



<p>RESPONSIBLE OFFICE:</p> <p>Office of the Special Assistant to the Chancellor – Blackman/Jones Compliance</p>	<p>AUTHORITY: 20 USC §§ 1400 et seq. Title 34 C.F.R. § 300.502 and 300.30</p> <p><i>Michelle</i> 7/18/08 Chancellor's Signature Date:</p>
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I. Definitions

A. Parent

For purposes of this directive, the term "parent" has the meaning prescribed in 34 C.F.R. § 300.30 and includes a biological parent, adoptive parent, foster parent, a person acting in the place of a biological or adoptive parent with whom the child lives, a person legally responsible for the child's welfare, an appointed surrogate parent, or a person identified by judicial order to act as a parent.

B. Evaluation

An evaluation is an assessment conducted by a DCPS employee to determine if a student is a student with a disability. For the purposes of this directive, the terms "assessment," "evaluation" and "reevaluation" are synonymous.

C. Independent Educational Evaluation (IEE)

An Independent Educational Evaluation (IEE) is an assessment conducted by a qualified examiner who is not employed by DCPS to assess whether a child is eligible for special education. There are two kinds of IEEs: ones at public expense and ones at private expense. IDEA gives parents the right to obtain an IEE at their own expense at any time, and it provides for IEEs at public expense when a parent disputes an evaluation conducted by school system personnel.

II. Procedures

A. COMMITMENT TO EVALUATE

1. If a student is suspected of having a disability by DCPS personnel, the Special Education Coordinator (SEC) at the student's school will contact the parent and request a written consent to evaluate. When parental consent to evaluate is given, DCPS will conduct the necessary evaluation(s) within 120 days of receipt of consent. If the parent refuses to consent to the evaluation, the SEC will contact his or her supervisor to initiate filing a due process complaint.
2. When a parent makes a request for an evaluation, the request must be in writing and the parent must sign a written assessment plan before the evaluation will occur.

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3. Subject to paragraph II. A. 4 below, if a parent disputes an evaluation conducted by a DCPS employee or contractor and requests an IEE, the parent will be given a letter authorizing the IEE (Exhibit A) along with a list of independent evaluators (Exhibit B).
4. If DCPS denies a request for an IEE, then DCPS will file a due process claim with the State Student Hearing Office to challenge the request. DCPS may never deny a request for an IEE without filing a due process complaint with the State Student Hearing Office.

B. INDEPENDENT EDUCATIONAL EVALUATIONS AT PARENT'S EXPENSE

A parent may obtain an IEE at his or her own expense at any time. If a parent obtains an IEE at his or her own expense, the results of the evaluation:

1. Must be considered by DCPS at an individualized education program (IEP) meeting or multi-disciplinary team (MDT) meeting regarding the student, and
2. May be presented as evidence at a due process hearing.

C. INDEPENDENT EDUCATIONAL EVALUATIONS AT PUBLIC EXPENSE

1. A parent may request an IEE at public expense if:
 - a. The parent disputes an evaluation conducted by a DCPS employee or contractor.
 - b. The parent previously requested an evaluation and the school refused to conduct it or failed to conduct it within 90 days of receiving written consent.
 - c. DCPS is unable to locate the current evaluation.
2. A parent's request for an IEE should be made in writing. If a parent requests an IEE at public expense, DCPS may ask why the parent disputes the evaluation conducted by a DCPS employee or contractor. The parent need not provide an explanation, however, and DCPS may not delay in either providing the IEE at public expense or initiating a due process hearing to defend the DCPS evaluation. 34 C.F.R. § 300.502(b)(4) (Exhibit C).
3. The determination of whether to authorize a requested IEE or initiate a due process claim must be made within 5 days of receipt of the request for an IEE. DCPS will notify the parent within 24 hours of making its decision.
4. If the parent requests assistance, DCPS will help the parent arrange the IEE. Alternatively, DCPS will provide information that enables the parent to arrange for the IEE. In every case, DCPS will provide the following information in writing to a parent who requests an IEE:

