

**THE PROVISION OF INDEPENDENT
EDUCATIONAL EVALUATIONS (IEES) AT LEA EXPENSE POLICY**

Purpose

The purpose of this policy is to provide for a process for responding to a parental request for the LEA to fund an independent educational evaluation (IEE). In addition, provision of copies of these guidelines to parents will meet the IDEA's requirement to provide necessary information to parents when they request an IEE, including information about where an IEE may be obtained and the LEA's criteria applicable to IEEs.

The Parental Right To An IEE

Under the IDEA and West Virginia Board of Education Policy 2419, a parent has the right to an IEE at public expense *only* when the parent disagrees with an individual evaluation completed or obtained by the LEA. If the LEA has not conducted or obtained an evaluation of the student, the parental right to an IEE does not arise until the LEA has completed its evaluation. If the request for an IEE is made one calendar year or more from the date of completion of the LEA's evaluation, the LEA may seek to complete a reevaluation prior to agreeing to fund an IEE.

A parent is entitled to only one IEE at public expense each time the LEA conducts an individual evaluation(s) with which the parent disagrees.

Definition of an IEE

An IEE is an evaluation conducted by a qualified evaluator who is not an employee of the LEA. The IEE is funded by the LEA or otherwise provided at no cost to the parent of a student with a disability. The purpose of an IEE is for determining a student's eligibility for special education or related services and for meeting a student's educational needs.

LEA'S General Response to a Request for an IEE

If a parent requests an IEE at public expense, the LEA must, without unnecessary delay, either 1) file a due process hearing request to show that its evaluation is appropriate 2) request West Virginia Department of Education mediation when the parents agree to mediation or 3) agree to fund the IEE and ensure that the IEE is provided, unless the LEA demonstrates in a due process hearing that the evaluation obtained by the parent did not meet agency criteria. If the final decision in a due process hearing is that the LEA's evaluation is appropriate, the parent continues to have the right to an IEE, but not at public expense.

AUTHORITY: WV Policy 2419

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See Administrative Regulations 2420.AR

