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2468 INDEPENDENT EDUCATIONAL EVALUATIONS

Special education law permits a parent to request an independent educational evaluation (IEE) for their child if there is disagreement with any evaluation provided by the Board of Education. An "independent educational evaluation" is an evaluation conducted by a qualified examiner who is not an employee of the public school district responsible for the education of the child in question. Such IEEs shall be provided at no cost to the parent unless the school district initiates a due process hearing in accordance with the provisions of N.J.A.C. 6A:14-2.7, et seq. to show that its evaluation is appropriate and a final determination to that effect is made following a hearing. If it is determined the school district's evaluation is appropriate, the parent still has the right to an IEE, but not at the school district's expense.

Upon receipt of a parental request for an IEE, the school district shall provide the parent with information about where an IEE may be obtained and the criteria for IEEs according to N.J.A.C. 6A:14-2.5(c) (3) and (c) (4) and the additional criteria outlined in this Policy.

Criteria for Independent Evaluations at District Expense:

1. Any IEE paid with public funds shall:
 - a. Be conducted according to the provisions of N.J.A.C.6A:14-3.4; and
 - b. Be obtained from another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required.



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2. An independent medical examination may be obtained according to N.J.A.C. 6A:14-5.1(e).
3. The Board will not pay for an IEE unless it complies with the following criteria unless the parent can show that unique circumstances warrant deviation from same. These criteria are the same as those used by the District in selecting evaluators for District-initiated assessments:
 - a. The independent evaluator must be appropriately certified and/or licensed in the State of New Jersey. In instances where no applicable certification/license exists, the evaluator must provide the Board with documentation of extensive and recent training and experience related to the assessment of the known or suspected disability;
 - b. The independent evaluator may only charge fees for educational services that, in the judgment of the Board, are reasonable and customary in accordance with Paragraph 4 below;
 - c. The independent evaluator must be free from any conflict of interest;
 - d. The independent evaluator and members of the Child Study Team must be permitted to directly communicate and share information with each other. The independent evaluator must also agree to release the assessment information, results, and report(s) to the school district prior to receipt of payment for services;
 - e. For any independent evaluation, whether paid for with public or private funds, the school district shall permit the evaluator to observe the pupil in



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the classroom or other educational setting, as applicable; and

- f. The independent evaluator shall make at least one contact with the pupil's case manager for purpose of determining how the pupil is progressing in his/her current programming.
4. The maximum allowable cost for an independent evaluation will be limited to the reasonable and customary rate for New Jersey, as determined by the Board annually.¹ This rate shall be in the range of what it would cost the Board to provide the same type of school assessment through either another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required. The maximum fee will not simply be an average of the fees customarily charged in the area, but will be established so that it allows parents to choose from among the qualified professionals in the Collingswood area while eliminating unreasonably excessive fees. This Board approved rate shall be provided to the parent upon their request for an IEE. The Board shall not be responsible for any costs beyond the IEE, such as transportation, lodging, food, etc.

The parent may provide documentation to the Board demonstrating unique circumstances to justify an IEE that exceed the maximum allowable cost established by the Board and set forth in the Special Education Independent Educational Evaluation Fee Schedule ("Fee Schedule") set forth herein established by the Board. If, in the Board's judgment, there is no justification for the excess cost, the Board may agree to fund the IEE

¹ See Reasonable Costs Criteria for Special Education Independent Educational Evaluation set forth herein at page 4 of 5.



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up to the school district's maximum allowable cost as set forth in the Fee Schedule with the parent responsible for the remaining cost. In the alternative, the Board may request a due process hearing to enforce its established maximum allowable cost.

Additional Considerations

Upon receipt of a parental request for an IEE, the school district shall take steps to ensure the IEE is provided without undue delay or not later than twenty calendar days after receipt of the parental request, the school district shall request a due process hearing in accordance with the provisions of N.J.A.C. 6A:14-2.7, et seq., to show that its evaluation is appropriate.

If a parent requests an IEE, the school district may ask the parent to explain why he or she objects to the school district's evaluation. However, the school district shall not require an explanation and shall not delay either providing the IEE or instituting a due process hearing to defend the school district's evaluation.

Any IEE submitted to the district, including an IEE obtained by the parent at private expense, shall be considered in making decisions regarding special education and related services.

If an Administrative Law Judge orders that an IEE be conducted, the IEE shall be obtained by the district in accordance with the decision or Order of the Administrative Law Judge, and the Board of Education shall pay the cost of the IEE in accordance with the provisions of this Policy.

A parent is entitled to only one IEE paid for by the Board each time the school district conducts an evaluation with which the parent disagrees.



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PATERSON BOARD OF EDUCATION REASONABLE COST CRITERIA FOR SPECIAL EDUCATION INDEPENDENT EDUCATIONAL EVALUATIONS

In accordance with this Policy, the Paterson Board of Education requires all independent educational evaluations to adhere to New Jersey Regulations (6A:14-3) regarding professional license and certifications issued by the New Jersey Department of Education and N.J.A.C. 6A:14-2.5, with respect to protections in the evaluations procedures.

Maximum fees for Child Study Team and related evaluations are as follows:

Type	Maximum Fee
Psychological	\$500
LDT-C Evaluation	\$600
Speech/Language Evaluation	\$550
Social Case History	\$500
Psychiatric Evaluation	\$800
Neurological Evaluation	\$700
Neuro-Psychological Evaluation	\$1,300
Audiological Evaluation	\$600
Central Auditory Processing Evaluation	\$500
Functional Behavior Analysis	\$1,000
Occupational Therapy Evaluation	\$500
Physical Therapy Evaluation	\$500
Assistive Technology Evaluation	\$1,300
Vocational Assessment	\$70 per hour

Exceptions to this fee scheduled will be granted based on a unique need of a student who may require an examiner to have specific expertise to evaluate the student. An example would be an evaluation in a language other than English.



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A parent is entitled to only one IEE paid for by the Board each time the school district conducts an evaluation with which the parent disagrees.

References: N.J.A.C. 6A:14-2.5; 6A:14-2.7
CFR 300.502

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