

Guidelines for Independent Educational Evaluation (IEE)

**Glenn County SELPA
676 East Walker St.
Orland, CA 95963**

Updated May 21, 2024

INDEPENDENT EDUCATIONAL EVALUATION

The Glenn County Special Education Local Plan Area (“SELPA”) has developed this policy, corresponding procedures and criteria that govern Independent Educational Evaluations (IEE). (20 USC 1415; EC 56506[c] and 56329[b]; 34 CFR 300.502) For purposes of this policy, the term “SELPA” also includes the school district and/or administrative unit responsible for your child’s education. Parents should be sure to read the entire document carefully. The policy, procedures, and criteria are to be read in conjunction with one another as one comprehensive document. Parents who need additional information about IEEs should contact the Assistant Superintendent of the Glenn County SELPA or contact the California Department of Education as outlined in their Notice of Procedural Safeguards.

Notice to Parents

1. Please read this document before obtaining or paying for an IEE. This policy delineates your right to, and limitations regarding, reimbursement.
2. Before obtaining an IEE, please contact the special education administrator to discuss your child’s assessment and related questions and options.
3. The district will not automatically reimburse parents who unilaterally obtain IEEs.
4. Parents may only request one publicly funded IEE for each evaluation completed by the district. A request for an IEE must be made within two years of the date of the district’s evaluation report.

Definitions

“Independent Educational Evaluation (IEE)” means an evaluation conducted by a qualified examiner who is not employed by the responsible local educational agency.

“Public expense” means that the district ensures the IEE is provided at no cost to the parent.

Parameters for Seeking IEE

The SELPA requires that the parent first inform the district, either in writing or during an IEP meeting, that the parent:

1. Disagrees with a district’s evaluation and
2. Is requesting an IEE at public expense.

Explanation of Disagreement

If parents request an IEE at the expense of the district, the parents may be asked for a reason why they object to the district’s evaluation. There is no requirement that the parents specify areas of disagreement with district’s evaluation as a prior condition to obtaining the IEE.

Glenn County SELPA’s Response to a Request for an IEE

Upon request for an IEE at public expense, the district will respond without unnecessary delay. The district may either initiate a due process hearing to show that its evaluation is appropriate or will provide the parent an opportunity to obtain an IEE.

If the district initiates a hearing and the final decision is that the district’s evaluation and/or criteria appropriate the parent still has the right to an IEE, but not at public expense.

If the district agrees to provide an IEE, the parent may select a qualified examiner, and/or the district may propose a qualified examiner. The district may provide a nonexclusive list of public agencies and private individuals who the district/SELPA has determined are qualified in their respective areas of evaluation.

If the Parent requests an examiner who is not qualified in accordance with the criteria set forth in this policy, the district will attempt to confer with the parent to determine the unique circumstances justifying the use of an examiner who is not qualified.

1. If the district agrees that the unique circumstances justify utilizing an examiner who does not meet the criteria set forth in this policy, then the district and parent may proceed with obtaining the IEE from that examiner.
2. If the district does not agree that unique circumstances justify the use of an examiner who does not meet the criteria set forth in this policy, and the parent does not agree to use an examiner meeting those criteria, the district shall initiate a due process request to resolve the dispute.

Timeline Regarding IEEs

The only timeline imposed upon a district related to provision of an IEE is that the district must respond to the parent's request for an IEE without unnecessary delay.

Once the district and parent have agreed upon an assessor, the district will arrange for, or initiate, a contract with the examiner.

Districts have little to no control related to the behavior of independent assessors, including but not limited to the time taken to respond to a request for information, execution of a contract or completion of an IEE.

Information Provided to Parents

Upon parent request for an IEE, the district will provide the parents with a copy of this policy for IEEs and the parent's procedural safeguards.

Parent Initiated Evaluations

If the parents obtain an IEE at private expense or obtains an evaluation by an individual who does not meet the criteria set forth in this policy, the results of the evaluation:

1. Must be considered by the District; and
2. May be presented as evidence at a due process hearing regarding that student.

