



# IEE QUICK GUIDE



## DEFINITION

**Independent educational evaluation (IEE):** One or more assessment(s) conducted by a qualified examiner(s) who is not employed or contracted by the public agency or district responsible for the education of the student in question.

A parent/adult student has the right to obtain an IEE at public expense if he or she disagrees with an evaluation obtained or conducted by the district.

– *Idaho Special Education Manual 2018, Chapter 11*

## INITIATION

An IEE is initiated **when a parent/adult student disagrees with an evaluation obtained or conducted by the district** and requests an IEE at public expense\*. “At public expense” means paid for by the district. Although the district may ask what the parent/adult student does not agree with, the parent/adult student is not required to provide an explanation in order to exercise this right. Once a request is made, **the district must respond** to the IEE request **without unreasonable delay**. This should be documented in a *Written Notice*.

\*Don’t forget that the parent/adult student always has the right to obtain at IEE at their own expense. If provided to the district, this information *must* be considered by the evaluation team. This should be documented in a *Written Notice*.

## DISTRICT OBLIGATIONS

**Step 1:** Upon parent/adult student request for an IEE at public expense, the district **must** provide the parent/adult student with the **district’s IEE criteria**.

IEE Criteria Requirements	District Considerations
1) The location of the evaluation	Options might include: <ul style="list-style-type: none"> <li>• An on-site district location, such as the district office</li> <li>• A neutral, off-site location such as a public library or university</li> <li>• Provider location</li> </ul>
2) The required qualifications of the examiner	Determine what assessments will be administered. Provide <i>Written Notice</i> to propose or refuse action related to such requests.  Consider the qualifications of staff who administer assessments within the school system: <ul style="list-style-type: none"> <li>• School Psychologist</li> <li>• Speech Language Pathologist</li> <li>• Occupational/Physical Therapist</li> <li>• Audiologist</li> <li>• Special Education Teachers</li> </ul>
3) The eligibility requirements for the specific disability categories	During the <i>Referral</i> or <i>Reevaluation Consideration</i> process, the evaluation team should have discussed the suspected disability category(s) based on the areas of concern and existing evidence. Provide, at minimum, the criteria for those categories to the parent/adult student.
4) Reasonable cost containment criteria	The district determines a reasonable cost limit for the IEE. Consider these things when establishing cost containment criteria:



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	<ul style="list-style-type: none"> <li>• What is the typical hourly rate of the qualified examiner(s) identified in #2?</li> <li>• What types and how many assessments are needed?</li> <li>• How long does the administration and interpretation take?</li> <li>• Can the parent/adult student reasonably access the qualified examiner(s) locally?</li> </ul>
5) (Upon request) A list of qualified examiners	<p>The parent/adult student can request a list of qualified examiners from the district.</p> <p>Consider working with neighboring districts to identify individuals or agencies willing to provide these services.</p>

**Step 2:** If a district refuses to fund an IEE, the district must request a due process hearing to demonstrate that its own evaluation was appropriate.

**Step 3:** When a parent/adult student obtains an IEE, whether at their own expense or at public expense, the district **must** consider the results.

Questions	Considerations
<b>Do the results of the IEE:</b>	
Provide the evaluation team with new information?	<p>The results of the IEE should not be the only evidence used to make eligibility or IEP decisions. They should be considered in conjunction with existing evidence, including all that the evaluation team knows about the student's strengths and needs.</p> <p>If the IEE introduces new information, the evaluation team should consider how that information fits within the preponderance of evidence.</p>
Confirm or contradict assessment results previously obtained by the district?	<p>Sometimes IEE results confirm the evaluation team's initial findings. This should be discussed among all evaluation team members.</p> <p>When IEE results contradict previous assessment results, the evaluation team should consider all evidence available about the student and make decisions based on the preponderance of evidence.</p>
Suggest the need to add, adjust, or eliminate services or supports provided to the student in order to provide free appropriate public education (FAPE) in the least restrictive environment (LRE)?	<p>IEE results may help the evaluation or IEP team make decisions about appropriate programming for the student.</p> <p>Consider current services and support and determine whether changes might be needed in the educational program to best support the student's educational performance.</p>

## OTHER NOTES

**The evaluation/IEP team.** Although assessments are administered by an examiner outside of the district, the independent examiner does not unilaterally make decisions about the student's educational needs. Reviewing IEE results and making decisions about eligibility and services is the responsibility of the evaluation and/or IEP team. The team, which includes the parent/adult student, must always keep FAPE, LRE, individualized services and supports, and the three prongs of eligibility in mind.



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**Written Notice.** Actions proposed or refused by the district at any point in the IEE process must be documented in *Written Notice* and provided to the parent/adult student. Clearly explain any decisions made, the reasoning for these decisions, and the evidence used to make decisions.

**Due process rights.** Both the parent/adult student and the district have the right to request a due process hearing at any stage during the IEE process. If a district refuses to fund an IEE, the district must request a due process hearing to demonstrate that its own evaluation was appropriate. (See the *Idaho Special Education Manual 2018, Chapter 11* for more information.)