

INDEPENDENT EDUCATION EVALUATION TIP SHEET



The Individuals with Disabilities Education Act gives parents the right to request educational evaluations from their school district if information is needed to determine a child's eligibility for special education services or to revise an IEP. If the district fails to evaluate, or if the parent disagrees with the results, the parent has the right to request an Independent Educational Evaluation (IEE).

What is an Independent Educational Evaluation (IEE)?

- An IEE is an evaluation that the NYC Department of Education (NYCDOE) pays for, but is completed by an independent neuropsychologist or other qualified professional that is not employed by the DOE.
- Parents choose the provider who will work with their child. The provider is the professional who will provide the evaluation.
- The IEE is often a more comprehensive evaluation than the district evaluation and can provide you with more detailed information and potentially provide a diagnosis.
- DOE approval of an IEE is called an Assessment Authorization (AA) (see page 32) (<https://bit.ly/3n4KWk7>). The DOE will give a parent three forms (AA-2, AA-4, AA-5) when it grants an IEE. If you have questions about the forms or the process, contact INCLUDEnyc's HelpLine for assistance.

Why would I request an IEE?

- If DOE assessments provide the necessary information to inform the IEP team's decisions regarding the development of your child's IEP, then there is no reason to request an IEE. You can move forward with the special education process.
- An independent evaluation might be necessary because:
 - There is no DOE staff qualified to perform the evaluation.
 - You believe the school/Committee on Special Education (CSE) is using insufficient, outdated, or inaccurate information to make IEP decisions.
 - The DOE did not evaluate in all areas of suspected disability.
 - The results of a DOE evaluation are at odds with other assessments done for your child.
 - The DOE results inadequately or inaccurately reflect what you know to be true of your child's abilities, performance levels, and capacities.
 - The DOE evaluation was not administered in the student's home language and/or was not culturally appropriate.
 - Appropriate accommodations were not provided during the evaluation, such as Braille, large print text, or sign language interpretation.
 - The DOE has failed to complete an expected evaluation within the procedural timeline, e.g. initial, requested, or 3 year mandated re-evaluation.

How do I request an IEE?

- Submit a request in writing to the special education coordinator or principal at your child's school. Refer to INCLUDEnyc's IEE Request Letter Template: <https://bit.ly/2JTekLN>
 - Include your child's name, school, date of birth, and OSIS or ID number.
 - State that you are formally requesting an IEE at the DOE's expense.
 - Briefly state your reason. Refer to the prior section, "Why should I request an IEE?"
 - Ask that the school respond regarding next steps in obtaining an Assessment Authorization.
 - Sign and date the letter.
- Submit the letter by email or by certified mail. Keep a copy of the letter for your records and proof of the date the DOE received the letter.

What now?

- Do your research to find an appropriate provider for your student.
- The DOE must either authorize the request OR initiate an impartial hearing against the parent to defend the DOE's evaluation (if the DOE disagrees with the request for an IEE). Call INCLUDEnyc's Help Line for further information and guidance.
- If the request is approved, the DOE will send an Assessment Authorization Letter along with all necessary AA forms within 15 school days of the date of request.
- The timeline to complete the evaluation is 60 days from the date of the written request.
- Schedule an IEP meeting to discuss the results of the IEE:
 - The IEP team is required by law to consider the results of the IEE, but is not required to implement any of the recommendations.
 - Consider asking the evaluation provider to attend the IEP meeting to discuss their results and recommendations.
 - The IEP team will develop or adjust the IEP as appropriate according to all data and information provided to the team.

Notes:

- If a parent wants to request an IEE at the DOE's expense before it is time to conduct the Mandated Three Year Re-evaluation, the parent must first request that the school complete a re-evaluation. If you disagree with the results of the DOE's evaluation or the DOE fails to complete the evaluation after it is requested, then you may request an IEE.) Refer to Types of Evaluations: <https://bit.ly/39UYjzp>
- Parents have the right to obtain an independent evaluation at their own expense at any time. These assessments can be costly (typically \$2,000-\$5,000). However, insurance will sometimes cover some of or all of the cost and some practitioners offer services on a sliding scale based on family income. There are also a few free options through hospitals and research-based projects. Call INCLUDEnyc's Help Line for further information.
- Another option is to pay for an IEE out-of-pocket and seek reimbursement from the DOE. This may take longer and there is no guarantee they will approve the request.