



**LOS ANGELES UNIFIED SCHOOL DISTRICT  
POLICY BULLETIN**

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**TITLE:** Independent Educational Evaluations (IEE)

**NUMBER:** BUL-6642.0

**ISSUER:** Sharyn Howell, Associate Superintendent  
Division of Special Education

**DATE:** February 8, 2016

<p><b>ROUTING</b></p> <p>All Locations</p> <p>Local District Superintendents</p> <p>Instructional Directors</p> <p>Special Education Service Center Administrators</p> <p>School Site Administrators</p> <p>Charter School Administrators</p> <p>Related Services Providers</p> <p>Teachers</p>
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**MAJOR CHANGES:** This is a new policy bulletin.

**BACKGROUND:** The Individuals with Disabilities Education Act (IDEA), at Title 34 CFR §300.502, specifies that the parents/guardians of a child with a disability have the right under this provision to obtain an Independent Educational Evaluation of their child at public expense, subject to certain provisions.

**POLICY:** Definitions

A. “Independent Educational Evaluation (IEE)” means an evaluation conducted by a qualified evaluator who is not employed by the District.

B. “Public expense” means that the District either pays for the full cost of the IEE within the established guidelines set out in District or Special Education Local Plan Area (SELPA) policy or ensures that the IEE is provided at no cost to the parent/guardian.

Notification to District

A. A parent/guardian must notify the District in writing that they disagree with a District evaluation and that they are requesting an IEE at public expense. If a parent/guardian makes an oral request for an IEE, the District shall offer to assist the parent/guardian in putting the request in writing.

B. A parent/guardian desiring an IEE at public expense must submit their written notice within two (2) years from the date of the District assessment to which they disagree. (*20 U.S.C. 1415(b)(6)(B); Education Code 56505(l); Placentia-Yorba Linda USD, (2012) OAH Case No. 2012051153.*)

District Response to Parent/Guardian Request for an IEE

A. Following receipt of a request for an IEE at public expense from a parent/guardian, the District shall, without unnecessary delay:

- 1) ensure that the evaluation is provided at public expense; or



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**POLICY**  
**(Continued):**

2) request a due process hearing for a determination as to whether the District's evaluation is appropriate. (*34 C.F.R. 300.502(b)(2)(i)-(ii).*)

- B. If the District initiates a due process hearing and the final decision is that the District's evaluation is appropriate, the parent/guardian is not entitled to an IEE at public expense; however, the parent/guardian still has the right to obtain an IEE at private expense. (*34 C.F.R. 300.502(b)(3).*)
- C. The District may ask a parent/guardian why he or she disagrees with the District's evaluation, but may not require the parent/guardian to provide an explanation and may not unreasonably delay either providing the IEE at public expense or filing a request for due process to request a hearing to defend the District's evaluation. (*34 C.F.R. 300.502(b)(4).*)

### Information Provided to a Parent/Guardian

Upon receipt of a written request for an IEE, the District will provide the parent/guardian with information regarding where to obtain an IEE and the District criteria applicable to IEEs. (*34 C.F.R. 300.502(a)(2).*)

### District Criteria

- A. The IEE must be in an area of suspected disability and must be conducted for the purposes of determining a student's special education needs.
- B. The evaluator shall follow all guidelines for District evaluations which include, but are not limited to, observing the student in an appropriate setting, classroom visitation(s), and interview(s) with parent/guardian and staff.
- C. It is the intent of the District that IEEs be focused on student need and avoid any possible conflict of interest. Therefore, any evaluator who provides an IEE shall not be used as a provider for any services offered in a resultant individualized education program (IEP). It is acknowledged, however, that a student may have a need for which no other qualified provider may be available. Under this circumstance and in its discretion, the District may certify that no other qualified provider can be identified and may authorize an exception to this provision.
- D. As part of a District contracted IEE, evaluators must:
- 1) provide the District original protocols of all the assessments;
  - 2) provide a written report at least five (5) days prior to the IEP team meeting; and
  - 3) participate in the resultant IEP team meeting(s).
- E. If an IEE is at public expense, then the criteria under which the evaluation is obtained, including the cost of the evaluator, geographic location of the



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### **POLICY (Continued):**

evaluator, and the qualifications of the evaluator, must be the same as the criteria the District uses when it initiates an evaluation to the extent those criteria are consistent with the parent's/guardian's right to an IEE. (*34 C.F.R. 300.502(e).*)

#### 1) Cost-Containment Criteria

- a) The cost of the IEE must not exceed reasonable rates prevailing in the District's geographical area. See Attachment A to this policy for the current list of reasonable rates.
- b) Costs may include observations, administration and scoring of tests, report writing, and participation at an IEP team meeting.

#### 2) Geographic Location Limitations

- a) Evaluators will be located within Los Angeles County.
- b) Any expenses beyond the evaluation (i.e., lodging, transportation, mileage, etc.) are not covered in the cost of the IEE.

