



The Pomfret School

CHALLENGING THE MIND ★ ENCOURAGING THE HEART

INDEPENDENT EDUCATIONAL EVALUATION POLICY

The Pomfret School recognizes that the Individuals with Disabilities Act (the “Act”) provides a right to parents to obtain an independent evaluation of their child under the terms of the Act and regulations promulgated thereunder. The Pomfret School also recognizes that, under the Act, the parent has a right to obtain such independent evaluation at public expense, if the parent disagrees with an evaluation obtained or performed by the District, and if other criteria provided for by statute and regulation and local policy and procedures hereunder are met, and unless the District initiates a due process hearing to show that its evaluation is appropriate.

The Superintendent or his/her designee shall develop and revise procedures as needed to implement this policy, in compliance with state and federal law.

Legal References: Individuals with Disabilities Act (20 U.S.C. 1415 (b) (1)); 34 C.F.R. 300.502; Section 504 of the Rehabilitation Act of 1973, (34 C.F.R. §104.35 (c)); VDE Rule(s) 2362.1 (1), 2364.3.1 (2) (b); 2364.3.4;

Adopted by Pomfret School Board: 12/11/91



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THE POMFRET SCHOOL

INDEPENDENT EDUCATIONAL EVALUATION PROCEDURES

Independent Education Evaluations Paid for by the School District

In order for parents or guardians to request payment by this school district for an independent educational evaluation the following procedures shall be followed:

1. At the time the Written Evaluation Report, or other report, of evaluation by the District is delivered to the parents, and/or when parents inquire concerning independent evaluations, the parents shall be provided with a copy of this local procedure and policy, including attached Schedule A. **To the Parent: A copy of Schedule B, which contains the names and addresses of area evaluators, is available upon request through your child's special education case manager and/or from the Director of Instructional Support Services.** (See paragraph 4 below.)
2. Parents and guardians are encouraged to consult, in advance of scheduling an evaluation, with the Director of Instructional Support Services concerning the need for an independent evaluation and the qualifications of the evaluator and relevant local evaluation standards. The Director (or designee) may inquire of the parents the reason(s) why they object to the evaluation team's evaluation, but the parents may not be required to respond, and the district may not unreasonably delay the providing of the evaluation or the filing for due process, whichever the district decides to do.
3. An independent evaluation at public expense must be obtained under the same criteria that the district uses when it initiates an evaluation. See Criteria for Evaluations Initiated by District or Parents at Public Expense (Schedule A). The District may challenge and refuse to reimburse any evaluator/evaluation (or part thereof) not meeting the criteria by requesting a due process hearing. The request for due process should be made without unnecessary delay.
4. The Director of Instructional Support Services shall provide parents or guardians, upon request, with a list of evaluation agents/sites that provide evaluations in the required geographic area. (See Schedule B) Parents and guardians are not required to select an evaluator from the list. Inclusion on the list does not constitute an endorsement by the School District of any evaluator listed, nor does it constitute a representation that those listed have the licensing or other qualification to perform a particular evaluation or test. Parents should make sure that the evaluator is located within the required geographical area, and should verify with a potential evaluator that the evaluator meets the qualification criteria of Schedule A, with respect to the particular evaluation or test to be performed.
5. Except for the criteria described in the IEE policy, this procedure, and Schedules A and B, the District may not impose conditions or timelines related to obtaining an independent educational evaluation at the District's expense. 34 C.F.R. §300.502 (e) (2).
6. The results of any independent evaluation which meets the school district independent evaluation criteria, whether or not paid for at District expense, and whether or not it precedes or follows a District evaluation, shall be considered by the Evaluation and Planning Team (EPT) and/or IEP Team meeting participants in any decision made with respect to the provision of a free appropriate public education to the student and may be presented as evidence in a due process hearing regarding that child. Where a decision has been made prior to the availability of the results of the IEE, the relevant Team should be convened to consider the IEE results.



