

INDEPENDENT EDUCATIONAL EVALUATIONS (“IEE”)

An independent educational evaluation means a comprehensive educational evaluation conducted by a qualified examiner(s), as defined in 34 CFR 300.12, who is not employed by the school district responsible for the education of the disabled child or child who is thought to be educationally disabled.

Parents of disabled children who disagree with the evaluation conducted by the school district have the right under federal and state regulations to obtain an Independent Educational Evaluation (IEE) at public expense, under certain conditions and according to District criteria.

The purpose of an IEE is to assess the child to determine whether the student has a disability under New York State (NYS) law such that special education and related services are required, and/or the nature and extent of the special education and related services the student needs. Public expense means that the public agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent. A parent is entitled to only one IEE at public expense each time the District conducts a comprehensive evaluation with which the parent disagrees. The District has the right to assert a set of established criteria and administrative regulations for the approval of IEEs. These implementing regulations shall be set forth in a Superintendent’s Regulation, appurtenant to this Policy (4219-R).

Parents of disabled children who disagree with the comprehensive evaluation conducted by the school district have the right under federal and state regulations to obtain an IEE at public expense, under certain conditions and according to district criteria. An IEE means a comprehensive evaluation conducted by a qualified examiner(s) who is not employed by the school district responsible for the education of the disabled child or child who is thought to be educationally disabled. The purpose of an IEE is to assess the child in all areas of suspected disability or need to determine whether the student has an educational disability under NYS law and the nature and extent of the special education and related services the student needs.

The District may ask the parent to specify the areas of disagreement with the District’s evaluation. The school district may initiate an impartial hearing to show that its evaluation is appropriate, and if the Hearing Officer determines that the school’s evaluation is appropriate, the parent would not have the right to a publicly funded IEE or the right to reimbursement for an IEE they may have already obtained.

Cross-Ref: Independent Educational Evaluations Regulation (4219-R)
Impartial Hearings/Selection of Impartial Hearing Officers (4221)

NYSSBA Ref: Independent Educational Evaluations (4321.4) – Recommended Policy

Ref: 34 Code of Federal Regulations (CFR) Sections 300.12 and 300.502, 300.304(b), (c)
8 New York Code of Rules and Regulations (NYCRR) Sections 200.1(z), 200.4(d)(2)
and 200.5(g)

Notes: Adopted February 16, 2012 pursuant to Resolution No. 2011-12: 574; Amended June 24, 2021 pursuant to Resolution No. 2020-21: 930; Amended August 22, 2024 pursuant to Resolution No. 2024-25: 198

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