#### 3) Minimum Qualifications of Evaluators

- a) All evaluators must have a minimum of two (2) years of experience working with children and young adults ages three (3) to twenty-two (22).
- b) Psychological assessments must be completed by School Psychologists, Licensed Education Psychologists, or Clinical Psychologists.
- c) Speech/language assessments must be completed by Licensed Speech-Language Pathologists who currently possess a valid license issued by the California Speech-Language Pathology, and Audiology and Hearing Aid Dispensers Board.
- d) Physical Therapists must currently possess a valid license issued by the Board of Medical Quality Assurance.
- e) Occupational Therapists must currently possess a valid license with the California Board of Occupational Therapy.
- f) All other evaluators must meet minimum requirements as set forth in District criteria. See Attachment B to this policy.
- g) Evaluators with credentials other than those identified will not be approved unless the parent/guardian can demonstrate the appropriateness of using an evaluator meeting other qualifications.

#### 4) Timeline for IEEs

- a) In the interest of consistency between District evaluations and IEEs, parents/guardians are encouraged to choose an option for IEE evaluators within 15 calendar days of receiving District agreement to fund an IEE.
- b) After the parent/guardian selects an IEE evaluator that meets District criteria, the District will initiate a contract with the evaluator. If the selected evaluator indicates that he/she cannot complete the evaluation and provide a written report within 60 school days, the



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### **POLICY (Continued):**

District will inform the parent/guardian and request selection of another evaluator.

- c) Once a contract for completion of an IEE is signed, the IEE must be completed by that evaluator absent extraordinary circumstances and exceptions authorized at the District's discretion.
- d) Once an IEE at public expense has been authorized and the District has completed required notices or contracts, parent/guardian is responsible for ensuring that the IEE is completed in a timely manner including, but not limited to, scheduling any assessment appointments, completion of written assessment reports, or submission of required documentation. (*Mangum v. Renton School District, (2014 9th Cir.) 63 IDELR 277.*)

- F. Exceptions to any of the District's criteria applied to IEEs may be approved only on an individual basis, provided parents/guardians can demonstrate necessity based on the student's unique needs. (*Letter to Parker, (2004 OSEP) 41 IDELR 155.*)

#### Consideration of IEE

- A. IEEs are designed to determine the educational needs of a student with a disability or a suspected disability. The IEP team is responsible for determining services and placement. While the District will consider IEEs, the District is not obligated to adopt the recommendations set out in any IEE.
- B. If a parent/guardian obtains an IEE at public expense, or shares an evaluation obtained at private expense with the District, the results of the evaluation:
  - 1) must, if the evaluation meets District criteria, be considered by the District in any decision made with respect to the provision of a free appropriate public education (FAPE) to the student; and
  - 2) may be presented by any party as evidence at a due process hearing regarding the student. (*34 C.F.R. 300.502(c)(1)-(2).*)

#### IEE Reimbursement

- A. The District is not obligated to reimburse the parent/guardian for any private evaluation:
  - 1) that does not meet all District criteria for evaluation;
  - 2) that was completed prior to the date the District's evaluation was completed; or
  - 3) was completed without written notice to the District that parent/guardian was seeking a publically funded IEE.
- B. Unless otherwise agreed to by the District, reimbursement for the costs of an IEE funded at private expense shall not be made by the District until



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**POLICY** parent/guardian has provided the District with a full and complete copy of the  
**(Continued):** IEE report and the evaluation’s original protocols.

Limitation on Number of IEEs

A parent/guardian is entitled to only one IEE at public expense each time the District conducts an evaluation with which the parent/guardian disagrees.  
*(Education Code 56329(b); 34 C.F.R. 300.502(b)(5).)*

**AUTHORITY:** This is a policy of the Superintendent of schools.

**RELATED RESOURCES:** 20 U.S.C. §1415 (Individuals With Disabilities Education Act)  
 Title 35, Code of Federal Regulations, §300.502 (Federal Code of Regulations)  
 California Education §56329

**ASSISTANCE:** For assistance or further information please contact the appropriate Special Education Local District Administrator:

Local District Central	213-241-4999
Local District East	323-224-3300
Local District Northeast	818-686-4400
Local District Northwest	818-654-5001
Local District South	310-354-3431
Local District West	310-235-3700

**ATTACHMENTS:** Attachment A: Cost Table for Independent Educational Evaluations (IEEs)  
 Attachment B: Minimum Requirements for IEE Evaluators

Los Angeles Unified School District  
Division of Special Education  
Cost Table for Independent Educational Evaluations (IEEs)

<b>Evaluation</b>	<b>Cost Maximum</b>
Academics	\$ 2,200.00
Augmentative Alternate Communication	\$ 950.00
Adapted Physical Education	\$ 950.00
Adaptive Functioning	\$ 2,200.00
Assistive Technology	\$ 950.00
Auditory Acuity, Auditory Perception, Central Auditory Processing	\$ 1,200.00
Behavioral/Functional Behavior Assessment	\$ 2,000.00
Functional Vision, Including Reading Materials Assessment for the Blind	\$ 950.00
Health	\$ 950.00
Language and Speech Therapy	\$ 950.00
Language and Speech Therapy (including Augmentative Alternate Communication)	\$ 1,200.00
Occupational Therapy	\$ 950.00
Orientation and Mobility for the Blind	\$ 950.00
Physical Therapy	\$ 950.00
Psycho-Educational Assessment (may include academic, adaptive functioning, cognition, psychological processing [auditory, visual, phonological processing], social emotional functioning, neuro-psychological)	\$ 5,000.00
Psycho-Educational Assessment and Functional Behavior Assessment	\$ 6,000.00
Recreation Therapy	\$ 950.00
Vision Therapy	\$ 400.00
Vocational	\$ 2,950.00