- a. A letter authorizing the IEE that the parent will provide to the evaluator the parent selects. (Exhibit A)
 - b. A listing of the names and addresses of IEE evaluators located within the DC Metropolitan Area and the types of assessments they provide. The list will identify those IEE evaluators who, in DCPS's judgment, are qualified to perform the evaluation requested by the parents. (Exhibit B)
5. The IEE may be performed by an evaluator who is not on the list described in paragraph II. C. 4. b above if the evaluator meets DCPS criteria. 34 C.F.R. § 300.502(e)(1), (Exhibit C). If an evaluator is not on the list, the evaluator must provide proof of expertise in the type of evaluation performed and of certification or license in the relevant field before DCPS will pay for the IEE.
 6. All evaluators must use accepted professional practices. If formal test instruments are used, they must be validated for the specific purpose for which they are used and administered by trained personnel. Any test utilized shall not be discriminatory on a racial or cultural basis. Testing materials must be provided or administered in the child's native language or other mode of communication unless it is clearly not feasible to do so. 34 C.F.R. § 532(a)(1), (Exhibit C).

D. PAYING THE INDEPENDENT EVALUATOR

1. DCPS has researched prevailing costs in the DC metropolitan area and created a new cost table (Exhibit D). DCPS agrees to pay up to these limits for IEEs at public expense.
2. Exceptions to the rate schedule may be allowed when the requesting party can demonstrate circumstances justifying the payment of costs in excess of the established maximum rates.
3. The types of evaluations included in Exhibit D are not exhaustive but are the evaluations most commonly used for determining an educational disability and identifying needs for special education and related services. Other evaluations that are reasonably necessary to determine whether a child has a disability and/or to identify the child's instructional and related services needs will be considered on an individual basis and the evaluation(s) will be paid for at prevailing rates.
4. DCPS will reimburse independent evaluators directly. Independent evaluators need to submit the authorization letter (or hearing officer determination or settlement agreement authorizing the independent evaluation), the evaluation results, and an invoice to: DCPS, Office of the Chief Financial Officer, Attn: Special Education Payment Unit, P.O. Box 75047, Washington, DC 20002. If all necessary documentation is included with the invoice, then reimbursement will be made within 30 days of receipt of the invoice.

5. If DCPS disputes an amount claimed in an invoice, DCPS will provide the evaluator with a written dispute notice including the reasons for disputing the amount claimed within 20 calendar days of receipt of the invoice. Any amount not disputed by DCPS will be paid within 30 days. If the evaluator does not agree with DCPS's disputed amount, then the evaluator must state the objection in writing within 14 calendar days of receipt of DCPS's notice of dispute. DCPS then has 10 business days to respond to the evaluator's objection by either agreeing to pay the disputed amount within 10 business days, or by providing a final rejection in writing including the reasons for the rejection and a description of the evaluator's further rights should he or she wish to appeal DCPS's final decision.

E. REPORTING RESULTS

1. Whenever possible, the evaluator will complete the IEE and submit a written report to the parent and DCPS no later than 14 days after the date the IEE was authorized by DCPS.
2. The report will summarize in writing the procedures used, assessments used, results, and diagnostic impressions as well as relevant recommendations for meeting identified needs of the student.

F. ACTING ON IEEs

1. Within 10 school days from the time DCPS receives the IEE, the IEP Team will convene and consider the IEE when creating the student's IEP.
2. If an IEP was already created for the student, the IEP Team will reconvene within 10 school days from the time DCPS receives an IEE, and the team will consider the IEE to determine whether a new or amended IEP is appropriate.



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Authorization for Independent Evaluation

This letter serves as authorization for an independent evaluator to provide a

_____ evaluation for _____
(Type of Evaluation(s)) (Student's Name)

_____ was given (an) evaluation(s) for
(Student's Name)

_____ by a DCPS evaluator on _____
(Type of DCPS Administered Evaluation(s)) (Date of DCPS Evaluation)

The parent, _____, of the student disputes the findings of
(Name of Parent or Parent Representative)

the evaluation(s) conducted by DCPS and requests an independent evaluation at public expense.

Pursuant to 34 C.F.R. § 300.502(b), the federal regulations implementing the Individuals with Disabilities Education Improvement Act, parents are entitled to an independent evaluation at public expense if they dispute the evaluation conducted by a school system employee or contractor. Because the parent disputes the evaluation conducted by DCPS, and DCPS has not filed a due process complaint against the parent challenging the request, an independent evaluation at public expense is hereby authorized.