The IEP team will consider the results of the IEE, whether obtained at public or private expense, when making a determination regarding the student's eligibility for special education and related services, educational placement, and other components of the student's educational program, as required by federal and California special education laws and regulations. However, the results of an IEE will not control the District's determinations and may not be considered if not completed by a qualified professional, as determined by the District.

Evaluations Ordered by Hearing Officers

If a hearing officer orders an IEE as part of a hearing, the cost of the evaluation must be at the district's expense.

Glenn County SELPA's Criteria

1. If an IEE is at the district's expense, the criteria under which the evaluation is obtained, including the location limitations for the evaluation, the minimum qualifications of the examiner, cost limits, and use of approved instruments must be the same as the criteria that the district uses when it initiates an evaluation.
2. Except for the criteria described in the SELPA Policy and Procedures and Criteria, the SELPA imposes no other conditions related to obtaining an IEE at the district's expense.

Circumstances Resulting in Evaluations not Funded by the District

Because the parent must first disagree with the district's evaluation in writing, the district does not have an obligation to reimburse parents for privately obtained evaluations obtained prior to the date that the district's evaluation is completed and discussed at an IEP team meeting. The district is not obligated to reimburse parents for privately obtained evaluations if the parent disagrees with the district's evaluation and independently seeks a private evaluation without first notifying the district in writing of their disagreement with the district's evaluation and requesting an IEE from the district except as provided below.

Circumstances Resulting in a Privately Obtained Evaluation Reimbursed by the Glenn County SELPA

The district may reimburse parents for a privately obtained IEE even though the policy above was not followed in any one of the following three circumstances:

1. All the following conditions have been met:
 - a) The parent disagreed with the district's evaluation,
 - b) The parentally obtained evaluation meets the SELPA criteria,
 - c) The parent upon request provides the district with timely, written consent to exchange information with the examiner,
 - d) The parent provides a copy of the written evaluation report and all other documents / tests related to the report, and
 - e) The examiner attends the relevant IEP team meeting by phone or in person to discuss his or her findings and provides protocols of all evaluations to the district.
2. The district's evaluation has not been provided in compliance with the law.
3. The privately obtained evaluation assessed the student in an area of suspected disability that was not previously assessed by the district.

Reimbursement will be in accordance with the Glenn SELPA policy, procedures, and criteria and in an amount no greater than the actual cost to the parents.

In all cases, if the district initiates a due process hearing to show that the district's evaluation is appropriate, no reimbursement shall be made unless ordered by a Hearing Officer.

Criteria

Location Limitations for Evaluators

Evaluators must be located within Glenn, Shasta, Tehama, Butte, Colusa, Sutter, Yuba, Sacramento Counties. Evaluators outside of this area will be approved only on an exceptional basis, provided the parent can demonstrate the necessity of using personnel outside the specified area. Any expenses beyond the evaluation and attendance of the evaluator at the subsequent IEP team meeting at which the IEE is considered (e.g., food, lodging, transportation, etc.) will not be covered by the District in the cost of the IEE.

Academic Achievement	<ul style="list-style-type: none">● Credentialed Special Education Teacher● School Psychologist● Licensed Educational Psychologist
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Adaptive Behavior	<ul style="list-style-type: none"> ● Credentialed Special Education Teacher; ● School Psychologist ● Licensed Educational Psychologist
Adapted Physical Education	<ul style="list-style-type: none"> ● Credentialed Adapted PE teacher
Assistive Technology	<ul style="list-style-type: none"> ● Credentialed or Licensed Speech/Language Pathologist; ● Credentialed Assistive Technology Specialist; or ● Credentialed Special Education Teacher
Auditory Acuity	<ul style="list-style-type: none"> ● Licensed Educational Audiologist ● Licensed or Credentialed Speech/Language Pathologist
Auditory Perception/Auditory Processing	<ul style="list-style-type: none"> ● Licensed or Credentialed Speech/Language Pathologist; ● School Psychologist ● Licensed Educational Psychologist
Functional Behavior Assessment	<ul style="list-style-type: none"> ● School Psychologist; ● Licensed Educational Psychologist; ● Board Certified Behavior Analyst
Deaf and Hard of Hearing	<ul style="list-style-type: none"> ● Credentialed Deaf and Hard of Hearing Teacher
Cognitive	<ul style="list-style-type: none"> ● Licensed Educational Psychologist ● School Psychologist
Health (including Neurological)	<ul style="list-style-type: none"> ● Licensed Physician ● School or Registered Nurse
Motor	<ul style="list-style-type: none"> ● Licensed Physical Therapist; ● Licensed Occupational Therapist; ● Credentialed Teacher of Students with Orthopedic Impairments
Occupational Therapy	<ul style="list-style-type: none"> ● Licensed Occupational Therapist

