

Independent Educational Evaluation

Parents may disagree with the results of the school's evaluation or feel that the school did not conduct the evaluation appropriately (e.g., tested a language minority student solely in English or based eligibility decisions upon the use of only one test).

If so, the Individuals with Disabilities Act (Section 300.502) gives parents the right to obtain an **independent educational evaluation**. An independent evaluation is an evaluation done by a qualified examiner who is not employed by the school district responsible for providing educational services. The school district may provide the independent evaluation at public expense (the school system pays) or they must initiate a due process hearing to show that their evaluation was, indeed, appropriate. If the hearing decision is that the district's evaluation is appropriate, the parent still has the right to an independent evaluation at his/her own expense. Regardless of who pays for the independent evaluation, the school is obligated to consider the results of the evaluation at a Planning and Placement Team meeting.

- While "permission" from the school is not required, a request for an independent evaluation at public expense should be discussed at the Planning and Placement Team (PPT) meeting. If such a request is made, the school district may ask why the parents object to the public evaluation. It may not, however, require an explanation by the parent.
- Parents may seek an independent evaluation at their own expense at any time (of course). Should the parent decide to share the results with the school district, they must be considered by the school district when planning an appropriate educational program for the child. The results may also be presented as evidence at a due process hearing.
- If a hearing officer recommends an independent educational evaluation, the cost must be at public expense, not the parent's.
- The criteria for an independent evaluation must be the same as it is for a school district's evaluation (i.e., location, qualifications of examiners).
- Upon request, the school district shall provide information on obtaining an independent evaluator.

