

INDEPENDENT EDUCATIONAL EVALUATIONS (IEEs)

Policy 342.11

Waunakee Community School District

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Subject to applicable laws and regulations and the District's special education policies and procedures, the parent (or legal guardian) of a child with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), or of a child who is suspected of having an IDEA disability, generally has the right to obtain an independent educational evaluation at public expense if the parent disagrees with a completed evaluation that has been conducted or obtained by the District.

When the District is responsible under the IDEA for the education of the child in question, "independent educational evaluation" (IEE) means an evaluation conducted by a qualified examiner who is not employed by the District. While the parent generally has the right to select the evaluator for an IEE, the evaluation obtained by the parent must meet the District's established evaluation criteria for IEEs. To the extent consistent with the parental right to an IEE and subject to any exceptions that are made based on a demonstration of unique circumstances, the criteria under which an IEE is obtained must be the same as the criteria that the District uses when it initiates an evaluation for the same purpose.

A parent is entitled to only one IEE at public expense for any District-arranged IDEA evaluation with which the parent disagrees. However, a parent may always obtain an educational evaluation for his/her child at his/her own cost. If a parent presents the results of a non-publicly funded evaluation to the District, the District shall, to the extent required by and consistent with applicable law, consider the results in connection with decisions made with respect to the child.

The Director or Special Education, in consultation with the District Administrator and other staff as needed, shall have primary administrative responsibility for the following:

1. Ensuring that the District has appropriate procedures in place for receiving and responding to parent notifications that the parent is seeking an IEE at public expense.
2. Ensuring that the District develops, maintains, and appropriately provides to parents, information about where an IEE may be obtained and the District criteria applicable to IEEs.
3. Overseeing the District's response to any actual parent notification that the parent is seeking an IEE at public expense.

In situations where the individual with a disability has reached the age of 18 and has not been adjudicated incompetent under state law, the adult student with a disability (or suspected disability) stands in the place of the parent for purposes of this policy and any related procedures, except that the District shall provide notices related to IEEs to both the parent and the adult student to the extent required by law.

Legal References:

Wisconsin Statutes

[Chapter 115, Subch. V](#)

[educational programs and services for children with disabilities]

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[Section 115.792\(3\)\(b\)1](#)

[notice of procedural safeguards to include right to independent educational evaluation]

[Section 115.80\(1\)\(b\)](#)

[district authority to file for a hearing to contest the payment of an independent educational evaluation]

[Section 118.13](#)

[student nondiscrimination]

Wisconsin Administrative Code

[Chapter PI 11](#) [educational programs and services for children with disabilities]

Federal Law

[Individuals with Disabilities Education Act](#) [programs and services for students with disabilities]

[34 C.F.R. §300.502](#) [federal regulation on independent educational evaluations]

Cross References:

342.11-Rule, Procedure to Obtain an Independent Educational Evaluation at Public Expense

342.1, Programs for Students with Disabilities

411, Equal Educational Opportunities Special Education Policy and Procedure Handbook

WASB PRG Sample Policy 1

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