

Vista Oaks Charter School Special Board Meeting

25 May 2016 / 3:00 PM / 315 South Lower Sacramento Rd. Suite A, Lodi, CA 95242

BOARD OF DIRECTORS

SUSAN WILLIAMS, SHANDA WARDRIP, CHRISTIE RIEDER, TIFFANY VIOLICH

AGENDA

- A. Call to Meeting and Roll Call -
- B. Adoption of Agenda
- C. Hearing of Parties
- D. ACTION ITEMS
 - a. Adoption of Individual Education Evaluation (IEE) Policy

NEXT MEETING:

June 6, 2016 - 4:30 PM - 315 SOUTH LOWER SACRAMENTO RD., SUITE A, LODI, CA
95242

Independent Educational Evaluation (IEE)

VISTA OAKS BOARD GOVERNANCE POLICY #3.9

ADOPTED:

Independent Educational Evaluation (IEE)

IEE at Public Expense

The local education agency (LEA) governing board recognizes that federal and state laws provide parents/guardians of students with disabilities with the right to obtain an IEE, at public expense, when the parent/guardian disagrees with an assessment conducted by the LEA within the last two years.

The Director of Special Education or designee(s) shall ensure that when a parent/guardian requests an IEE at public expense the LEA/district shall provide the parent/guardian with a copy of their Procedural Safeguards *and* either:

- I. Initiate a due process hearing to show that the evaluation, completed by the LEA/district, is appropriate; or
- II. Provide the parent/guardian with information about where an IEE may be obtained, the LEA's criteria applicable for IEEs, and ensure that an IEE is provided at public expense.

In instances in which the LEA is granting the parent's request for an IEE, the Director of Special Education or designee(s) shall ensure the following:

1. The criteria under which the IEE is obtained at public expense, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the LEA uses when it initiates an evaluation.
2. The LEA does not impose conditions or timelines related to obtaining an IEE at public expense.

3. All assessments shall be completed by persons competent to perform the assessment as determined by the LEA.
4. The IEE shall be administered by an evaluator who holds equivalent certifications, licenses, or other qualifications that would be required of the LEA staff to provide similar evaluations and for whom there is no conflict of interest .
5. A parent/guardian shall have the opportunity to demonstrate that unique circumstances justify a waiver of any of the criteria listed above as defined by the LEA.

IEE Cost Determination

The cost determination for an IEE shall be comparable to the costs incurred by the LEA when it uses its own employees or contractors to complete an assessment, whenever possible. As a result, the Director of Special Education or designee(s) shall provide a parent/guardian with a cost ceiling. The cost ceiling shall be updated once every five years and determined by averaging the cost of the following three assessors:

- I. The cost of an assessment provided by a LEA employee;
- II. The cost of an assessment provided by a neighboring LEA; and
- III. The cost of an assessment provided by a private service provider, with appropriate qualifications, within 40 miles from the LEA.

The cost ceiling for an IEE assessment is as follows:

I. Psychoeducational (Psychological and Academic)	\$4,000
II. Academic Only	\$1,200
III. Speech and Language	\$1,200
IV. Occupational Therapy	\$1,200
V. Behavior	\$1,200
VI. Other Related Services	\$1,200

The Director of Special Education or designee(s) shall ensure a parent/guardian may demonstrate that unique circumstances, related to the student's educational need(s), justify a financial waiver of any of the cost ceiling as defined by the LEA.

The Director of Special Education or designee(s) shall request that the parent/guardian voluntarily have their private health insurance pay the costs of the IEE if covered by their insurance. However, the LEA governing board recognizes that federal and state laws specify that parents/guardians are not required to have private insurance cover the costs of an IEE if the process would result in a financial cost to the parent/guardian including but not limited to:

- I. A decrease in available lifetime coverage or any other benefit under an insurance policy;
- II. An increase in premiums or the discontinuance of the policy; or
- III. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim.

Legal References

California Education Code Section 56322

California Education Code Section 56329

34 CFR 300.502

Adopted

(Date)

