

**Lancaster Community School District
Criteria for Independent Educational Evaluation (IEE)**

Independent Educational Evaluations are addressed in the Federal Regulations that implement the Individuals with Disabilities Education Improvement Act (IDEIA) of 2004.

An Independent Educational Evaluation (IEE) is an evaluation conducted by a qualified examiner who is not an employee of the student's school district. A parent has a right to an IEE at public expense if the parent disagrees with a recent evaluation conducted by the school district. For purpose 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. The school district is not required to pay for an IEE if the district has not conducted a recent evaluation. In the event the district receives a parent request for an IEE the district must, without unnecessary delay, either provide the IEE at school expense per this policy or request a due process hearing to show that its evaluation is appropriate. If the final decision in the due process hearing is 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. The parents must request payment for the IEE within one year of the date the results of the school district evaluation were shared with the parents.

Procedure to obtain an IEE at public expense:

1. The parents will submit to the school district a written request for an IEE and include in such request an explanation of their reasons for objecting to the evaluation and results 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 fail to provide reasons for requesting an IEE.
2. Upon receipt of a parental request for an IEE a determination will be made regarding whether the district will initiate due process to establish the appropriateness of its evaluation or proceed with the IEE process. The district will respond in writing to a parental request for an IEE within thirty calendar days from the date the district receives the request.
3. If the district decides to proceed with an IEE for the parents, the school district's written response will contain the following:
 - A. A listing of names and addresses of possible IEE examiners who meet the district criteria and are located within 100 miles of Lancaster. The list will identify those IEE examiners who, in the school district's judgment, are qualified to perform the evaluation requested by the parents.
 - B. The specific location of the evaluation which will be either the office of the examiner or at the school of attendance.
 - C. A description of the school district's criteria for selection of IEE examiners (see #4 following).

4. Following are the school district's minimum qualifications to be approved as an IEE examiner. Prospective IEE examiners with credentials other than those listed will not be approved unless the parents can show unique circumstances which justify a publicly funded IEE by an examiner who does not meet the school district's criteria.
 - A. The prospective IEE examiner must be licensed by the Wisconsin Department of Public Instruction or hold a college or university degree in the appropriate field of expertise.
 - B. The IEE examiner shall have recent and extensive training in the area of disability being evaluated as defined by DPI. The appropriate State Department of Regulation and Licensing for independent practice must license physicians, nurses, psychiatrists and non-school psychologists.
 - C. The IEE examiner must be located within one hundred miles of Lancaster.
 - D. The cost may not exceed \$800 for an evaluation completed by an MS or \$1,300 for an evaluation completed by an M.D. or Ph.D. 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.
 - E. The IEE examiner shall not be an employee of the school district.
 - F. The IEE examiner shall have no employment, ownership interest or association, past or present, with private schools or private instructional services agencies who are in the business of educating pre-school to high school age students. The IEE examiner shall have no membership or active association with organizations that advocate the interests of parents in the area of educating children with disabilities.
 - G. The IEE examiner shall have no history of consistently acting as an expert witness against public schools.
 - H. The IEE examiner must be permitted to directly communicate and share information with members of the IEP team. The IEE examiner must also agree to release the assessment and results, including parent and teacher surveys, prior to receipt of payment for services.
5. The school district will permit parents to show that unique circumstances justify an IEE that exceeds the maximum allowable cost. 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. When insurance will cover all or partial costs of the IEE, the school district will request that the parents have their insurance pay the IEE costs covered by their insurance. However, parents need not ask their insurer to cover the IEE costs if such action would result in a financial cost to the parents, such as an increase in premiums or the discontinuance of the policy.

LEGAL REF.: Wisconsin Act 258, Wisconsin Statutes
Individuals with Disabilities Education Improvement Act of 2004

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