicable license” exists, the evaluator must provide documentation of extensive and recent training and experience related to the known or suspected disability.
  - b. The Examiner must be located within fifty (50) miles of the school district, and must conduct the evaluation within school district boundaries.
  - c. The Examiner may only charge fees for educational evaluation services that, in the sole judgment

of the school district, are reasonable.

- d. The Examiner shall have no employment, ownership interest or association with private schools or private instructional services agencies who are in the business of educating pre-school to high school-age students.
  - e. The Examiner shall have no history of consistent bias against public schools.
  - f. The Examiner must be permitted to directly communicate and share information with members of the IEP Team. The Examiner must also agree to release the assessment and results, including parent and teacher surveys, prior to receipt of payment for services.
  - g. If the School District evaluation included an observation of the child in one or more educational settings, the IEE shall include at least one observation in that setting. Evaluators shall make at least one contact with the child's general education teacher for the purpose of determining how the student is progressing in the general curriculum. In addition, evaluators are encouraged to make additional contacts with other involved general or special education teachers. If the purpose of the evaluation is to address a learning disability, an observation of the child is a required evaluation component.
4. The maximum allowable cost for an Examiner will be the average cost per day or per hour for a similarly qualified staff member employed by the school district during the current school year, as determined by the Director of Pupil Services. In the unusual event the Examiner is one not typically employed by the school district, such as a medical doctor, psychiatrist, clinical psychologist, or other similar professional, reimbursement of costs will be limited to reasonable and customary charges as determined by the school district and its insurance carrier. The district shall not be responsible for reimbursement of travel costs or other related costs incurred by the parents in connection with their arrangement of, or their attendance at the IEE, unless the parents can demonstrate that necessary services are not available in the community.
  5. The school district will permit parents to show that unique circumstances justify an IEE that exceeds the maximum allowable costs. If the total cost of the IEE exceeds the maximum allowable costs and if, in the school district's sole judgment, there is no justification for the excess cost, the cost of the IEE will be funded up to the school district's maximum allowable cost and no further. The parents shall be responsible for any remaining costs.

For more information, parents may request a copy of Bulletin 99.02 "Independent Educational Evaluations (IEEs)" from the Director of Pupil Services, Wisconsin Rapids Public Schools, or from the Department of Public Instruction, Division of Learning Support: Equity and Advocacy.

APPROVED: April 9, 2001