



Frederick County Public Schools  
Standard Operating Procedure

## Standard Operating Procedure Individual Education Evaluation

### Guidelines for Independent Educational Evaluations (IEE)

According to state and federal special education laws, parents/guardians have the right to an Independent Educational Evaluation (IEE) of their child at public expense **if they disagree with an evaluation of the child conducted by the district** (subject to the criteria provided below). The Frederick County Public Schools (FCPS) has established the following procedures for obtaining an IEE and criteria for the selection of an appropriate evaluator.

### Definitions

**Independent Educational Evaluation (IEE)** is an evaluation conducted by a qualified examiner who is not employed by the FCPS.

**Evaluation** means the formal testing and/or assessment procedures used to determine whether a child has a disability and the nature and extent of the special education and related services the child needs.

**Public expense** means the district either pays for the full cost of the evaluation or ensures the evaluation is otherwise provided at no cost to the parents/guardians.

### Procedures

Upon receipt of a written request for an IEE by a parent/guardian, without unnecessary delay and within 30 calendar days, the FCPS will either:

- a) File a due process complaint to request a hearing to show that its evaluation is appropriate;  
or
- b) Ensure that an IEE is provided at public expense.

*NOTE: All requests for an IEE must be immediately relayed to the appropriate Supervisor of Special Education in the Department of Special Education.*

### FCPS Independent Educational Evaluation

If, in response to the parent/guardian request for an IEE, the district decides to procure an independent evaluation, FCPS will provide the names, addresses and phone numbers of possible IEE evaluators who meet the district's criteria (as set forth below). The list will identify those evaluators, in FCPS' judgment, are qualified to perform the evaluation requested by the parents. Parents will be expected to contact the evaluator they have selected to conduct the IEE once approved by FCPS in a timely manner to schedule any necessary appointments.

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

If the FCPS requests a hearing and the final decision is that the FCPS' evaluation of the child is appropriate, the parent/guardian still has the right to an independent educational evaluation, but not at public expense.

### **FCPS Independent Evaluation Criteria**

1. In accordance with IDEA 34 CFR 300.507 two-year limitations period, the parent/guardian written request must be within 24 months of the review of the original evaluation(s) in question. A parent is entitled to only one IEE request at public expense each time the public agency conducts an evaluation with which the parent disagrees.
2. The independent evaluator(s) must hold Maryland credentials related to their title and meet the qualifications and training requirements to administer, score and interpret any evaluation instrument(s) utilized during the IEE, as specified by the test publisher.
3. The FCPS shall not be responsible to provide transportation, nor pay any travel expenses, to and from the location for any evaluator. Independent evaluators who will be considered for approval must be located within a radius of fifty (50) miles of Frederick County borders. Evaluators outside of this geographic area will be approved only on an exceptional basis, provided that the parent can demonstrate the necessity of using personnel outside of this geographic area. In the case of low incidence or severe disabilities where qualified evaluators may not exist in the geographic area, this requirement may be reconsidered by the district.
4. The independent evaluator(s) shall use only the most current version of each assessment instrument utilized for the IEE.
5. All evaluation instruments must be age appropriate to the child, and be administered, scored and interpreted in conformance with the publisher's instructions and in accordance with all applicable professional criteria and standards.
6. Parents must provide their written consent for an exchange of information between the FCPS and the independent evaluator(s) prior to assessments being conducted.
7. IEE providers must utilize input from the student's public school teachers (if the student attends or recently attended public school).
8. IEE examiners must identify the source of all information stated in their reports (e.g. was the information provided orally by the parent or was it from a prior assessment?).
9. The FCPS must receive the results of all assessment data collected by the independent evaluator(s), including but not limited to the protocols of all the assessments, the results of teacher and parent checklists or surveys, and a final written evaluation report prior to payment for services.
10. The independent evaluator(s) shall provide a written report of findings simultaneously to the parent(s) and to the FCPS. That report shall minimally contain:
  - a) the date(s) when evaluation activities were conducted;
  - b) the standard scores, along with subtest scores, of the tests administered;

- c) a discussion and interpretation of the assessment results;
- d) a diagnosis of the student's condition, as appropriate; and
- e) recommendations, based on evaluation data, for the FCPS' IEP team to consider.