Physical Therapy	<ul style="list-style-type: none"> ● Licensed Physical Therapist
Speech and Language	<ul style="list-style-type: none"> ● Credentialed or Licensed Speech/Language Pathologist
Social/Emotional	<ul style="list-style-type: none"> ● School Psychologist; ● Licensed Educational Psychologist ● Licensed Clinical Social Worker ● Licensed Marriage and Family Therapist
Visual Acuity/Developmental Vision	<ul style="list-style-type: none"> ● Licensed Ophthalmologist; ● Optometrist ● Credentialed Teacher of the Students with Visual Impairments
Functional Vision	<ul style="list-style-type: none"> ● Credentialed Teacher of the Students with Visual Impairments
Vision Perception/Visual Processing/Visual-Motor Integration	<ul style="list-style-type: none"> ● Credentialed Special Education Teacher ● School Psychologist ● Licensed Educational Psychologist
Orientation and Mobility	<ul style="list-style-type: none"> ● Credentialed Teacher of Students with Visual Impairments
Transition to Adult Life	<ul style="list-style-type: none"> ● Credentialed Special Education Teacher

Independent evaluators must agree to release their evaluation information and results to the District prior to receipt of payment for services.

In-Class Observations

If the District observed the student in a setting other than the test setting as part of the evaluation with which the parent disagrees, or if the District’s evaluation procedures make it permissible to have in-class observations of a student, the independent evaluator shall receive an equivalent opportunity to observe the student in his or her current educational placement and setting and to observe the District’s proposed educational setting, if any. This opportunity shall also be provided regardless of whether the IEE is initiated before or after the filing of a due process hearing proceeding.

The District shall define the nature and scope of an independent evaluator’s in-class observations consistent with the evaluator’s right to an equivalent opportunity to observe, but also consistent with the District’s obligations to prevent unnecessary disruption in the class and to protect the privacy interests

of other students. These obligations may include, but are not limited to:

1. Specifying the time constraints of the observation;
2. Identifying District personnel who will be present during the observation; and
3. Imposing restrictions on interactions with the student, teacher, and/or classroom staff.

Cost Containment

The cost of an IEE shall be comparable to those costs that the District incurs when it uses its own employees or contractors to perform a similar evaluation. Costs include observations, administration and scoring of tests, report writing, and attendance in person or by phone at the IEP team meeting where the IEE is presented. Reimbursement will be in an amount no greater than the actual cost to the parent and will be subject to proof of payment.

Guidelines for all IEE costs are calculated by considering time required for the evaluation and the appropriate District employee hourly rate. Costs above these amounts will not be approved unless the parent can demonstrate that such costs reflect unique circumstances justifying the selection of an evaluator whose fees fall outside these criteria.

When insurance will cover all or partial costs of the IEE, the school district will request that the parent voluntarily have their insurance pay the IEE costs covered by their insurance. However, parents will not be asked to have insurance cover independent evaluation costs if such action would result in a financial cost to the parents including, but not limited to the following:

1. a decrease in available lifetime coverage or any other benefit under an insurance policy,
2. an increase in premiums or the discontinuance of the policy, or
3. an out-of-pocket expense such as payment of a deductible amount incurred in filing a claim unless the parent is willing to have the District reimburse them for the amount of the deductible.

As part of the contracted evaluation, independent evaluators must:

1. provide original protocols of all the evaluations, and
2. provide a written report prior to the IEP team meeting

Independent evaluators must agree to release their evaluation information and results to the school district prior to receipt of payment for services. The results of the IEE will be considered in the determination of eligibility, program decisions, and placement of the student with disabilities as required by the Individuals with Disabilities Education Act.

