

**SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS**

Parents of children with disabilities have the right under Federal and State regulations to obtain an independent educational evaluation (IEE) at public expense under certain circumstances. Regulatory standards are outlined in New York State Regulations of the Commissioner of Education Part 200.5(g). Additionally, the Federal Regulations (34 Code of Federal Regulations [CFR] 300.502) specify requirements for an independent evaluation.

An "independent educational evaluation" ("IEE") of a student, who has or is thought to have a disability as defined under the Individuals with Disabilities Education Act, 20 USC§ 1400 et. seq., and section 4401 (1) of the Education Law, is an evaluation conducted by a qualified examiner who is not employed by the district responsible for the education of the child.

Generally, if a parent/guardian disagrees with an evaluation conducted by the District, the parent/guardian has a right to request an IEE at public expense. "Public expense" means that the District either pays for the cost of the IEE or ensures that it is otherwise provided at no cost to the parent/guardian. A parent/guardian is entitled to only one IEE at public expense each time the District conducts an evaluation with which the parent/guardian disagrees.

A parent/guardian does not have the right to an IEE at public expense when:

- a. The District initiates an impartial hearing to show that its evaluation is appropriate, and the hearing officer determines that the District's evaluation is appropriate; or
- b. The District demonstrates at an impartial hearing that the IEE obtained by the parent/guardian did not meet District criteria.

34 Code of Federal Regulations (CFR) Sections 300.12 and 300.502

8 New York Code of Rules and Regulations (NYCRR) Sections 200.1(z) and 200.5(g)

Adopted: 3/15/18