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7. The District is not required to fund more than one parent-initiated independent evaluation for each District Evaluation with which the parent disagrees. Each time the District conducts an evaluation, with which the parent disagrees, however, the parent has a right to an independent evaluation. Parents are not entitled to reimbursement for independent evaluations, which are not initiated as a result of disagreement with an evaluation by the District. The District always has the alternative of seeking a due process determination that its evaluation was appropriate.
8. Where a parent or guardian has obtained an independent evaluation without first consulting the Director of Instructional Support Services, reimbursement shall nonetheless be subject to all conditions and criteria set forth herein, including the IEE policy, Schedules A and B.
9. NOTE: Where a parent feels that an evaluation is required
 - A. because a child's performance, behavior or condition has changed since the last evaluation conducted by the evaluation and planning team; or
 - B. because the child's performance, behavior or condition warrants evaluation of an area not previously evaluated,

the parent should request that a *re-evaluation* or *supplemental* evaluation be performed through the evaluation and planning team. The evaluation and planning team shall promptly prepare and implement an evaluation plan, with parental input, pursuant to usual procedures. If the parents disagree with the results of such evaluation, they may then request an independent evaluation at public expense pursuant to this procedure.

Independent Evaluations Ordered by a Hearing Officer

If a Hearing Officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation shall be at public expense.

Legal Sources:

20 U.S.C. §1415 (b) (1)

34 C.F.R. §300.502, 34 C.F.R. §104.35 (c)

VDE Rule 2364.3 (2) (b) and 2364.3.4



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SCHEDULE A

Evaluation Criteria For Independent Educational Evaluations Initiated By District or Parents at Public Expense

The following procedures and criteria apply to all independent educational evaluations to be conducted at District expense. Failure to comply with the criteria and/or procedures listed, may result in the district's refusal to fund an independent evaluation.

1. **Location:** All evaluations shall be conducted within the State of Vermont or within a 40 mile radius of The Pomfret School Central Office, Woodstock, VT (the "designated area"). Under special circumstances (for example, where either scheduling or the uniqueness of the issue to be evaluated render assessment within the designated area impracticable), evaluations may be sought outside the designated area, with the prior written approval of the Superintendent. The person seeking an evaluation outside of the designated area shall show (a) that unique circumstances require evaluation outside the designated area; (b) that the costs of the evaluation are not excessive. Other criteria listed below shall still apply, and reimbursement for approved associated expenses (meals, room, travel) shall be limited to the current \$30 per day Supervisory Union rates for meals and to the current federal government rate per mile for travel. (The current rate at a given time is available by phone from the Business Manager in the The Pomfret School Central Office.) Travel other than by car, and lodging (if approved by the Superintendent) shall be limited to the allowable expenses for one adult and the child and shall be arranged by the District.
2. **Qualifications of Evaluators:**
 - a. Evaluators must have the following minimum qualifications:
 - (1) Have knowledge in the particular area for which information is sought and meet applicable state licensing and/or endorsement requirements;
 - (2) Be trained in administering the evaluation procedure(s) and in scoring and interpreting the results, as required by and in conformance with the instructions provided by the producer of the evaluation procedure.
 - b. In addition, where eligibility in any of the following categories of disability is concerned, the evaluator must be licensed in the applicable field specifically indicated by the appropriate provision of the VDE Rule 2362.1 (1) [or successor provisions]:
 - (1) Visual impairment: optometrist or ophthalmologist;
 - (2) Deafness or being hard of hearing: audiologist, otologist or otolaryngologist;
 - (3) Speech impairment: speech-language pathologist;
 - (4) Orthopedic impairment: physician;
 - (5) Chronic or acute health impairment: physician;
 - (6) Emotional-behavioral disability: psychologist or psychiatrist;
 - (7) Voice impairment: otolaryngologist;
 - (8) Autism: physician;
 - (9) Traumatic brain injury: physician.
3. **Itemization or Description of Services:** If an evaluation consists of the administration of more than one test, the bill for the fee should be itemized, including a description of each service performed, the identity of each evaluator, and the hours spent by each individual evaluator performing any portion of the evaluation.



