



Lindley Academy Charter School (LACS) will follow federal law (IDEA), Pennsylvania regulations, and this policy when reviewing such requests. LACS will evaluate requests for IEEs and provide them in accordance with the provisions of federal law (Individuals with Disabilities in Education Act, as amended), Pennsylvania State Board of Education Regulations (22 Pa. Code § 711), and this Policy, when the parent/guardian disagrees with the evaluation results obtained by LACS.

Definitions

- **IEE:** An evaluation done by someone *not employed* by LACS.
- **Qualified Examiner:** in the case of an evaluation of a child for autism, emotional disturbance, intellectual disability, multiple disabilities, other health impairment(s), specific learning disability or traumatic brain injury, a qualified examiner is a certified school psychologist whose certification is from the Commonwealth of Pennsylvania. In the case of an evaluation of a child for other disabilities (e.g. speech and language, occupational therapy), a qualified examiner is a person licensed or certified to conduct and interpret assessments in the area(s) of concern.

Parent Rights & IEE Requests

- Parents can always get an IEE at their own cost. The IEP team will consider it.
- Parents may request one IEE per year at LACS's expense if:
 1. They disagree with the school's evaluation, **and**
 2. They submit a written request explaining the reasons and type(s) of evaluation needed.

Exceptions:

LACS may deny the request if it proves, through a due process hearing, that:

- Its original evaluation was appropriate, or
- The parent's chosen evaluator doesn't meet school criteria.

Parents may request a maximum of one (1) IEE at public expense per year.

If the request for an IEE is made verbally, the LACS staff member who receives the request shall immediately inform the Parent/guardian that the request **must be in writing**.

If the native language of the Parent/Guardian is other than English, the requirement that the request be made in writing shall be conveyed by whatever means practicable in the native language of the Parent/Guardian.

All IEE requests shall be forwarded to the Director of Special Education or CEO immediately.

The Director of Special Education, CEO, or designee may, upon receipt of the request, request that the Parent/Guardian state their reasons for disagreement with the evaluation conducted by LACS. Refusal by the Parent/Guardian to provide the reasons for disagreement shall not delay the process.



A Parent/Guardian must express disagreement with an evaluation or reevaluation conducted by LACS within twelve (12) months of the date the report of the evaluation or reevaluation conducted by LACS was provided to the Parent/Guardian.

Procedures

Within ten (10) school days of receipt of a request for an IEE that states the Parent's disagreement with LACS's evaluation and specifies the reasons for doing so and the types of evaluation(s) sought, LACS shall promptly:

1. Initiate a due process hearing and notify the parent/guardian in writing that it has done so.
2. Issue to the Parents/Guardian correspondence containing an assurance that LACS will fund an IEE as long as the evaluation meets all of the requirements of federal and state law, and this Policy.

The LEA or his/her designee will make available to parents/guardians, on request, information where IEEs may be obtained at public expense. Parents/guardians who wish to complete an evaluation through a psychologist/evaluator not on LACS list must submit the credentials of the proposed evaluator and fees for the evaluation to LACS for approval.

Requirements for IEE at public expense

IEEs provided at provided public expense shall meet all requirements applicable to evaluations conducted by LACS, including but not limited to the following:

1. Evaluators shall be Qualified Examiners as defined in this Policy.
2. The Qualified Examiner and LACS must have written permission to communicate and share information.
3. Tests and evaluation materials shall be:
 - a. Selected and administered in a manner that is free from racial or cultural bias.
 - b. Administered in the native language or mode of communication of the child, unless it is clearly not feasible to do so.
 - c. Selected and administered so that the test results accurately reflect the student's aptitude, achievement level or whatever other factor the test purports to measure, rather than the student's impaired sensory, manual or speaking skills, unless those skills are the factors that the test purports to measure.
 - d. Validated for the specific purpose for which they are used in a manner generally accepted within the profession or discipline for which they are intended.
 - e. Administered in accordance with the instructions or testing protocols provided by the producer or publisher of the test or materials in accordance with sound professional practice and selected and administered to assess specific areas of educational need or ability.
4. The Qualified Examiner must release the results of the evaluation directly to LACS in the form of an original, signed, unredacted, typewritten report.
5. LACS encourages and prefers that IEEs include a personal observation of the student in the relevant school environment(s) for a minimum of 45 minutes by the Qualified Examiner.
6. The report shall include a statement of all standard and scaled scores obtained, a description of the student's behavior during the evaluation, a description of the student's behavior observed in the school, an analysis of the results, and specific educational recommendations.

Privately-obtained IEEs

If the Parents/Guardians obtain an IEE at their own expense, the results of the evaluation:

1. Will be considered, but not necessarily adopted, by LACS, provided the IEE meets the criteria set forth in this Policy, in any decision made with respect to the provision of FAPE to the child.



Independent Educational Evaluation (IEE) Notice

2. In the event an IEE is presented to LACS that meets the criteria set in this Policy, LACS will convene the IEP team to consider the information.
 - a. Based on the information provided, the IEP team may accept the information in part or in full, reject the information in part or in full, or determine that additional evaluation data should be collected.
 - i. If the IEP team feels that additional information is necessary, a Permission to Evaluate or Re-Evaluate will be issued.
 - b. The results of the IEP team's consideration will be reflected in the child's school evaluation report, or in an addendum to the child's evaluation report, as appropriate.
3. Nothing in this Section shall be construed to require LACS to pay for the privately-obtained IEE in whole or in part.