



FEDERATION FOR CHILDREN
WITH SPECIAL NEEDS

Frequently Asked Questions About Independent Education Evaluation (IEE)

Information within this document pertains to Massachusetts special education regulations 603 CMR 28.00. Please visit our website at www.fcsn.org for the full text of these regulations.

What is an independent education evaluation (IEE)?

An independent educational evaluation is an assessment completed by an outside evaluator of the parent's choice. The evaluator assesses the child in the same areas as the school.

If you disagree with the results of an initial evaluation or a reevaluation completed by your school, you can request an independent educational evaluation, in any or all of the areas assessed by the school. Upon receiving the results of the school's evaluation, you may request the independent evaluation in writing. *(See Sample Letter).

What weight does an independent education evaluation carry?

The Team must consider this evaluation in making any decisions about your child's program. Within 10 school days from the time the school district receives the report of the independent educational evaluation, the Team shall meet and consider the independent educational evaluation and whether a new or amended IEP is needed.

Is there a time limit for an independent education evaluation?

You can request an independent evaluation up to 16 months after the date of the school's evaluation. After 16 months, you need to request a reevaluation first, wait for results, and then request an independent evaluation if you disagree with the results. You may, however, obtain an independent evaluation anytime if you pay privately or access private insurance.

Who is able to administer an independent education evaluation?

Persons who are qualified, registered, certified and/or licensed to do the evaluation must do the independent evaluation. The cost should generally fall within the rates set by the state. Under some limited circumstances, a higher rate is allowed, so this rate may possibly be negotiable.

Who pays for an independent education evaluation?

If your child is eligible for free or reduced cost lunch or is in the custody of a state agency with an appointed Educational Surrogate Parent, or if your income is less than 400% of the federal poverty level, then the school will pay for all of the independent evaluation.

If you are willing to provide financial information, the school must pay for the percentage of the cost

of the evaluation determined by a sliding scale fee. You will need to provide the school with information regarding your income for the past year, and for the upcoming year. Financial information will be kept confidential during review, will not be copied, and will be returned.

If you do not wish to share financial information, you may still request an independent evaluation at the school's expense. In this case the school within five days of your request must either agree to pay for 100% of the Independent Educational Evaluation or move forward to a hearing at the Bureau of Special Education Appeals (BSEA) to prove that their evaluation was comprehensive and appropriate. You may also choose to pay for the independent evaluation yourself. The team must consider this evaluation as they would any evaluation.

How is the sliding fee determined?

To determine the sliding fee, the school considers family size and family income in relation to federal poverty guidelines as follows: If income is equal to or less than 400% of poverty level, the school pays 100%. (For a family of four this is approximately \$68,000). At an income between 400% and 500%, the school pays 75%; at income between 500% and 600%, the school pays 50%; at an income over 600%, the parent pays 100% of the evaluation cost.

What happens if . . .

A family requests an independent evaluation in an area not assessed by the school?

A family has an annual income that is over the eligible levels?

A family prefers not to provide the school with financial information?

The school either agrees to pay for the complete cost of the independent evaluation, or within five school days, initiates a hearing at the Bureau of Special Education Appeals for a decision. If the Bureau of Special Education Appeals rules that the school evaluation was comprehensive and appropriate, then the school will not be obligated to pay.

If I have a question that is not answered here, what should I do?

Call us and ask for an information specialist at 1-800-331-0688.