



**EATON REGIONAL
EDUCATION SERVICE AGENCY
INDEPENDENT EDUCATIONAL
EVALUATION (IEE) HANDBOOK**

**Eaton Regional Education Service Agency
1790 E. Packard
Charlotte, MI 48813**

Updated July 2024

Independent Educational Evaluation

When the parent disagrees with the evaluation performed by the district, they have the right to request an Independent Educational Evaluation (IEE). The following information from the Michigan Administrative Rules for Special Education applies:

Rule 340.1734c: **Right to independent education evaluation.**

Rule 23c.(1) Each public agency shall provide parents with information about independent educational evaluations at public expense. The information shall include all of the following:

- (a) Criteria regarding credentials for qualified examiners.
- (b) Suggested sources and locations.
- (c) Procedures for reimbursement.
- (d) Reasonable expected costs.
- (e) Notification that the parent is not restricted to choosing from sources suggested by the public agency.

(2) A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency. The parent shall submit the parent's disagreement and request in written, signed, and dated form. However, the public agency may initiate a hearing under R 340.1724 to show that its evaluation is appropriate. The public agency shall respond, in writing, to the request within 7 calendar days of its receipt by indicating the public agency's intention to honor the request or to initiate the hearing procedure under R 340.1724. If the hearing officer determines that the evaluation is appropriate, then the parent still has the right to an independent educational evaluation, but not at public expense.

(3) The school district shall disclose to the parent, before evaluation, whether the examiner who was contracted to provide an independent educational evaluation provides services to the public agency that are in addition to the independent educational evaluation.

(4) An independent educational evaluation shall not be conducted by an examiner or examiners who otherwise or regularly contract with the public agency to provide services, unless the examiner or examiners are agreeable to the parent.

The IDEA regulations 34 CFR §300.502 Independent Educational Evaluations states:

“(a) **General.**

- (1) The parents of a child with a disability have the right under this part to obtain an independent educational evaluation of the child, subject to paragraphs (b) through (e) of this section.
- (2) Each public agency shall provide to parents, upon request for an independent educational evaluation, information about where an independent educational

evaluation may be obtained, and the agency criteria applicable for independent educational evaluations set forth in paragraph (e) of this section.

- (3) For the purposes of this part
 - (i) **Independent educational evaluation** means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question; and
 - (ii) **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, consistent with §300.301.
- (b) **Parent right to evaluation at public expense.**
 - (1) A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency.
 - (2) If a parent requests an independent educational evaluation at public expense, the public agency must, without unnecessary delay, either-
 - (i) Initiate a hearing under §300.507 to show that its evaluation is appropriate; or
 - (ii) Ensure that an independent educational evaluation is provided at public expense, unless the agency demonstrates in a hearing under §300.507 that the evaluation obtained by the parent did not meet agency criteria.
 - (3) If the public agency initiates a hearing and the final decision is that the agency's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.
 - (4) If a parent requests an independent educational evaluation, the public agency may ask for the parent's reason why he or she objects to the public evaluation. However, the explanation by the parent may not be required and the public agency may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation.
- (c) **Parent-initiated evaluations.** If the parent obtains an independent educational evaluation at private expense, the results of the evaluation-
 - (1) Must be considered by the public agency, if it meets agency criteria, in any decision made with respect to the provision of FAPE to the child; and
 - (2) May be represented as evidence at a hearing under this subpart regarding that child.
- (d) **Requests for evaluations by hearing officers.** If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.

(c) **Agency criteria.**

- (1) If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the public agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation.
- (2) Except for the criteria described in paragraph (e)(1) of this section, a public agency may not impose conditions or timelines related to obtaining an independent educational evaluation at public expenses.”
(Authority: 20 U.S.C. 1415(b)(1))

**PARENT REQUEST FOR AN INDEPENDENT
EDUCATIONAL EVALUATION (IEE)**

Date _____

I, _____, parent(s) of _____
(Parent Name) (Student Name)

am requesting an Individualized Educational Evaluation (IEE) at public expense. This request is made because I disagree with the district's evaluation.

(Read parent note below. Response to the next statement is voluntary.) I disagree with the district's evaluation because:

Please provide me with information as to criteria for qualified examiners, suggested sources and locations, procedures for payment/reimbursement, and reasonable expected costs.

Parent's Signature

Address City State Zip

Home Phone

Work Phone

Date received in Special Education Office: _____

By: _____
(Name and Title)

The school district has seven (7) calendar days to respond to this request.

NOTE: While special education law/regulations do not require the parent to identify the specific nature of disagreement in making a request for an IEE, this information is helpful to the district in determining whether it desires to request a hearing rather than grant the parental request. Knowing

the nature of the disagreement also helps the district to calculate reasonable expected costs, which the district is required by law to provide the parent.

PROFESSIONAL RESOURCES

The following page consists of suggested sources that are qualified to do Independent Educational Evaluations. As stated previously, the parent is not limited to these professionals. However, anyone doing evaluations must be qualified to do so.

The list is intended to be a resource for parents and does not constitute a recommendation by Eaton Regional Education Service Agency.

