IEE Evaluator Choice

A one page guide for parents: you choose your child's evaluator, even off the district's list. Transcenders Inc, Family Navigator series.

The short version

If you disagree with the school district's evaluation of your child, you can ask for an Independent Educational Evaluation (IEE) at public expense. You, the parent, choose who performs it. The district's list of evaluators is a starting point for finding names, not a limit on who you may pick. Federal regulation 34 CFR 300.502 gives the district an information duty, not the choice of examiner, and the U.S. Department of Education's Office of Special Education Programs said so directly in its Letter to Parker (February 20, 2004).

Your five steps

1. **Ask in writing.** Ask the district for its IEE criteria and its evaluator list, and keep the reply.
2. **Check your evaluator against the criteria.** The lawful criteria are only the location of the evaluation and the qualifications of the examiner, the same criteria the district uses for its own evaluations.
3. **Propose in writing.** Send the evaluator's name, qualifications, location, and fee, with one line tying each point to the district's criteria.
4. **Use the unique circumstances route if needed.** If the right evaluator falls outside the criteria, show in writing why your child's needs justify that evaluator.
5. **If the district says no, ask for Prior Written Notice.** A refusal owes you a written explanation under 34 CFR 300.503, with the reasons, the options considered, and the data relied on.

A sentence you can use

> *I am requesting an Independent Educational Evaluation at public expense because I disagree with the district's evaluation. I propose [evaluator name], who meets the district's criteria for examiner qualifications and location. Please confirm funding, or let me know the district's next step, in writing.*

Fund it or file

Those are the district's two lawful moves when you request an IEE at public expense (34 CFR 300.502(b)(2)): fund the evaluation, or file due process to show its own evaluation was appropriate. A flat no, a long silence, or a rule that you must pick from the list is not one of them.

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transcenders.app/iee-evaluator-choice

Sources: 34 CFR 300.502 (Independent Educational Evaluations); 34 CFR 300.503 (Prior Written Notice); OSEP Letter to Parker, February 20, 2004; OSEP letter of August 13, 2010; 71 Fed. Reg. 46689 to 46690. The Letter to Parker is federal guidance, not a regulation. State rules vary; check your state education agency's guidance too. You are entitled to one IEE at public expense for each district evaluation you disagree with. This guide is general information, not legal advice.