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4. Permissible Evaluation Tools and Techniques:

- a. Independent evaluation costs are limited to reasonable and necessary expenditures for necessary and appropriate evaluation procedures. "Evaluation procedures" are defined as observation of the student and other necessary and appropriate diagnostic measures. They do not include time for evaluator research, parent consultation, or other tasks not directly involving administration of a diagnostic procedure.
- b. No area shall be evaluated nor shall any evaluation procedure be carried out unless appropriate justification can be given for it. No area should be the subject of an independent educational evaluation unless the evaluation and planning team has had an opportunity to consider whether there is reason to evaluate the student in such area. VDE Rule 2362.2.4 (1).
- c. Tests and other evaluation materials must meet the special evaluation requirements set forth in VDE Rule 2362.2.5; and federal rules 34 C.F.R. § 104.35 (b) and 34 C.F.R. § 300.532.
- d. The independent evaluator shall be familiar with Vermont's criteria for eligibility under VDE Rule 2362 (1) (a)-(c) and (2) and categories of disability as outlined in VDE Rule 2362.1 (1) and (2), including the fact that the eligibility determination is to be made by the evaluation and planning team, not by an individual evaluator. The task of the independent evaluator is to develop diagnostic relevant information about the child for consideration by the evaluation and planning team, in determining eligibility, not for the independent evaluator to determine eligibility. The evaluator's report may include diagnostic findings to support or refute the existence of a disability in one or more disability categories; that the student is or is not functioning significantly below expected age or grade norms in one or more basic skills; and that the student is or is not in need of specially designed instruction to meet the unique needs of the child with disabilities, as required by VDE Rule 2362 (1) (c).
- e. Tests should be selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills (unless those skills are the factors that the test purports to measure).
- f. Assessment tools and strategies should provide relevant information that directly assists persons in determining the educational needs of the child.

5. Inclusion of Unusual Circumstances; Departure from Standard Assessment Conditions: The independent evaluator shall note in his/her report any unusual circumstances of the testing or evaluation session, which may have affected the results. If the assessment is not conducted under standard conditions, this should include (but is not limited to), a description of the extent to which it varied from standard conditions (for example, the qualifications of the person administering the test, or the method of test administration).

6. Provision of Access to Raw Data: Evaluators must make available, upon request, protocols and other underlying raw data on which their evaluations are based in order for the evaluation and planning team and/or IEP team to consider the weight of evaluation results.

7. Observation: Where observation of the student in the classroom is deemed necessary to duly conduct an evaluation, the Director of Instructional Support Services shall contact the independent evaluator to make the arrangements necessary to observe the child. The Director of Instructional Support Services, in consultation with the evaluator, the teacher of the class to be observed, and any other appropriate District personnel, shall determine the length, location and timing of the observation, to minimize disruption to the



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class and student. Where a parent's independent evaluator requests an opportunity to observe, such evaluator shall be given an opportunity to observe at least comparable to any opportunities to observe accorded to the District's evaluator.



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SCHEDULE B

EVALUATION AGENTS/SITES THAT MEET THE DISTRICT'S EVALUATION CRITERIA

Name	Area(s)
Beryl Adams P.O. Box 24 West Glover, VT 05875 Phone: 802-525-4416	cognitive achievement, and social/emotional
Rocco Addante Dartmouth Hitchcock Medical Center 1 Medical Center Drive Lebanon, NH 03756 Phone: 603-650-5150	consult on lingual frenectomy
William Ballantyne Counseling Center of Claremont 241 Elm Street Claremont, NH 03743 Phone: 603-542-7707	psycho – sexual, general psychological
Brook Bitner Eleanor Luse Center Pomeroy Hall 489 Main Street University of Vermont Burlington, VT 05405 Phone 802-656-5745	augmentative communication
Dr. David Burggraff 15 Central Street Woodstock, VT 05091 Phone: 802-457-3660	cognitive, social/emotional
Shelia Cardamone 47 Westview Lane Lebanon, NH 03766 Phone: 603-448-3806	physical therapy
Raymond Chin, Ph.D. Certified Clinical Psychologist P.O. Box 31 Lyme, NH 03768 Phone: 603-643-9252	cognitive, achievement, and social/emotional; specialty in behavioral
Leslie M. Conroy, M.D. Otter Creek Associates 86 Lake Street Burlington, VT 05401 Phone: 802-865-3450	psychiatry



