

Independent Educational Evaluations (“IEE”) are addressed in the federal regulations that implement the Individuals with Disabilities Education Act (IDEA). An IEE is an evaluation conducted by a qualified examiner who may not be an employee of the student’s school district. A parent has a right to an IEE at public expense if the parent disagrees with a recent evaluation conducted by the school district. For purposes of this policy, “Evaluation” means the procedures used to determine whether a student has a disability and the nature and extent of the special education and related services the student needs. The school district is not required to pay for an IEE if the district has not conducted a recent evaluation. In the event that the district receives a parent request for an IEE, the district must, without unnecessary delay, either provide the IEE at school expense per this policy or request a due process hearing to show that the district’s evaluation is appropriate.

If the final decision in the due process hearing is that the district’s evaluation is appropriate, the parent still has a right to an IEE, but not at public expense. Parents may only request one publicly funded IEE for each evaluation completed by the school district.

Legal Ref: 115.787 (3), 115.80 Wisc. Statutes

PI 11

IDEA 34 C.F.R. 300.502

Individuals with Disabilities Education Act

WI DPI Bulletin No. 01.04

OSEP Memorandum RE: Independent Educational Evaluations (9/10/01)

Federal Individuals with Disabilities Act Regulations (34 C.F.R 300.502—Independent Educational Evaluation)

Cross Ref: 342.11-Rule - Procedure to Obtain an IEE at Public Expense

342.1 – Programs for Students with Disabilities

411 – Student Nondiscrimination/Equal Educational Opportunities

ADOPTED: 12/06/16