34 C.F.R. § 300.502(e)(1) requires independent evaluators to meet certain requirements. A list of independent evaluators who, in the opinion of DCPS, meet the requirements is attached to this letter. Parents may choose an evaluator from this list or another evaluator that meets the qualifications and evaluation procedures requirements.

To be reimbursed the evaluator must send the evaluation report, this letter, and an invoice to the address below. We ask that assessments be completed as soon as possible and preferably within 14 days.

DCPS, Office of the Chief Financial Officer
Attn: Special Education Payment Unit
P.O. Box 75047
Washington, DC 20002

(Name and Title of Authorizer) and (Date)

cc: Office of Special Education
Special Education Reform Team

Service Provider	Address	City	State	Zip	Phone
Atlantic Health Services	600 Jefferson Plaza Suite 430	Rockville	MD	20832	301-838-3430
Chesapeake Center Inc.	6506 Loisdale 3rd Floor	Springfield	VA	22150	703-924-4148
EBS	P.O.Box 911	Concordville	PA	19331	800-578-7906
Hospital for Sick Children	1731 Bunker Hill Road NE	Washington	DC	20017	202-434-8281
Jewel Therapeutic	601 Pennsylvania Ave SE	Washington	DC	20004	
Physio-Therapy	207 Interstate Park Dr	Montgomery	AL	36109	
Futures Healthcare	136 Williams	Springfield	MA	01109	413-788-2171
Rehab Plus	7474 Greenway Cir.	Greenbelt	MD	20770	301-220-0580
A&M Rehab Medical	1050 Connecticut Ave. NW 10th Floor	Washington	DC	20036	202-772-4152
Children's Hospital	111 Michigan Avenue, NW	Washington	DC	20020	202-939-6680
ProCare Therapy	1740 Ridge Ave., Suite 101	Evanston	IL	60201	866-842-6289
Comprehensive Speech & Language Services	12411 Alamance Way	Upper Marlboro	MD	20772	301-455-9261
Creative Therapy Solutions	2500 Clarendon Blvd. #734	Arlington	VA	22201	202-486-0845
Riley Bridgeforth, LLC	3617A 14th Street, NW	Washington	DC	20011	202-291-0222
Progressus Therapy	1001 Fleet Street	Baltimore	MD	21202	800-627-4276
Psychological Assessment Solutions	1801 Columbia Rd., NW, Suite 101	Washington	DC	20009	202-237-5452
Mental Health Resources Plus	6192 Oxon Hill Rd # 412	Oxon Hill	MD	20745	301-749-2003

- If you learn of a provider that would like to be listed, please contact Vielka Scott.

- If you would like to let us know about your experience with one of these providers or update contact information let us know. Vielka.Scott@dc.gov

Individual Educational Evaluation Policy - Exhibit C

Legal Citations

34 C.F.R. § 300.502 (b) (4) If a parent requests an independent educational evaluation, the public agency may ask for the parent's reason why he or she objects to the public evaluation. However, the explanation by the parent may not be required and the public agency may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation.

34 C.F.R. § 300.502 (e) (1) If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the public agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation.

34 C.F.R. § 532 (a) (1) Tests and other evaluation materials used to assess a child under Part B of the Act—

(i) Are selected and administered so as not to be discriminatory on a racial or cultural basis; and

(ii) Are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so[.]

Individual Educational Evaluation Policy - Exhibit D

Interim Rate Schedule for Independent Educational Evaluations

Evaluation Type	Maximum Hourly Rate	Maximum Total Amount
Comprehensive Psychological (cognitive, achievement, social-emotional, possible depression/anxiety)	\$145.00	\$2,030.00
Neuropsychological (cognitive, achievement and comprehensive neuropsychological battery)	\$200.00	\$3,000.00
Psychiatric	\$145.00	\$1,015.00
Educational	\$140.00	\$980.00
Occupational Therapy	\$90.00	\$630.00
Physical Therapy	\$90.00	\$630.00
Speech & Language	\$90.00	\$900.00
Audiological	\$135.00	\$270.00
Social History	\$80.00	\$160.00
Rate Information Updated on July 18, 2008		