

## SCHOOL DISTRICT OF MANAWA

342.11 Rule

### PROCEDURES FOR INDEPENDENT EDUCATIONAL EVALUATIONS (IEE)

1. The parents/guardians should submit a written request for an IEE to the District, and may include in such request an explanation of their reasons for objecting to the evaluation obtained by the District. However, the District will not deny parents/guardians a publicly-funded IEE because they fail to provide the District with such a written request or fail to provide reasons for requesting an IEE.
2. Upon receipt of a parental request for an IEE, a determination will be made as to whether the District will initiate due process to establish the appropriateness of its evaluation or proceed with procuring an IEE. The District will respond in writing to a parent/guardian request for an IEE within 15 school days from the date that the District receives the request.
3. If the District decides to procure an IEE for the parents/guardians, the District's written response will contain the following:
  - a) A listing of the names and address of IEE examiners located within the Cooperative Educational Service Agency (CESA) 6 area. The list will identify those IEE examiners who, in the District's judgment, are qualified to perform the evaluation requested by the parents/guardians. If no qualified examiner exists within the CESA 6 area, the District will identify an individual located in the State of Wisconsin who can perform the evaluation.
  - b) The specific location of the evaluation. All IEEs will be performed in the District unless the parents/guardians demonstrate that unique circumstances warrant a publicly-funded IEE outside the District.
  - c) A description of the District's criteria for selection of IEE examiners.
4. Minimum Qualifications for IEE Examiners

The following are the District's minimum qualifications to be approved as an IEE examiner. These qualifications are consistent with the District's criteria for selecting examiners for District-initiated evaluations. Prospective examiners with credentials other than those listed below will not be approved unless the parents/guardians can show unique circumstances which justify a publicly-funded IEE by an examiner who does not meet the District's criteria:

The prospective IEE examiner shall:

- a) Hold or be eligible to hold a Wisconsin Department of Public Instruction license in the appropriate field when the area of evaluation is governed by state licensure, or hold a college or university degree in the appropriate field of expertise when no applicable license exists. Physicians, nurses, psychiatrists and non-school psychologists must be licensed by the State of Wisconsin.
- b) Not be a District employee.

c) Be permitted to directly communicate and share information with members of the individualized education program (IEP) Team. The examiner must also agree to release the assessment and results, including parent/guardian and teacher surveys, prior to receipt of payment for services.

5. The maximum allowable cost for an examiner will be the average cost per day or hour for a similarly qualified staff member employed by CESA 6 during the current school year as determined by the CESA 6 Director of Special Education. In the event the examiner is one not typically employed by CESA 6 or the District such as a medical doctor, psychiatrist, clinical psychologist or other similar professional, reimbursement of costs will be limited to reasonable and customary charges as determined by the District and its insurance carrier.

If it is necessary for a child to be evaluated at a location out-of-district, the District may be required to pay for the expenses incurred by the parent/guardian for travel or other related costs.

If it is necessary to use an examiner from outside the CESA 6 area, the District may be required to pay for the expenses incurred by the examiner for travel or other related costs.

The District will permit parents/guardians to show that unique circumstances justify an IEE that exceeds the maximum allowable cost and/or includes expenses for travel or other related costs for the parents/guardians or the examiner.

When insurance will cover all or partial costs of the IEE, the District will request that the parents/guardians have their insurance pay the IEE costs covered by their insurance. However, parents/guardians need not ask their insurer to cover the IEE costs if such action would result in a financial cost to the parents/guardians, such as an increase in premiums. The District may use public insurance benefits in which a child participates, such as Medicaid, to provide or pay for services when consistent with federal law.

6. In the event the IEE is ordered by an administrative law judge (ALJ) as part of a due process hearing pursuant to section 115.80 of the Wisconsin Statutes or as part of a mediation session conducted pursuant to section 115.797 of the Wisconsin Statutes, the ALJ or mediator may determine the qualifications of the examiner and the cost to be reimbursed by the District.

7. If there is any dispute or disagreement regarding the parent's/guardian's right to obtain an IEE at public expense, the selection of an IEE examiner, the location of the evaluation, the maximum allowable cost of the evaluation, or the payment of travel and related costs, the District will, without unnecessary delay, initiate a due process hearing to demonstrate that the evaluation obtained by the parent/guardian did not meet the District's criteria.

APPROVED: January 24, 2000

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