



PROCEDURE FOR LEA'S RESPONSE TO A PARENT REQUEST FOR AN INDEPENDENT EDUCATIONAL EVALUATION AT PUBLIC EXPENSE

- ◆ The LEA must, without unnecessary delay, either: (a) File a due process complaint to request a hearing to show that its evaluation of your child is appropriate; or (b) Provide an IEE at public expense, unless the LEA demonstrates in a hearing that the evaluation of the child that was obtained through the school did not meet the LEA's criteria.
- ◆ If the LEA requests a hearing and the final decision is that the LEA's evaluation of the student is appropriate, the parents still have the right to an IEE, but not at public expense.
- ◆ If parents request an IEE of their child, the LEA may ask why parents object to the evaluation of your child obtained by your LEA. However, the LEA may not require an explanation and may not unreasonably delay either providing the IEE of the child at public expense or filing a due process complaint to request a due process hearing to defend the LEA's evaluation of your child. ◆ Parents are entitled to only one IEE of their child at public expense each time the LEA conducts an evaluation of your child with which you disagree.
- ◆ If an IEE 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 LEA uses when it initiates an evaluation (to the extent those criteria are consistent with your right to an IEE).
- ◆ No copies of IEEs are provided as there were none requested during the 2018/2019 school year.
- ◆ A copy of the list of Independent Educational Evaluators is attached.