

## VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND

***TITLE: Independent Educational Evaluation***

**POLICY NUMBER: S022**

### **Policy Statement:**

The Virginia School for the Deaf and the Blind (VSDB) shall follow federal and state guidelines for Independent Educational Evaluations (IEEs) pursuant to the *Individuals with Disabilities and Education Act (IDEA)*, *Code of Virginia*, and *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*.

An IEE is an evaluation conducted by a qualified evaluator(s) who is not employed by the school responsible for the education of the child, in this case the VSDB.

The parent(s) of a child enrolled at the VSDB shall have the right to obtain one IEE of the child at *public expense* each time the VSDB conducts an evaluation component with which the parent disagrees.

The parent(s) of a child enrolled at the VSDB has a right to obtain a parent-initiated IEE at *private expense* at any time, the results of which shall be considered by the VSDB, if the private evaluation meets the VSDB criteria, in any decision regarding the provision of a free and appropriate public education to the child.

If a special education hearing officer requests an IEE for an evaluation component, as part of a hearing on a due process complaint, the cost of the evaluation shall be at public expense.

### **Procedure for Requesting an IEE at *Public Expense*:**

In the case that the parent(s) does not agree with the evaluation(s) of their child conducted by the VSDB, the parent(s) shall make a request for an IEE at public expense to the IEP case manager or principal in a timely manner. The request may be made orally or in writing. The VSDB, without unnecessary delay, will either initiate a due process request to show that its evaluation is appropriate, or ensure that the IEE is provided at public expense.

If the parent(s) request an IEE, the VSDB may ask the reasons for the objection to the school's evaluation. However, the parent is not required to provide an explanation and the VSDB may not unreasonably delay either providing the IEE at public expense or initiating a due process hearing to defend the school's evaluation.

If the VSDB agrees to provide an IEE at public expense, the IEP case manager or principal will promptly respond to the request in writing, including providing procedural safeguards, VSDB IEE policy, VSDB IEE criteria, list of independent evaluators in the area (parent(s) are not required to select the evaluator from the list provided by the student, however the evaluator selected by the parent(s) must meet the VSDB criteria for qualification/credential of evaluators), and a release of information form to be submitted to the evaluator, once

selected. Except for the criteria, the VSDB may not impose conditions or timelines related to obtaining an IEE.

If the VSDB initiates a due process request and the final decision of the hearing office is that the VSDB evaluation is appropriate, the parent(s) still has the right to an Independent Educational Evaluation, at *private expense*.

**Procedure for Parent-Initiated IEEs at *Private Expense*:**

The parent(s) of a student may initiate a private evaluation at any time. For VSDB to consider the results of the private evaluation for any decision making regarding the provision of a free and appropriate public education to the child, the private evaluation must meet the VSDB criteria for qualifications/credentials of evaluators. The private evaluation results may be shared with the student's IEP team at an IEP meeting. The parent(s) must provide a copy of the evaluation report to the IEP case manager at least two (2) business days before any IEP meeting to consider the results of the evaluation in making IEP team decisions. The IEP team must consider the results of the private evaluation in any decision regarding the provision of a free and appropriate public education to the child, as long as the evaluation meets the VSDB criteria for evaluations.

<b>Rescission:</b> Revised: November 2010; Revised: September 16/2015 BOV Approved: December 10, 2015
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