



Independent Educational Evaluations

In Iowa, evaluations for special education eligibility are usually conducted by Area Education Agency (AEA) personnel, with the cooperation of educators at your child's school. Typically the team discusses areas of concern for the child and then the AEA conducts the evaluation. An Educational Evaluation Report (EER) is put together which summarizes the data that was included in the evaluation. This information is very important because it is what the team should rely on to make decisions about whether or not a student is eligible for Special Education services, and if so, what services would meet their needs.

Parents could request a copy of their child's EER before any meetings to discuss the results so that they have enough time to fully consider the information and think of any questions, or compare it to other information that they have. If parents feel that the information described in the educational evaluation report is inaccurate or incomplete then the options that they have include:

- requesting a "Second Opinion Evaluation" which would be completed by an AEA evaluator who wasn't involved in the first evaluation, or
- requesting an "Independent Educational Evaluation" (IEE) conducted by a private practitioner at the school's expense

One of the procedural safeguards granted to parents by the Individuals with Disabilities Education Act (IDEA) is a right to obtain an independent educational evaluation of their child. The IDEA regulations define an independent educational evaluation to mean *"an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question."*

Parents always have the option of seeking a private evaluation by any qualified professional of their choice at their own expense. If they do so, they should expect the school district and AEA members of their child's IEP team to review and fairly consider that information in

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designing the student's educational plan. Educators are not obliged to accept and follow the recommendations of outside professionals, but they are expected to give them full and fair consideration. It is important to make sure that the person or organization being used to conduct the evaluation has the necessary credentials to do the type of testing the child needs and to ensure the results will be scientifically valid for educational purposes. The Iowa Rules of Special Education provide that... *"if a parent obtains an independent educational evaluation at public or private expense and the evaluation meets agency criteria, the results of the evaluation must be considered by the agency in any decision made with respect to the provision of FAPE to the individual and may be presented as evidence at a hearing regarding the individual."*

If parents are thinking about asking for or obtaining an independent evaluation, consider carefully why it is that another opinion is needed. Parents need to be prepared to fully present the results of an Independent Evaluation to the educators on the team and work with them to come to an agreement about how to include those results into the child's educational plan.

If parents want the school and AEA to provide an independent evaluation at public expense, they should be prepared to explain why they disagree with the results of the AEA's evaluation and what new or more accurate information the independent evaluation will bring to the IEP team for the benefit of the child. Parents must get permission from the AEA Director in order for an IEE to be paid for at the public expense. Parents can then choose the evaluator they would like to use to



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complete the IEE. The IEP team must give the same consideration to the IEE information that they do other evaluation information but the IEE results don't supersede or replace the previous data.

Look for the following information sheets on www.askresource.org/resources

- Evaluations
- Six Principles of IDEA

ASK Essential Questions

- Does the information that was gathered for my child's evaluation cover all of the skill areas and needs that we are concerned about?
- How does the AEA's evaluation compare to reports from other evaluations that have been done regarding my child's disability?
- Do I agree with the evaluation results?