

# Unity School District - Board of Education

## Board Policy 342.11

### Testing Students with Disabilities **Independent Educational Evaluations (IEEs)**

Last Revised 10/11/2022

In order for the Unity Board of Education to comply with Wisconsin Statute 121.02, the following policy regarding the testing of students with disabilities is being established.

The Unity School District supports the right of all students with disabilities to be provided free, appropriate educational opportunities and equal access to programs and services that are afforded non-disabled students.

The individual education program (IEP) process serves as the basis for specifying the student's educational program, including:

- the student's present level of school performance.
- Annual goals.
- Special education and related services.
- The starting date, amount, frequency, location, and duration of IEP services.
- Services the student needs to succeed in regular education
- Supportive resources that teachers need to teach the student.
- The extent the student will not be in regular classes and not learn the general education curriculum.
- For students 14 and older, planning for life after high school.
- How the school will measure progress on the IEP goals.
- When the school will tell parents about progress on IEP goals.

The IEP is also used to develop a plan for each student's participation in the state and District testing programs. The plan addresses whether the student will participate in the tests, if any accommodations need to be made in test administration, or if an alternative test is more appropriate.

Participants at the IEP meeting shall include:

1. A District representative who is qualified to provide, or supervise the provision of special education;
2. Student's special education teacher;
3. Student's general education teacher;
4. One or both of the student's parents, subject to PI 11.05(3) of the Wisconsin Administrative Code;
5. the student, if the parent feels that the student's presence is appropriate.
6. other people invited by the District or the parent.

The participants determine whether the student's educational program is reflected in the test; that is, whether the material taught is the material covered by the test; and whether any local district accommodations in testing, such as answers recorded by an aide, or small group or individual administration, need to be made. Any accommodations in the administration of the test will follow the

~~Wisconsin Department of Public Instruction publication “Assessment Guidelines and Accommodations” and will be such that what is measured by the test remains the same.~~

~~Students from other districts who are enrolled in Unity’s EEN programs and are tested will have their tests sent to their school and district of residence. Their test results will not be included in the test results for the Unity School District.~~

Subject to applicable laws and regulations and the District’s special education policies and procedures, the parent (or legal guardian) of a child with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), or of a child who is suspected of having an IDEA disability, generally has the right to obtain an independent educational evaluation at public expense if the parent disagrees with a completed evaluation that has been conducted or obtained by the District.

When the District is responsible under the IDEA for the education of the child in question, “independent educational evaluation” (IEE) means an evaluation conducted by a qualified examiner who is not employed by the District. The evaluation obtained by the parent must meet the District’s established evaluation criteria for IEEs. To the extent consistent with the parental right to an IEE and subject to any exceptions that are made based on a demonstration of unique circumstances, the criteria under which an IEE is obtained must be the same as the criteria that the District uses when it initiates an evaluation for the same purpose.

A parent is entitled to only one IEE at public expense for any District-arranged IDEA evaluation with which the parent disagrees. However, a parent may always obtain an educational evaluation for his/her child at his/her own cost. If a parent presents the results of a non-publicly funded evaluation to the District, the District shall, to the extent required by and consistent with applicable law, consider the results in connection with decisions made with respect to the child.

The Director of Special Education, in consultation with the District Administrator and other staff as needed, shall have primary administrative responsibility for the following:

1. Ensuring that the District has appropriate procedures in place for receiving and responding to parent notifications that the parent is seeking an IEE at public expense.
2. Ensuring that the District develops, maintains, and appropriately provides to parents, information about where an IEE may be obtained and the District criteria applicable to IEEs.
3. Overseeing the District’s response to any actual parent notification that the parent is seeking an IEE at public expense.

In situations where the individual with a disability has reached the age of 18 and has not been adjudicated incompetent under state law, the adult student with a disability (or suspected disability) stands in the place of the parent for purposes of this policy and any related procedures, except that the District shall provide notices related to IEEs to both the parent and the adult student to the extent required by law.