

# Tyrone Area School District

SECTION: PROGRAMS  
 TITLE: INDEPENDENT EDUCATIONAL  
 EVALUATION POLICY  
 ADOPTED: MAY 13, 2003  
 REVISED: AUGUST 10, 2010

## 139. Independent Educational Evaluation Policy

### General Provisions:

- A. The parents of a child with a disability have the right to obtain an independent educational evaluation (IEE) of their child. An IEE is an evaluation conducted by a qualified examiner who is not an employee of a student's School District.
- B. Upon parental request for an independent educational evaluation, the District will provide the parents with information about where an independent educational evaluation may be obtained and the District's criteria applicable for independent educational evaluations.
  - (i) The criteria under which the independent evaluation is obtained must be the same as the criteria the District uses in conducting an evaluation. The following criteria is required:
    - a. If the independent evaluation is at public expense, it must be conducted within a 150 mile radius of the District.
    - b. An evaluation of a child for autism, emotional disturbance, mental retardation, multiple disabilities, other health impairments, specific learning disability or traumatic brain injury must be done by a school psychologist certified in the State of Pennsylvania. An evaluation for other disabilities (i.e. speech and language) must be done by a person licensed or certified to conduct and interpret assessments of the area(s) of concern. The District reserves the right to request and obtain the credentials of the evaluator.
    - c. In the case of a Specific Learning Disability, the evaluation must include an observation of the child in the educational setting. All evaluations must include input from relevant IEP Team Members.

### 2. Independent Evaluations at School District Expense:

- A. Parents may obtain an independent educational evaluation at the School District's expense if they disagree with the evaluation completed by the School District. If the District is in the process of completing an evaluation when a request is made, the District will complete its evaluation prior to making a determination regarding an independent educational evaluation.
- B. If a parent requests an independent educational evaluation at the School District's expense, or if the parent requests that the District reimburse them for an independent educational evaluation already completed, the School District must, without unnecessary delay either:

- (i) Initiate a due process hearing to show that its evaluation is appropriate; or
  - (ii) Ensure that an independent educational evaluation is provided at the School District's expense.
- C. If the District declines the parent's request for an IEE at the public expense, the District will notify the parents via a NOREP/PWN as indicate the reason for the denial.
- D. If, at the due process hearing described above in Section 2(B)(i), a hearing officer determines that the District's evaluation is appropriate, parents may still obtain an independent educational evaluation, but not at public expense.
- E. If a parent requests an independent evaluation, the District may ask the parents the reasons why they object to the evaluation. However, this request will not unreasonably delay the School District from either providing the independent educational evaluation at public expense or initiating a hearing to defend the District's evaluation.

### **3. Independent Evaluations at Parent Expense:**

- A. If the parents obtain an independent educational evaluation at their own expense, the results of the evaluation:
- (i) Must be considered, but not necessarily accepted, by the District, if it meets the District's criteria as set froth above in Section 1(B), in any decision made with respect to the provisions of FAPE to the child.
    - a. Therefore, if a parent presents an independent educational evaluation regarding their child the District will convene the Multidisciplinary Team and/or IEP Teams to consider the information.
    - b. Based upon the information provided, the Team may accept the information, reject the information or determine that additional evaluation data should be collected. If the Team feels additional information is necessary, a Permission to Re-Evaluate will be issued.
    - c. The results of the Team's consideration will be reflected in the child's school evaluation report (ER).

AND

- (ii) May be presented as evidence in any due process hearing regarding the child.