Los Angeles Unified School District  
Division of Special Education  
Minimal Requirements for IEE Evaluators

<b>Evaluation</b>	<b>Minimal Requirements (At least one from each requested evaluation category)</b>
Academics	(1) Credential issued by the California Commission on Teacher Credentialing (CTC) that authorizes service as a special education teacher; (2) Pupil Personnel Services Credential that authorizes School Psychology; (3) License as an Educational Psychologist; or (4) License as a Psychologist.
Adapted Physical Education	Credential issued by the California CTC that authorizes service in adapted physical education.
Adaptive Functioning	(1) Credential issued by the California CTC that authorizes service as a special education teacher; (2) Pupil Personnel Services Credential that authorizes School Psychology; (3) License as an Educational Psychologist; or (4) License as a Psychologist.
Assistive Technology	(1) License in Physical Therapy issued by a licensing agency within the Department of Consumer Affairs, where the utilization of assistive technology services falls within the scope of practice of physical therapy as defined in Business and Professions Code section 2620 and implementing regulations; (2) License in Occupational Therapy issued by a licensing agency within the Department of Consumer Affairs; (3) License in Speech-Language Pathology issued by a licensing agency within the Department of Consumer Affairs or a valid document, issued by the California CTC, where the function of the assistive technology service is augmentative communication; (4) Baccalaureate degree in engineering with emphasis in assistive technology; (5) Baccalaureate degree in a related field of engineering with a graduate certificate in rehabilitation technology or assistive technology; (6) Certification from the Rehabilitation Engineering and Assistive Technology Society of North America and Assistive Technology Provider (RESNA/ATP); (7) Certificate in assistive technology applications issued by a regionally accredited post-secondary institution; or (8) Credential that authorizes special education of physically impaired, orthopedically impaired, or severely impaired pupils.

<b>Evaluation</b>	<b>Minimal Requirements (At least one from each requested evaluation category)</b>
Auditory Acuity, Auditory Perception, Central Auditory Processing	(1) License in Audiology issued by a licensing agency within the Department of Consumer Affairs; or (2) Credential authorizing audiology services in the state of California.
Behavioral/Functional Behavior Assessment	(1) Pupil Personnel Services Credential that authorizes school counseling or school psychology; (2) Credential authorizing the holder to deliver special education instruction; (3) License as a Marriage and Family Therapist certified by the Board of Behavioral Sciences, within the Department of Consumer Affairs; (4) License as a Clinical Social Worker by the Board of Behavioral Sciences, within the Department of Consumer Affairs; (5) License as an Educational Psychologist issued by a licensing agency within the Department of Consumer Affairs; (6) License as a Psychologist regulated by the Board of Psychology, within the Department of Consumer Affairs; or (7) Master's degree issued by a regionally accredited post-secondary institution in education, psychology, counseling, behavior analysis, behavior science, human development, social work, rehabilitation, or in a related field.
Functional Vision, Including Reading Materials Assessment for the Blind	(1) License as an Optometrist, Ophthalmologist, Physician or Surgeon, issued by a licensing agency within the Department of Consumer Affairs and authorizing the licensee to provide the services rendered; or (2) Credential authorizing vision instruction or services.
Health	Licensed Physician.
Language and Speech Therapy/Augmentative Alternate Communication	License issued by the California Speech-Language Pathology, and Audiology and Hearing Aid Dispensers Board.
Occupational Therapy	License issued by the California Board of Occupational Therapy.
Orientation and Mobility for the Blind	Credential that authorizes services in orientation and mobility instruction in the state of California.
Physical Therapy	Physical Therapist license issued by the California Board of Medical Quality Assurance.

<b>Evaluation</b>	<b>Minimal Requirements (At least one from each requested evaluation category)</b>
Psycho-Educational Assessment (may include academic, adaptive functioning, cognition, psychological processing [auditory, visual, phonological processing], social emotional functioning, neuro-psychological)	(1) Pupil Personnel Services Credential that authorizes School Psychology; (2) License as an Educational Psychologist; or (3) License as a Psychologist.
Recreation Therapy	(1) Certificate issued by the California Board of Recreation and Park Certification; (2) Certificate issued by the National Council for Therapeutic Recreation; or (3) Certificate issued by the National Recreation and Park Association, authorizing services in recreation or therapeutic recreation.
Vision Therapy	(1) Licensed as an Optometrist; or (2) Licensed as an Ophthalmologist.
Vocational	(1) Adult education credential with a career development authorization; (2) Credential that authorizes instruction in special education or vocational education; or (3) Pupil Personnel Services Credential that authorizes school counseling.