Suggested Source for Examiner:

Ingham ISD
2630 West Howell Rd.
Mason, MI 48854
517.676.1051

Psychological Clinical Services
2720 East Lansing Dr.
East Lansing, MI 48823
517.337.2900

Calhoun ISD
Gifford/Schultz Educational Service Center
17111 G Drive North
Marshall, MI 49068
269.781.5141

Speech-Language Solutions
2248 Mt. Hope, Suite 200 C
Okemos, MI 48824
517.604.0146

Barry ISD
535 West Woodlawn Ave.
Hastings, MI 49058
269.945.9545

**EATON REGIONAL EDUCATION SERVICE AGENCY
PARENT CONSENT FOR INDEPENDENT EDUCATIONAL EVALUATION
(IEE)**

Parent's Name _____

Student's Name _____

I/we have been informed of my/our rights to an independent educational evaluation and have received a copy of the Eaton Regional Education Service Agency Criteria and Procedures for Independent Educational Evaluations (IEE). I/we consent to an independent education evaluation (IEE) to be conducted by the individual named below. I/we consent to the district providing this individual access to _____'s education records, to allow the persons or agencies

(student's name)

to engage in verbal or written communication for my child and consent to the release of the evaluation report, test protocols and notes of the school.

(Name of Independent Evaluator)

(Title)

(Address)

(City, State and Zip Code)

(Phone Number)

Date

(Signature of Parent)

**AGREEMENT TO PERFORM
AN
INDEPENDENT EDUCATIONAL EVALUATION (IEE)**

As the independent evaluator selected to perform an Independent Educational Evaluation of _____ (student's name), I acknowledge that:

- I will complete the Independent Educational Evaluation pursuant to the criteria set forth in the attached "Criteria for Independent Educational Evaluation at Public Expense", "Procedures for Payment for Independent Educational Evaluation (IEE) at Public Expense", and pertinent state and federal regulations referenced in these documents. I will submit a copy of the evaluation report to the Eaton RESA contact person upon completion of the evaluation.
- I will not complete the Independent Educational Evaluation.

(Signature of Independent Evaluator)

(Date)

(Printed or typed name and title of Independent Evaluator)

(Address)

(City)

(State)

(Zip)

(Telephone number)

PLEASE RETURN THIS FORM TO:

Kelly Hager
Assistant Superintendent for Special Education
Eaton RESA
1790 E. Packard Hwy.
Charlotte, MI 48813
Phone 517.541.8723
Fax 517.543.5166

(Date received by contact person)

**EATON REGIONAL EDUCATION SERVICE AGENCY
CRITERIA FOR INDEPENDENT EDUCATIONAL EVALUATION (IEE) AT
PUBLIC EXPENSE**

1. An independent educational evaluation shall be in compliance with the provisions of the Michigan Special Education Administrative Rules, Rule 340.1721a and Rule 340.1723c, and the Federal Rules, 34 CFR 300.500, et seq.
2. The independent educational evaluation shall mean an evaluation conducted by a qualified examiner or examiners who are not employed by the school district. The contracted agency for purposes of conducting an independent educational evaluation is not considered an employee of the school district.
3. The school district shall inform the parent if the proposed independent evaluator provides services to the district in addition to the independent educational evaluation.
4. An independent educational evaluation shall not be conducted by an independent evaluator who otherwise or regularly contracts with the school district to provide services, unless the evaluator is agreeable to the parent.
5. The independent evaluation must be knowledgeable in the area of suspected handicap.
6. The independent evaluator shall possess credentials (license, approval, certificate, etc.), which are the same, equivalent, or superior to those required by the state of Michigan for special education evaluations.
7. Unless unique circumstances otherwise justify an exception, the independent evaluator shall perform the independent educational evaluation within 200 miles of the school district.
8. The parent shall submit a signed and dated statement of disagreement with the school district's evaluation and request for an independent educational evaluation at the school district's expense. To facilitate the district's decision whether to grant the request or deny it and invoke a due process hearing, the parent is asked, but is not mandated, to state his/her specific objections to the educational evaluation conducted by the Multidisciplinary Evaluation Team of the Eaton Regional Education Service Agency.
9. The name of the independent evaluator and a copy of his/her license and/or approval as an evaluator for the specific evaluation to be performed in the state of Michigan, and evidence that the evaluator is knowledgeable in the area of handicap(s) to be evaluated, shall be submitted to the school district by the parent and/or evaluator.
10. A signed copy of the independent evaluator's report indicating whether the student met eligibility criteria and the test/procedure results that support that conclusion, and/or the present level of performance of the student with the test/procedure results that support that conclusion, shall be submitted to the school district.

11. Tests and procedures used in the independent educational evaluation shall meet the requirements set forth in the Michigan Special Education Administrative Rule 340.1721a.
12. The independent evaluator, with the consent of the parent, shall be given access to the evaluations done by the Multidisciplinary Evaluation Team and shall have access to the school setting to observe the student in accordance with state and federal rules. The independent evaluator shall consider such evaluations and observations in conducting the independent educational evaluation.
13. A list of suggested sources from which an independent educational evaluation may be obtained would be given to the parent upon receipt of a request for an independent educational evaluation. The parents shall be notified that they are not restricted to choosing from the sources of this list.