Fingerprinting and TB Clearance

All Independent Educational Evaluators shall be fingerprinted and have a current TB clearance, consistent with all requirements for public school assessors, on file prior to the administration of any evaluation

Cost Containment for Independent Educational Evaluations (IEE)

As stated in the Glenn SELPA IEE Policy:

The cost of an IEE shall be comparable to those costs that the District incurs when it uses its own employees or contractors to perform a similar evaluation. Costs include observations, administration and scoring of tests, report writing, and attendance in person or by phone at the IEP team meeting where the IEE is presented. Reimbursement will be in an amount no greater than the actual cost to the parent and will be subject to proof of payment.

Costs above these amounts will not be approved unless the parent can demonstrate that such costs reflect unique circumstances justifying the selection of an evaluator whose fees fall outside these

criteria.

The following table provides cost limitations based upon the types of assessment being conducted. Rates are reviewed and adjusted, as appropriate.

Academic Achievement	\$4,000
Adapted Physical Education	\$800
Assistive Technology	\$4,000
Audiological Services	\$4,000
Augmentative & Alternative Communication	\$2,000
Deaf and Hard of Hearing	\$4,000
Functional Behavior Assessment	\$4,000
Educationally Related Mental Health Services	\$4,000
Health and Nursing (including Neurological)	\$1,000
Music Therapy	\$1,000
Occupational Therapy	\$2,400
Physical Therapy	\$1,200
Speech and Language	\$3,000
Psycho-educational (psychological assessment with academic	\$4,000
Psychological Assessment	\$3,000
Orientation and Mobility	\$2,250
Transition to Adult Life	\$850

District Payment of IEE Costs

The District will issue payment to the independent evaluator for the costs of the IEE following the District's receipt of:

4. A written IEE assessment report prepared by the independent evaluator;
5. A copy of any and all assessment protocols utilized to conduct the IEE; and
6. Detailed invoice(s), including dates of assessment and observation and hourly rates.

Appendix A

Glenn County Special Education Local Plan Area
676 E. Walker St., Orland CA 95963
(530)865-1267 Fax (530)865-1276

<p style="text-align: center;">Glenn County SELPA Parent/District Agreement for Independent Education Evaluation (IEE)</p>

This will serve as evidence of agreement between *(enter text here)*, parents(s), guardians, or surrogate of *(enter text here)* and the *(enter text here)* School District for Independent Education Evaluation, paid for by the school districts, as follows:

Area(s) of Assessment: *(enter text here)*

Name of Assessor: *(enter text here)*

Qualifications of Assessor: *(enter text here)*

Assessor will be present at the IEP meeting (choose one) **virtually or in person** to share findings:

It is agreed that the area(s) of assessment are limited to those specified above. The assessor meets minimum qualifications as specified in the Glenn County SELPA Guidelines, unless parent/district have agreed to an exception (s). *(Note any exceptions here)*

Assessment to be administrated in *(insert text here)* language.

The District agrees to pay all costs for the above assessments.

Parent/Guardian/Surrogate signature below indicates agreement for the District to exchange with the Assessor reports and other information from the student’s educational file necessary to conduct the evaluation.

All parties agree that any services, materials, and/or equipment that may recommended based on review of this IEE by the IEP team shall not be provided by the assessor and/or his/her agents.

Signatures:

District Representative/Title

Date

Parent/Guardian

Date

Appendix B

**GLENN COUNTY SELPA
AGREEMENT FOR INDEPENDENT EDUCATIONAL EVALUATION**

Local Education Agency			
Address			
City, State Zip			
LEA Case Manager			
Phone and Email			
Student Name		Gender:	Male Female
Student Grade		Student Date of Birth	
Parent/Guardian Name			
Address			
City, State, Zip			
Phone and Email			
Parent/Guardian Name			
Address			
City, State, Zip			
Phone and Email			
Assessor(s)			
Address			
City, State, Zip			
Phone and Email			

Estimated Maximum Cost \$ _____
 Other provisions/attachments:

IEE Provider

 Assessor Signature/Title

 Date

District Administrator

 District Signature/Title

 Date