

INDEPENDENT EDUCATIONAL EVALUATIONS

Parents of a student with a disability or of a student who is thought to have a disability have a right to obtain an independent evaluation at public expense, under certain circumstances, in accordance with this policy, if they disagree with the evaluation obtained by the district.

The independent evaluation shall be conducted by a qualified examiner who is not employed by the Niskayuna Central School District. If requested by parents, the district will provide the parents with information about where an independent evaluation may be obtained. These publicly funded independent evaluations shall be limited to the same minimum qualifications, location and financial criteria as used by the district when it initiates an evaluation to the extent these criteria are consistent with the parents' right to an independent educational evaluation. The independent evaluator shall be licensed or certified in the State of New York in the area of evaluation unless there are exceptional circumstances.

Parents who desire an independent evaluation should file a written request. The district has the right to initiate an impartial hearing to demonstrate that its evaluation is appropriate or that the evaluation obtained by the parent does not meet district criteria. If the hearing officer upholds the district's position, a parent may obtain an independent evaluation, but it will not be at public expense. The district shall consider an independent evaluation of a student provided it meets the district's criteria.

The Superintendent of Schools shall develop criteria for the establishment and payment of fees for specific evaluations, for the location where such evaluations may be completed and for the minimum qualifications of the professionals who administer and interpret evaluations.

Adopted Feb. 26, 1996; amended Apr. 21, 2008

Reference:
CFR § 300.502
8 NYCRR §200.5(g)