Individual Education Evaluation (IEE)

IEE at Parent Expense

The local education agency (LEA) governing board acknowledges that a parent/guardian has the right to obtain an independent educational evaluations (IEE) at their own expense at any time. In these circumstances, the Head of School or designee(s) shall ensure that the student's independent education plan (IEP) team shall consider the results of the IEE when determining an offer of a free appropriate public education (FAPE) for the student. However, the results of an IEE will not dictate the IEP team's determinations.

If a parent/guardian requests reimbursement for an IEE assessment obtained by the parent/guardian at their own expense, the Head of School or designee(s) shall ensure that the unilaterally obtained IEE meets the LEA criteria discussed in this policy.

IEE at Public Expense

The local education agency (LEA) governing board recognizes that federal and state laws provide parents/guardians of students with disabilities with the right to obtain an IEE, at public expense, when the parent/guardian disagrees with an assessment conducted by the LEA within the last two years.

The Head of School or designee(s) shall ensure that when a parent/guardian requests an IEE at public expense the LEA/district shall provide the parent/guardian with a copy of their Procedural Safeguards *and* either:

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I. Initiate a due process hearing to show that the evaluation, completed by the LEA/district, is appropriate; or

II. Provide the parent/guardian with information about where an IEE may be obtained, the LEA's criteria applicable for IEEs, and ensure than an IEE is provided at public expense.

In instances in which the LEA is granting the parent's request for an IEE, the Head of School or designee(s) shall ensure the following:

1. The criteria under which the IEE is obtained at public expense, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the LEA uses when it initiates an evaluation.
2. The LEA does not impose conditions or timelines related to obtaining an IEE at public expense.
3. All assessments shall be completed by persons competent to perform the assessment as determined by the LEA.
4. The IEE shall be administered by an evaluator who holds equivalent certifications, licenses, or other qualifications that would be required of the LEA staff to provide similar evaluations.
5. A parent/guardian shall have the opportunity to demonstrate that unique circumstances justify a waiver of any of the criteria listed above as defined by the LEA.

IEE Cost Determination

The cost determination for an IEE shall be comparable to the costs incurred by the LEA when it uses its own employees or contractors to complete an assessment, whenever possible. As a

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result, the Head of School or designee(s) shall provide a parent/guardian with a recommended cost ceiling. The cost ceiling shall be set at $4,800 effective as of December 16, 2016 and be updated once every three years. Cost ceiling is determined by averaging the cost of the following three assessors:

I. The cost of an assessment provided by a LEA employee;
II. The cost of an assessment provided by a neighboring LEA; and
III. The cost of an assessment provided by a private service provider, with appropriate qualifications, within 40 miles from the LEA.

The Head of School or designee(s) shall ensure a parent/guardian may demonstrate that unique circumstances, related to the student's educational need(s), justify a financial waiver of any of the cost ceiling as defined by the LEA.

The Head of School or designee(s) shall request that the parent/guardian voluntarily have their private health insurance pay the costs of the IEE if covered by their insurance. However, the LEA governing board recognizes that federal and state laws specify that parents/guardians are not required to have private insurance cover the costs of an IEE if the process would result in a financial cost to the parent/guardian including but not limited to:

I. A decrease in available lifetime coverage or any other benefit under an insurance policy;
II. An increase in premiums or the discontinuance of the policy; or
III. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim.

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LEA: North Oakland Community Charter School

Legal References

California Education Code Section 56322

California Education Code Section 56329

34 CFR 300.502

Adopted

(Date)

Signature of Board Chair

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Mia Birdsong **Date**

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Tracy Hanna **Date**

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