

Independent Educational Evaluations

IDEA provides parents the ability to obtain an independent educational evaluation if they disagree with the evaluation completed by the school. The statute is included here for reference.

Sec. 300.502 Independent educational evaluation

(a) General.

(1) The parents of a child with a disability have the right under this part to obtain an independent educational evaluation of the child, subject to paragraphs (b) through (e) of this section.

(2) Each public agency must provide to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the agency criteria applicable for independent educational evaluations as set forth in paragraph (e) of this section.

(3) For the purposes of this subpart—

(i) Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question; and

(ii) Public expense means that the public agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with §300.103.

(b) Parent right to evaluation at public expense.

(1) A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency, subject to the conditions in paragraphs (b)(2) through (4) of this section.

(2) If a parent requests an independent educational evaluation at public expense, the public agency must, without unnecessary delay, either—

(i) File a due process complaint to request a hearing to show that its evaluation is appropriate; or

(ii) Ensure that an independent educational evaluation is provided at public expense, unless the agency demonstrates in a hearing pursuant to §§300.507 through 300.513 that the evaluation obtained by the parent did not meet agency criteria.

(3) If the public agency files a due process complaint notice to request a hearing and the final decision is that the agency's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.

(4) If a parent requests an independent educational evaluation, the public agency may ask for the parent's reason why he or she objects to the public evaluation. However, the public agency may not require the parent to provide an explanation and may not unreasonably delay either providing the independent educational evaluation at public expense or filing a due process complaint to request a due process hearing to defend the public evaluation.

(5) A parent is entitled to only one independent educational evaluation at public expense each time the public agency conducts an evaluation with which the parent disagrees.

(c) Parent-initiated evaluations. If the parent obtains an independent educational evaluation at public expense or shares with the public agency an evaluation obtained at private expense, the results of the evaluation—

(1) Must be considered by the public agency, if it meets agency criteria, in any decision made with respect to the provision of FAPE to the child; and

(2) May be presented by any party as evidence at a hearing on a due process complaint under subpart E of this part regarding that child.

(d) Requests for evaluations by hearing officers. If a hearing officer requests an independent educational evaluation as part of a hearing on a due process complaint, the cost of the evaluation must be at public expense.

(e) Agency criteria.

(1) If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the public agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation.

(2) Except for the criteria described in paragraph (e)(1) of this section, a public agency may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.



Independent Educational Evaluators

PennWest School Psychology Clinic

250 University Drive

California, PA 15419

724-938-4403

Email: Psychclinic-cal@pennwest.edu

<https://www.calu.edu/community/outreach/school-psychology-clinic.aspx>

Children's Therapy Center

1000 Waterdam Plaza Suite #120, Dr.

McMurray, PA 15317

724-942-6100

CTC6@whs.org

sdatovech@whs.org

<https://whs.org/care-treatment/childrens-care/childrens-therapy-center/>

Dr. Deborah Gilman

1386 Old Freeport Rd, #3B

Pittsburgh, PA 15238

412-966-8855

412-436-9302

deb@drdebgilman.com

<https://www.drdebgilman.com/>

<https://foxchapelspsychological.com/>

Jennifer Myers, Ph.D.

Mountaineer Psychological Services

4000 Coombs Farm Drive

Building D, Unit 102

Morgantown, WV 26508

304-241-1766

jmyers@mountaineerpsyc.com

www.mountaineerpsyc.com

Kimberly O'Brien
504 Paul Court
Uniontown, PA 15401
412-582-3273
cob1227@atlanticbb.net

West Virginia University Klingberg Center

WVU Medicine
University Town Centre
1 Medical Center Drive
Morgantown, WV 26506
304-293-7331

For a referral form: 304-293-1216

<http://medicine.hsc.wvu.edu/pediatrics/faculty-staff/neurology/klingberg-center>
kathryn.clemmer@wvumedicine.org

Molly Scott-Anthony
623 Center Avenue, Suite 100,
Pittsburgh, PA 15229
412-713-1565

Michael Crabtree, PhD
87 E. Maiden St. #2,
Washington, PA 15301
724-222-8525
mcrabtree@washingtonpsychological.com

Ramous Psychology & Associates

242 E. McMurray Rd.
McMurray, PA 15317
412-276-2307
www.ramouspsychology.com
admin@ramouspsychology.com