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Name

Area(s)

William Cunningham, Ph.D.
Vermont Educational Support Assoc. Inc.
162 North Main Street
Rutland, VT 05701
Phone: 802-775-6331

cognitive, achievement,
and social/emotional

Dartmouth Hitchcock Medical Center
1 Medical Center Drive
Lebanon, NH 03756
Phone: 603-650-5000

physical, cognitive, physical therapy,
occupational therapy,
speech- language, augmentative communication,
social/emotional

David Drazin, Ph.D.
P.O. Box 683
Norwich, VT 05055
Phone: 802-649-3020

cognitive, achievement,
and social/emotional

Arthur Farnum
Green Mountain Speech & Hearing Serv.
58 East State Street
Montpelier, VT 05602
Phone: 802-223-6119

speech/language

Thomas B. Gamble, Ph.D.
P.O. Box 387
Lebanon, NH 03766
Phone: 603-448-1206

cognitive achievement,
and social/emotional

Claudia Gibson, M.D.
Deer Creek Psychological Associates
P.O. Box 266
East Thetford, VT 05043
Phone: 802-785-2903

pediatric neurology

Karen Gollegly
Dartmouth Hitchcock Medical Center
1 Medical Center Drive
Lebanon, NH 03766
Phone: 603-650-8125

pediatric audiological
evaluation

Lisa Gosselin
Valley Regional Hospital
24 Elm Street
Claremont, NH 03743
Phone: 603-542-7771 (ext. 3630)

pediatric audiological
evaluation

Linda Gould & Associates
41 Skyline Terrace Consultants
Claremont, NH 03743
Phone: 603-543-1972

assistive technology



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Name	Area(s)
Ruth Walker Hamilton, Ph.D. P.O. Box 158 Moscow, VT 05662 Phone: 802-656-8839	social/emotional
Edward W. S. Handy, M.S. RD #4, Box 3100 Montpelier, VT 05602 Phone: 802-229-0303	cognitive, achievement, and social/emotional
Cathy Healy, OTR O.T. Services P.O. Box 36 Taftsville, VT 05073 Phone: 802-457-4487	occupational therapy physical therapy
Glenn O. Johnson, M.D. Dartmouth Hitchcock Medical Center 1 Medical Center Drive Lebanon, NH 03756 Phone: 603-650-8124	ENT examinations
Michael Kilcullen, M.D. Ottauquechee Health Center, Inc. 32 Pleasant Street Woodstock, VT 05091 Phone: 802-457-3030	medical; specialty in ADHD evaluation
Barbara Kirk 21 Lafayette Street Rutland, VT 05701 Phone: 802-773-7063	audiology
Craig Knapp 90 A No. Shrewsbury Road North Clarendon, VT 05759 Phone: 802-775-2728	cognitive, achievement, social/emotional
Mitch Kramer 69 Allen Street Suite #4 Rutland, VT 05701 Phone: 802-775-3314	audiological evaluation, ENT consult
Phyl T. Macomer Speech-Language Pathologist 789 Hammond Hill Road West Windsor, VT 05089 Phone: 802-484-3537	augmentative communication speech/language



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Name

Neil Marinello, Psy. D.
Marinello Associates
Sunset Farm Office Building
Woodstock, VT 05091
Phone: 802-457-4233

Area(s)

cognitive, achievement, and
social/emotional

August R. Meyer, Ph.D.
Licensed Psychologist
66 Central Street
Rutland, VT 05060
Phone: 802-728-3637

cognitive, achievement, and
social/emotional

Mike Mezzochi
c/o TRACE Educational Services
Wheelock Office Park, Suite 16
31 Old Etna Road
Lebanon, NH 03766
Phone: 603-448-8877

cognitive, achievement, emotional/behavioral
and functional behavioral
assessments

