

Administrative Directive Title: Requests for Independent Education Evaluations	AD Number: 4.202.2	Adopted: October 2013 Former Descriptors: STU19
Policy References: Board Policy 4.202 - Special Education	Revised: November 2024	Previously Revised: 2/14; 6/14; 9/18; 7/19

1 Pursuant to the procedural safeguards of the Individuals with Disabilities Education Act (IDEA),
 2 parents/guardians have the right to obtain an independent educational evaluation (IEE) of their
 3 child if they disagree with an evaluation performed by Murfreesboro City Schools, subject to the
 4 conditions of the IDEA. The district has established the following procedure for requesting and
 5 obtaining an IEE and criteria for the selection of an appropriate independent evaluator.

6 Upon receipt of a request for an IEE by a parent/guardian, the district will either: (a) initiate due
 7 process to show that the district's evaluation of the child was appropriate; or (b) provide an IEE at
 8 the district's expense. If the district requests a hearing through the due process procedure and the
 9 final decision is that the district's evaluation of the child is appropriate, the parent/guardian still
 10 has the right to an independent educational evaluation, but not at the district's expense.

11 If the district decides to grant the IEE, the district will provide names, addresses, and phone
 12 numbers of independent evaluators who meet the criteria as set forth below. The list will identify
 13 those evaluators who, in the district's judgment, are qualified to perform the evaluation requested
 14 by the parents. Parents may also select evaluators not included on the district's list, provided they
 15 fully satisfy all the criteria set forth below. Parents will be expected to contact the evaluator they
 16 have selected to conduct the IEE in a timely manner and schedule any necessary
 17 appointments. Parents must provide their written consent for an exchange of information between
 18 the district and the independent evaluator(s) prior to assessments being conducted.

19 **CRITERIA FOR INDEPENDENT EVALUATORS**

20 Evaluators chosen to conduct independent evaluations must meet all of the established criteria
 21 listed below:

- 22 1. All evaluations must be conducted by a properly licensed examiner, licensed either by the
 23 Tennessee State Board of Healing Arts or the Tennessee Department of Education and
 24 licensed in the field related to the known or suspected disability. The independent evaluator
 25 must have extensive training and experience in the evaluation of the area(s) of concern and
 26 be able to interpret the instructional implications of the evaluation results. The examiner's
 27 State Board of Healing Arts or Department of Education professional license number must
 28 be submitted with the written report.
- 29 2. The independent evaluator must meet any qualifications and training requirements to
 30 administer, score, and interpret any evaluation instrument(s) utilized during the IEE, as
 31 specified by the assessment publisher. All assessment instruments used must be the most
 32 current edition(s) of the instrument available and must be standardized and nationally

33 normed. All instruments must be selected and administered so as not to be racially or
34 culturally discriminatory, must be validated for the specific purpose for which they are
35 used, and must be administered by trained personnel in conformance with the instructions
36 provided by the instrument's producer/publisher.

- 37 3. The independent evaluator must not be an employee of the school district.
- 38 4. The independent evaluator must be permitted to directly communicate with school staff
39 who work with the child in school to obtain information from the school and share
40 information with the school.
- 41 5. The independent evaluator must agree to provide the assessment information and results,
42 including the results of any relevant teacher and parent checklists and surveys, in a written
43 report to the district prior to receipt of payment for services. The independent evaluator
44 will be expected to produce their written report within forty-five (45) school days of the
45 evaluation, subject to any exigent circumstances which justify an extension of this timeline.
46 Reimbursement will be made only upon receipt of the written report of the results of the
47 evaluation and upon receipt of an itemized invoice from the independent evaluator.
- 48 6. The independent evaluator must comply with all guidelines required under the IDEA and
49 the Tennessee Department of Education regulations regarding the evaluation of children
50 with disabilities. The independent evaluator must also comply with all applicable
51 confidentiality requirements under state and federal law.
- 52 7. Independent evaluators must be located within a 25-mile radius of the City of
53 Murfreesboro. Evaluators outside of this geographic area will be approved only on an
54 exceptional basis, provided that the parent can demonstrate the necessity of using personnel
55 outside of this geographic area. The district shall not be responsible to provide
56 transportation, nor pay any travel expenses, to and from the location of the evaluator. In
57 the case of low incidence or severe disabilities where qualified evaluators may not exist in
58 the geographic area, this requirement may be reconsidered by the district.
- 59 8. The costs associated with the evaluation must reflect a reasonable and customary rate for
60 such evaluative services, unless the parent can demonstrate that there are other factors that
61 make the extraordinary costs necessary. The Special Education Director is responsible for
62 approving all IEE costs prior to the IEE being administered.

63 *Because the parent must first disagree with the district's evaluation orally or in writing, the district*
64 *does not have an obligation to reimburse parents for private evaluations obtained prior to the date*
65 *that the district's evaluation was completed and discussed at an IEP team meeting. The district is*
66 *not obligated to reimburse parents for privately obtained evaluations if the parent disagrees with*
67 *the district's evaluation and independently seeks a private evaluation without first notifying the*
68 *district in writing of their disagreements with the district's assessment and requesting an IEE.*

Legal References
34 CFR § 300.502