



OPERATING PROCEDURES

INDEPENDENT EDUCATIONAL EVALUATION

BISHOP CISD

178902

Template update May 2020

Legal Framework: INDEPENDENT EDUCATIONAL EVALUATION

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Broad Category: EVALUATION

PROCEDURES:

- If the parent requests an IEE from any staff member, campus Principal, or during an ARD meeting, the parent will be provided the name and phone number of the Director of Special Education and the staff member will notify the Director of Special Education immediately so the proper steps may be taken to address their request for an IEE. If the request is made in the ARD meeting, the deliberations will reflect that the parent was asked to provide reasons why they object to the Bishop CISD evaluation. If the parent does not provide a specific reason, this will be reflected in the deliberations. The Director of Special Education, in consultation with appropriate Bishop CISD staff, will determine whether to pay for the IEE or file for a due process hearing. The Director of Special Education will respond to the parent regarding the IEE request within 30 school days.
- If the Bishop CISD grants the IEE and decides not to file a due process hearing to defend their own evaluation, the parent will coordinate the IEE with the district staff per directions of the Director of Special Education. The district will provide the parent a list of qualified examiners in the area. Parents are free to select whomever they choose to perform the IEE, so long as the examiner meets the District's criteria. Parents will complete a Notice of Release of Confidential Information allowing the District and the evaluator the opportunity to request and/or exchange information relevant to the evaluation.
- The parent will provide the name and credentials of the evaluator to allow Bishop CISD to:
 - Check the evaluator's certification/license;
 - Conduct a background check of evaluator; and
 - Contract directly with the evaluator.
- The evaluator will:



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- o Be located within a 100 mile radius of the Bishop CISD. This will allow the evaluator access to the public school for observation of the student and access to ARD meetings;
 - o Meet the same minimum qualifications as the Bishop CISD evaluation personnel;
 - o Coordinate dates and times with Bishop CISD evaluation personnel to conduct the evaluation;
 - o Evaluate and observe the student in the school building to which the student is assigned, unless clearly not feasible;
 - o Have access to the student's cumulative folder and special education records to gather information about the student while they are present on the campus conducting the evaluation in order to review and consider those records;
 - o Follow Texas Education Agency and Bishop CISD criteria for the evaluation of the suspected specific disability;
 - o Provide access to protocols for review by Bishop CISD evaluation staff.
- Upon completion of evaluation, the written report will be submitted to the district along with the invoice for payment. The district will review the report without delay and determine if requirements were followed prior to payment. The parent will be notified by the district if the IEE does not demonstrate substantial compliance.
- The evaluation report shall address the presence or absence of those symptoms or conditions included in the specific eligibility criteria for the disability for which the student is being assessed. The report shall include the type and severity of the impairment and the functional implications for the educational process. The report must provide the ARD committee with sufficient information to determine whether or not the student has a disability and is in need of special education services. An ARD meeting will be held within 30 calendar days of receipt of the IEE to review and consider the IEE.
- Payment will be made directly to the evaluator upon receipt of an invoice and the IEE which meets all of the Bishop CISD's evaluation criteria. The Bishop CISD will not pay unreasonable and/or excessive fees. An unreasonably excessive fee is one which is 10% above the prevailing fees (as established in the Medicaid/Medicare Service Provider Manual) in the area for the specific test being considered. Parents will be allowed the opportunity to demonstrate that unique circumstances justify an IEE that does not fall within the Bishop CISD's fee criteria. However, the payment decision will remain with the district. When service providers have a sliding scale fee based on parent income, the



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Bishop CISD will pay the amount charged to the parent. Travel costs for examiner and/or parents will not exceed Bishop CISD's rates for travel as established by state guidelines. An IEE will not be paid with district funds if the evaluator does not meet qualification criteria, if the IEE is not substantially compliant with federal, state and district criteria, or if the evaluator fee is not within the criteria provided to the parent.

STAFF RESPONSIBLE:

District Level: Director of Special Education

Campus Level: Evaluation Personnel

TIMELINES FOR IEEs:

- Response to parent's request for an IEE
- Payment for IEE
- Scheduling an ARD committee meeting to consider an IEE

EVIDENCE OF PRACTICE:

- Forms and checklists used in the IEE process
- Training artifacts (agenda, presentation hand-outs, sign-in sheets, etc.)
- List of independent evaluators
- Contracts with IEE providers