11. Upon request, the independent evaluator(s) shall be available in person or electronically (e.g. telephone, conference call, etc.) to discuss the results of the IEE with the FCPS IEP team. The FCPS will not necessarily be required to fund the attendance of the assessor at the IEP team meeting convened to consider the IEE.
12. The FCPS will consider the findings and recommendations provided by an IEE completed in accordance with these procedures; however, the FCPS continues to be responsible for making decisions regarding the student's eligibility and need for special education services, and when the student is eligible and needs special education, for determining placement and services to be provided.

### **Cost Estimations for Independent Educational Evaluations**

The following schedule of evaluation rates will apply, and will be reviewed as needed. Total evaluation costs may be determined by adding one or more assessments together, as appropriate. Costs include observations, administration and scoring of tests, and report writing. The listed costs are regularly reviewed to ensure they are reasonable and customary for such evaluations.

#### Guideline Rates for:

Neuropsychological: up to \$3,000

Psycho-Educational (cognitive, adaptive behavior, and educational): up to \$2,500

Adaptive Behavior (no cognitive): up to \$750

Functional Behavioral Assessment: up to \$800

Educational Testing: up to \$800

Social/Emotional: up to \$750

Occupational Therapy: up to \$800

Physical Therapy: up to \$800

Speech and Language: up to \$800

Assistive Technology: up to \$500

Music Therapy: up to \$500

Costs above these amounts will be approved only if the parent can demonstrate that the costs reflect a reasonable and customary rate for such evaluative services or if the parents can demonstrate that there are other factors that make the extraordinary costs necessary. The evaluator shall directly bill the FCPS for the cost of an approved IEE. In the event of any reimbursement to the parent, it will not be in an amount greater than the actual cost to the parents and will be subject to proof of payment.

### **Pre-approved IEE Evaluators**

The following is a list of evaluators who meet the FCPS' criteria for an IEE. Parents may also select their own independent evaluators, provided they fully satisfy all of the FCPS' criteria (as set forth above).

January 2020

Psycho-Educational and Functional Behavioral Assessment

Frederick Psychology Center  
97 Thomas Johnson Drive, Suite 202  
Frederick, MD 21702  
(301)695-6455  
Dr. L. Alexandra Mirabelli, Psychologist

Carroll Counseling Centers, LLC  
1311 S. Main Street, #202  
Mt. Airy, MD 21771  
(301)829-2242

1380 Progress Way, # 101  
Eldersburg, MD 21784  
(410)549-5181  
Dr. Anne M. Shapiro, Psychologist

Speech/Language

Community Speech Therapy Inc.  
9099 Ridgefield Dr #205  
Frederick, MD 21701  
(301) 606-8278 Kim Lopatka, SLP

Speech & Language Pathology  
FMH Rose Hill: 240-566-3132  
Mt. Airy Health Services: 301-829-5800  
FMH Crestwood: 240-215-1425

Positively Speaking LLC  
9099 Ridgefield Dr. #203  
Frederick, MD 21701  
301.706.2879  
therapy@positivelyspeaking.net  
Lynne Shuman - SLP

Lapsa Speech Language Center  
www.lapsaspeechlanguage.com  
1475 Taney Ave #105, Frederick, MD 21702  
(888) 285-2772  
Maureen Lapsa, SLP

Occupational Therapy

OT Consulting  
Kelly Beins, OT  
47E South Street

January 2020

Frederick Md 21702  
240-457-9558

Way to Grow  
Barbara Luborsky, OT  
9093 Ridgefield Dr. St.102,  
Frederick Md. 21701  
301-846-4769

**Questions**

Please contact the FCPS Office of Special Education with any questions regarding the criteria for Independent Educational Evaluations at 301-644-5281.