Independent Educational Evaluation

Criteria

Independent Educational Evaluations (IEE) Policy Parents of a student with a disability have the right to request an independent educational evaluation (IEE) of the student at public expense if they disagree with the results of an evaluation obtained by the School District (34 CFR 300.502, Section 14-8.02(b) and (g-5) of the School Code, and 23 IAC 226.180).

When an evaluation is conducted in accordance with IDEA and the parent disagrees with the evaluation, the parent has the right to request an IEE to assess the child in the area(s) assessed by the School District to determine whether the child has a disability and the nature and extent of the special education and related services that child needs.

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

Requests for an IEE should be made in writing to the Superintendent or the Director of Special Education. Although not required, the School District further requests that the parent identify the evaluation(s) with which the parent disagrees.

If a parent requests an IEE at public expense, the District will either ensure an IEE is provided or without unnecessary delay (within seven (7) school days of the written request) file a due process complaint to show its own evaluation is appropriate. The District may also request a due process hearing for the purpose of showing that an evaluation obtained by the parent did not meet the District's criteria set forth below.

Criteria for Independent Educational Evaluations:

- The evaluator shall be either: 1) an individual whose name is included on the list of independent educational evaluators developed by the Illinois State Board of Education, or 2) another individual possessing the credentials required by 23 IAC 226.840.
- The evaluator shall not be an employee of the School District or of the Cooperative to which the School District is a member.
- Evaluations must be conducted by individuals with appropriate licensure in the State of Illinois in the areas to be evaluated and meet the qualifications required by 23 IAC 226.840.
- Evaluations must be conducted by individuals with training in the administration of test instruments to be used.
- Evaluations must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent, that may assist in determining whether the child is a child with a disability under 34 C.F.R. 300.8, and the content of the child's IEP.

- Evaluations must be conducted according to the standards and procedures described in Illinois State Rules and Federal regulations.
- The evaluator must be permitted to directly communicate with school staff who work with the child in school as well as to obtain information from and share information with the school prior to, and during the evaluation process.
- The evaluator must agree to release the assessment and complete results to the School District, including parent and teacher surveys, prior to receipt of payment for services.
- The evaluator must obtain and consider school information and observations of the child in the school setting in the evaluation process and the written report. All in-school observations as part of an IEE must be scheduled in advance with the School District at mutually-agreed upon times and durations.
- Evaluations must be conducted by qualified individuals within a reasonable distance of the School District, which is defined as one hundred (100) miles from the District Office.
- The total cost of the IEE must be reasonable and customary in the community, and may not exceed a total cost of $1,500.
- The evaluator must be able to schedule an evaluation in a timely manner and produce a written report within sixty (60) school days, subject to any circumstances which justify an extension of this timeline.

The Director of Special Education will review requests from parents for an evaluator not on the ISBE list and demonstrate unique circumstances that justify this selection.

If the parent wishes an evaluator to have specific credentials in addition to those required by 23 IAC 226.840, the parent and the School District shall agree on the qualifications of the examiner and the specific evaluations to be completed prior to the initiation of an independent educational evaluation at public expense. If agreement cannot be reached, the school district shall initiate a due process hearing subject to the time constraints set forth by law, as applicable.

Upon receiving an appropriate request for an IEE, the Director or his/her designee will provide information to the parents regarding:

- A copy of the Procedural Safeguards;
- A copy of this Policy and Criteria for Independent Evaluations;
- Independent sources where such an evaluation might be obtained, including the ISBE list of independent evaluators; and

An IEE conducted at the District's expense becomes the property of the District in its entirety. A complete copy of the results of the evaluation must be sent to the Director of Special Education and forwarded to the IEP team.

The IEP team must consider the results of the IEE, along with other evaluations and observations by teachers and related services providers. Within 10 days after receiving a report of an independent evaluation conducted at either public or private expense, the district shall provide written notice stating the date upon which the IEP Team will meet to consider the results.