



Independent Educational Evaluation (IEE)

What is an IEE?

Special Education law provides procedural safeguards that are legal protections designed to ensure the rights of student with disabilities and their families throughout the special education process. The Independent Educational Evaluation (IEE) is one of those protections.

If the parent disagrees with the results of the student's evaluation or evaluation process, the parent has the right to request an IEE conducted at public expense one at public expense. IEEs are conducted by a qualified person who does not work for the school division. Also, the parent has the right to obtain an IEE at their own expense.

What Criteria is Required?

Upon request for an IEE, the school division must provide to the parent(s) of a child with a disability, information about how to obtain an IEE, including their procedures, which will include criteria such as:

- Geographical requirements (location in connection to the school division)
- The required qualifications of the examiner

The school division must provide the parent with a list of approved providers, but a parent can pursue any provider of their choosing as long as they meet the school division's criteria. School divisions must allow a parent to have an opportunity to demonstrate unique circumstances to justify the use of an independent evaluator that does not meet the IEE criteria.

How Should the LEA Treat IEEs?

Once the parent has obtained an IEE, the independent evaluator will provide the parent and the school division with a copy of a report detailing the findings of the evaluation. The report will be similar to a school division's evaluation report. It will provide the raw data collected by the evaluator, a summary of the findings interpreting the raw data and recommendations based upon the data. The school division may hold a meeting to review the IEE data and report. The IEE data and report must be considered by the school division at any meeting held to determine eligibility, appropriate services, placement, and the potential need for behavioral supports.

When Can You Ask for an IEE at Public Expense?

Parents may request one IEE at public expense each time the school division conducts an evaluation. In order to request an IEE a parent must notify the school division that they are requesting an independent evaluation of an evaluation conducted by the school division. A school division may ask the reason a parent is requesting an independent evaluation, but a reason for the request may not be required.

Without unnecessary delay, the school division must either:

1. Ensure that an IEE at public expense is provided, or
2. Initiate a due process hearing to show that the school division's evaluation is appropriate.

If the school division initiates a due process hearing and the final decision is that the school division's evaluation is appropriate, the parent(s) still has the right to an independent educational evaluation, but not at public expense.



Keep in mind that an IEE can incorporate any assessment, even if it wasn't part of the original evaluation.

