



Independent Educational Evaluation (IEE)

According to the federal *Individuals with Disabilities Education Act* (IDEA), when a parent disagrees with the results of an educational evaluation of their child, which was completed by the school district (called a “public agency” in the law), the parent has the right to an independent educational evaluation (IEE). The IEE is like getting a second opinion. It is completed at no cost to the parent and is conducted by an individual who is not employed by the school district. When the IEE is completed and the results are shared with the school district, the individualized education program (IEP) team must consider the results when providing a free appropriate public education (FAPE) for the student. However, the IEP team is not required to implement the results or recommendations. The IEE becomes part of the student’s permanent school record.

Who Conducts an Independent Educational Evaluation?

An IEE must be completed by a qualified evaluator or team of evaluators from outside of the school district. This could be a clinical psychologist, educational psychologist, neuropsychologist, speech and language pathologist, occupational therapist, or other professional skilled in their field of work and experienced in areas related to the possible needs of the student.

Who Pays for an Independent Educational Evaluation?

- Parents can obtain and pay for an IEE and share the results with the school for consideration.
- Parents can submit a request for an IEE to the school to be completed at the district’s expense. The school district must either agree to pay for the evaluation or start a due process hearing. If the school district starts a due process hearing, they must be able to prove to an administrative law judge their evaluation was comprehensive and completed correctly. If the school district cannot prove the evaluation was completed correctly, the district must pay for the IEE. If the school district proves the evaluation was completed correctly, the parents are required to pay for the IEE.

What the Law Says

The federal IDEA and the *Michigan Administrative Rules for Special Education* (MARSE) require the school district to inform parents about their right to an IEE at the district’s expense, criteria and sources for evaluators, how to get reimbursed, reasonable and expected costs, and that the parent can choose their own evaluator. Parents can request one IEE at the district’s expense only after the district completes an evaluation and the parent disagrees with the results.

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Process for Requesting an IEE

Parents are allowed one IEE at the school district's expense each time the district (public agency) completes an evaluation in which the parent disagrees with the results. Find more details in the [MARSE](#).

- The parent contacts the school district in writing if he or she disagrees with the district's evaluation and wants an IEE.
- The school district must let the parent know within seven calendar days of receiving the request if the request is granted or if the district will start a due process hearing because the district feels the IEE is not warranted or appropriate.
- The school district cannot require a timeline or conditions related to an IEE at the district's expense.

When the school district approves the request for an IEE:

- The district can consider an IEE if the parent had one completed privately.
- The district can grant a request for the parent to obtain an IEE.
- The district can request an IEE at no expense to the parent.
- The district may reimburse the parent, if appropriate.
- The district is not required to agree with and implement the results and recommendations of the IEE but must consider them if related to providing a free appropriate public education (FAPE).

When the school district refuses the request for an IEE:

- The hearing process must be started by the school district in order to determine whether the evaluation was appropriate.
- If the final decision from the hearing finds the evaluation by the district was appropriate, the parent still has a right to the IEE, but the district is not required to pay for it.
- If the final decision from the hearing finds the evaluation by the district was not appropriate, the parent has a right to the IEE at district expense.
- If the parent already had a private IEE completed, it is reviewed by the administrative law judge to determine whether it is appropriate. The parent must be reimbursed if the IEE is determined to be appropriate and was funded by the parent.

Resources

- [Center for Parent Information and Resources: Right to Obtain and an Independent Educational Evaluation](#)
- [Michigan Administrative Rules for Special Education \(MARSE\)](#)
- [U.S. Department of Education: Individuals with Disabilities Education Act, Sec. 300.502 Independent educational evaluation](#)



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