

**WINSLOW PUBLIC SCHOOLS
25 MESSALONSKEE AVENUE
WATERVILLE, ME 04901**

INDEPENDENT EDUCATIONAL EVALUATIONS

A parent/legal guardian of a student with disabilities has a right to obtain an independent educational evaluation at public expense if the parent/legal guardian disagrees with an evaluation obtained by the local school unit. An "independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the local school unit.

If a parent/legal guardian requests an independent educational evaluation at public expense to challenge an evaluation obtained by the local school unit, the school must provide a written response to that request within a reasonable period, not to exceed 30 days of the receipt of the request, and shall, without unnecessary delay, either (1) initiate a hearing with the Maine Department of Education to show that its evaluation is appropriate, or (2) ensure that an independent educational evaluation is provided at public expense, unless the local school unit demonstrates in a hearing with the Maine Department of Education that the evaluation obtained by the parent/legal guardian did not meet agency criteria.

If a parent/legal guardian requests an independent educational evaluation at public expense, the public agency may ask for the parent/legal guardian's reason why he/she objects to the local school unit's evaluation. However, the explanation by the parent/legal guardian may not be required, and the local school unit may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the local school unit's evaluation.

If the independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the local school unit uses when it initiates an evaluation.

The local school unit shall provide to the parent/legal guardian, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained and information about the school's criteria applicable to independent educational evaluations at public expense.

If the parent/legal guardian obtains an independent educational evaluation at private expense, the results of the evaluation must be considered by the local school unit, if that evaluation meets the local school unit's criteria for independent educational evaluations, in any decision made with respect to the provision of a free appropriate public education for the student.

If the parent/legal guardian requests an independent evaluation at public expense when the parent/legal guardian does not disagree with an evaluation provided by the local school unit, or when the school has not recently provided an evaluation in the area requested, the parent/legal guardian request shall be referred without unnecessary delay to the IEP to determine whether the Individualized Education Program (IEP) should order an evaluation in the area requested.

ADOPTED: May 21, 2003; **REAFFIRMATION:** 12/19/11

SOURCE: Board Policy