**EATON REGIONAL EDUCATION SERVICE AGENCY
PROCEDURES FOR PAYMENT FOR INDEPENDENT EDUCATIONAL
EVALUATION (IEE) AT PUBLIC EXPENSE**

The Eaton County Regional Education Service Agency adopts the following criteria for determining when it will agree to pay for an independent educational evaluation (IEE):

1. The parents of a child with a disability or child that is suspected of having a disability will be entitled to an independent educational evaluation at the expense of the school district only if the independent educational evaluation is requested after presentation of the school district's evaluation in accordance with the provisions of Michigan Special Education Administrative Rule 340.1723c.
2. The parent of a child with a disability or a child suspected of having a disability must have submitted a signed and dated request for an independent educational evaluation at the school district's expense.
3. The name of the independent evaluator and a copy of his/her license and/or approval as an evaluator for the specific evaluation to be performed in the state of Michigan and evidence that the evaluator is knowledgeable in the area(s) of handicap to be evaluated, shall be submitted to the school district. The independent evaluator shall meet standards that are the same, equivalent, or superior to those required by the state of Michigan for similar personnel employed by the school district and shall conduct the evaluation in compliance with Michigan Revised Administrative Rules for Special Education, Rule 340.1721a and Rule 340.1723c.
4. A signed copy of the independent evaluator's report indicating whether the student met the eligibility criteria at issue and the test/procedure results that support that conclusion; and/or the specific present level of performance of the student with the test/procedure results that support that conclusion, shall be submitted to the school district. The district will not pay for independent educational evaluations if/to the degree obtained for purposes exceeding the proper scope of evaluation (eligibility and/or present level of performance), e.g., placement and program issues, which are the rule of the Individualized Educational Planning Team (IEPT).
5. An invoice from the independent evaluator indicating the portion of the cost of the evaluation that is attributed to the evaluation of the eligibility criteria and/or present level of performance of the student, and, if applicable, a statement from any third party payer indicating that portion of the cost borne by the third party, shall be submitted to the district.
6. The parent will be notified that if any of the conditions listed above are not met:
 - (a) The parent still has the right to obtain an independent educational evaluation at personal expense.
 - (b) Evaluation appropriately conducted to obtain an independent educational evaluation will be considered by the Multidisciplinary Evaluation Team (MET) and the

Individualized Educational Planning Team (IEPT) in accordance with Michigan Special Education Administrative Rule 340.1723c(4).

7. Upon its determination that an independent educational evaluation is appropriately a public expense, the school district will process payment of the independent evaluator/reimbursement to the parent for the portion of the cost that is directly related to the eligibility and/or present level of performance of the student.
8. If a duly appointed hearing officer as the result of a hearing orders an independent educational evaluation, and there are no conditions set by the hearing officer to the contrary, the district will apply the criteria set forth in paragraphs 3-7 to determine when/how to pay for the resulting independent educational evaluation.

**SPECIFIC EVALUATION CRITERIA FOR
INDEPENDENT EDUCATIONAL EVALUATION
(To be attached to the Response Letter to Parents)**

The following are the specific criteria that must be addressed by the Independent Educational Evaluation for _____ (student's name):

It is the District's understanding that the IEE request is for:

A specific component of the comprehensive multidisciplinary evaluation/ present level of performance. The specific component is:

_____.

A comprehensive multidisciplinary evaluation for one or more eligibility categories. If this box is checked, the IEE must address all of the identifying characteristics/procedures for each of the disabilities checked below for which evaluations are being done.

- _____ Cognitively Impaired (CI) (Rule 340.1705)
- _____ Emotionally Impaired (EI) (Rule 340.1706)
- _____ Hearing Impaired (HI) (Rule 340.1707)
- _____ Visually Impaired (VI) (Rule 340.1708)
- _____ Physically Impaired (PI) (Rule 340.1709)
- _____ Otherwise Health Impaired (OHI) (Rule 340.1709a)
- _____ Speech and Language Impaired (SLI) (Rule 340.1710)
- _____ Early Childhood Developmental Delay (ECDD) (Rule 340.1711)
- _____ Specific Learning Disabled (SLD) (Rule 340.1713)
- _____ Severely Multiply Impaired (SXI) (Rule 340.1714)
- _____ Autism Spectrum Disorder (ASD) (Rule 340.1715)
- _____ Traumatic Brain Injury (TBI) (Rule 340.1716)

Please refer to the Revised Administrative Rules for Special Education for these rules and individual requirements.

The requirements for the conduct of educational evaluations including the selection of tests and procedures, observation, and use of student's native language in accordance with the provisions of the Michigan Special Education Administrative Rules, Rule 340.1721a and Rule 340.1723c, shall be followed.

The expected reasonable cost for the educational evaluation(s) indicated above is not to exceed \$2,000 without additional prior written authorization.

If you have any questions or need clarification of the criteria of the educational evaluation indicated above, please contact:

Kelly Hager
Assistant Superintendent for Special Education
Eaton RESA
1790 E. Packard Hwy.
Charlotte, MI 48813
Phone: 517.541.8723