**Section 226.180 Independent Educational Evaluation**

Parents have the right to obtain an independent educational evaluation of their child at public expense in accordance with 34 CFR 300.502 and Section 14-8.02(b) and (g-5) of the School Code. The following rights and requirements shall also apply.

a) If the parents disagree with the district's evaluation and wish to obtain an independent educational evaluation at public expense, their request to that effect shall be submitted in writing to the local school district superintendent.

b) When an independent evaluation is obtained at public expense, the party chosen to perform the evaluation shall be either:

1) an individual whose name is included on the list of independent educational evaluators developed by the State Board of Education pursuant to Section 226.830 with regard to the relevant types of evaluation; or

2) another individual possessing the credentials required by Section 226.840.

c) If the parent wishes an evaluator to have specific credentials in addition to those required by Section 226.840, the parent and the school district shall agree on the qualifications of the examiner and the specific evaluations to be completed prior to the initiation of an independent educational evaluation at public expense. If agreement cannot be reached, the school district shall initiate a due process hearing subject to the time constraints set forth in this Section, as applicable.

d) Within 10 days after receiving a report of an independent evaluation conducted at either public or private expense, the district shall provide written notice stating the date upon which the IEP Team will meet to consider the results. (Also see Section 226.530.)

(Source: Amended at 40 Ill. Reg. 2220, effective January 13, 2016)