

What is an Independent Educational Evaluation (IEE)?

It is an evaluation conducted by a qualified examiner who is not employed by the public agency (school district) responsible for the education of the child in question.

When can a parent request an IEE?

A parent has the right to request an independent educational evaluation at public expense whenever they disagree with an evaluation obtained by the school district. The school district may ask for the parent's reason why he or she objects to the public evaluation. However, the public agency cannot require the parent to provide an explanation.

What happens when a parent requests an IEE?

If a parent requests an Independent Educational Evaluation at public expense, the district must, without further delay, either:

- File a due process complaint to request a hearing to show that its evaluation is appropriate; or
- Ensure that an independent educational evaluation is provided at public expense*

**Public expense means that the public agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at not cost to the parent.*

Are there any other options?

Parents always have the right to obtain an independent educational evaluation at their own expense.

Is there a limit on how many IEE's a parent can request?

A parent is entitled to only one independent educational evaluation at public expense each time the public agency conducts an evaluation with which the parent disagrees.

Parent Initiated Evaluations

If parents obtain an independent educational evaluation at public expense or shares an evaluation obtained at their own expense, and shares the information with the school district, the results of the evaluation:

- Must be considered by the public agency, if it meets agency criteria, in any decision made with respect to the provision of FAPE to the child; and
- May be presented by any party as evidence at a due process hearing

Agency Criteria

If an IEE is at public expense, the criteria required (including location and qualifications of the examiner must be the same criteria used by the public agency when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an IEE.

Except for the criteria above, the district may not impose conditions or timelines related to obtaining an IEE at public expense.

Requests for Evaluations by Hearing Officers

If a hearing officer requests an independent educational evaluation as part of a due process hearing, the cost of the evaluation must be a public expense.

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