Lee Monroe
C/o Mt. Ascutney Psych. Assoc.
RR 1 Box 6
Windsor, VT 05089
Phone: 802-674-6711 ext. 263

social/emotional

Dean Mooney
270 Olde Pine Lane
Wallingford, VT 05773-9203
Phone: 802-786-1923

cognitive, achievement, and social/emotional;
specialty interests in ADHD and Non-Verbal
Learning Disabilities

Frank Muziek
Dartmouth Hitchcock Medical Center
1 Medical Center Drive
Lebanon, NH 03756
Phone: 603-650-6125

hearing and central auditory processing
testing

Patricia Napriokowski
Dartmouth Hitchcock Medical Center
1 Medical Center Drive
Lebanon, NH 03766
Phone: 603-650-5848

psychiatry

Randy Isabele Olley, Ph.D.
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Rutland, VT 05701
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cognitive, achievement, and
social/emotional

Ottauquechee Health Center
32 Pleasant Street
Woodstock, VT 05091
Phone: 802-457-3030

medical



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Name

LeeAnn Paquette-Lucia
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P.O. Box 1199
Norwich, VT 05055
Phone: 802-649-0100

Area(s)

cognitive, social/emotional
and achievement

Dorrie Rapp, Ph.D.
Diplomate American Board of
Professional Neuropsychology
5103 Greeley, Box 1107
Quechee, VT 05059
Phone: 802-295-1763

cognitive, achievement and
social/emotional; specialty
in neuropsychological
evaluations

Richard W. Root, II, Ed.D.
Ridgewood Professional Building
29 Ridgewood Road
Box 2003
Springfield, VT 05156
Phone: 802-885-5719

cognitive, achievement and
social/emotional; specialty
in ADHD evaluation

Ed Sbardellati, Ph.D.
Box 1280, RR1
Montpelier, VT 05602
Phone: 802-223-5132

cognitive, achievement,
and social/emotional

Speech Pathology Associates
98 North Main Street
Rutland, VT 05701
Phone: 802-775-9638

augmentative communication
consultation
oral/motor consultants

Stern Center for Language & Learning
81 West Canal Street
Winooski, VT 05404
Phone: 802-655-2332

learning disabilities, cognitive,
achievement

Patricia Stone, Ph.D.
Clinical Psychologist
Special Education Consultant
482 South Union Street
Burlington, VT 05401
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cognitive, achievement,
and social/emotional

Erwin Stunkel, Ph.D.
Upper Valley Associates In Psychology
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East Thetford, VT 05043
Phone: 802-785-2544

cognitive, achievement,
and social/emotional



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Name

Area(s)

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Center for Augmentative and
Alternative Communication
Dartmouth Hitchcock Medical Center
2 Maynard Street
Hanover, NH 03755
Phone: 603-646-5978

augmentative communication

Klaran Warner, Ph.D., CCC-SLP
Box 148
Old Turnpike Road
South Strafford, VT 05070
Phone: 802-765-4586

speech/language;
in hearing impaired and
articulation

Marion Wedell, M.A.
Box 632
Woodstock, VT 05091
Phone: 802-457-4228

ENT examination

Dr. Weider
Dartmouth Hitchcock Medical Center
1 Medical Center Drive
Lebanon, NH 03756
Phone: 603-650-8122

ENT examinations

Note: This is not an all inclusive list of evaluators. Parents and District personnel are encouraged to submit any additional names for consideration to the Director of Instructional Support Services.

This list is provided for informational purposes only.

Inclusion on the list does not constitute an endorsement by the School District of any evaluator listed, nor does it constitute a representation that those listed have the licensing or other qualifications to perform a particular evaluation or test. The person seeking the evaluation should verify with a potential evaluator that the evaluator meets the qualification criteria of Schedule A, with respect to the particular evaluation or test to be performed.